

SENATE BILL 639

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By: **Senators Pugh, Currie, and Glassman**

Introduced and read first time: February 5, 2010

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education – Death of Police Officer or Firefighter – Edward T.**
3 **Conroy Memorial Scholarship Program**

4 FOR the purpose of waiving tuition for any child of a police officer or firefighter killed
5 in the line of duty in the State of Maryland; requiring the Governor to provide
6 in the annual budget a certain amount under certain circumstances; requiring
7 certain postsecondary institutions to allow certain students upon acceptance,
8 after meeting enrollment requirements, to enroll in certain programs and
9 attend classes for credit under these circumstances; requiring certain
10 postsecondary institutions to waive tuition for certain students; providing for
11 the termination of certain provisions of this Act; and generally relating to the
12 enrollment and attendance of Edward T. Conroy Memorial Scholarship
13 recipients at postsecondary institutions.

14 BY repealing and reenacting, with amendments,
15 Article – Education
16 Section 18–601
17 Annotated Code of Maryland
18 (2008 Replacement Volume and 2009 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article – Education
21 Section 18–601
22 Annotated Code of Maryland
23 (2008 Replacement Volume and 2009 Supplement)
24 (As enacted by Chapter 418 of the Acts of the General Assembly of 2004)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
26 MARYLAND, That the Laws of Maryland read as follows:

27 **Article – Education**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 18-601.

2 (a) (1) In this section the following words have the meanings indicated.

3 (2) "Disabled public safety employee" means a State or local public
4 safety employee who sustains an injury in the line of duty that:

5 (i) Precludes the individual from continuing to serve or be
6 employed as a State or local public safety employee; and

7 (ii) In the case of a volunteer member of a fire department or
8 ambulance or rescue company or squad, precludes the member from continuing to be
9 employed in the nonpublic safety occupation in which the member is engaged at the
10 time of the injury.

11 (3) "Surviving spouse" means a person who has not remarried.

12 (4) "State or local public safety employee" means a person who is:

13 (i) A career or volunteer member of a:

14 1. Fire department;

15 2. Ambulance company or squad; or

16 3. Rescue company or squad;

17 (ii) A law enforcement officer;

18 (iii) A correctional officer; or

19 (iv) A member of the Maryland National Guard who was a
20 resident of this State at the time of death.

21 (5) "Victim of the September 11, 2001, terrorist attacks" means a
22 Maryland resident who was killed as a result of the attacks on the World Trade Center
23 in New York City, the attack on the Pentagon in Virginia, or the crash of United
24 Airlines Flight 93 in Pennsylvania.

25 (b) There is a program of scholarships that are awarded by eligible
26 postsecondary institutions under this section.

27 (c) The Program is the Edward T. Conroy Memorial Scholarship Program.

28 (d) A person may apply to an eligible postsecondary institution for a
29 scholarship under this section if the person:

1 (1) Except as provided in item (3)(iii) of this subsection and subsection
2 (e) of this section, is a resident of Maryland;

3 (2) (i) Is accepted for admission or enrolled in the regular
4 undergraduate, graduate or professional program at an eligible institution; or

5 (ii) Is enrolled in a 2-year terminal certificate program in which
6 the course work is acceptable for transfer credit for an accredited baccalaureate
7 program in an eligible institution; and

8 (3) (i) Is at least 16 years old and a son or daughter of a member of
9 the armed forces who:

10 1. Died as a result of military service after December 7,
11 1941;

12 2. Suffered a service connected 100% permanent
13 disability after December 7, 1941; or

14 3. Was declared to be a prisoner of war or missing in
15 action, if that occurred on or after January 1, 1960, as a result of the Vietnam conflict,
16 and if the child was born prior to or while the parent was a prisoner of war or missing
17 in action;

18 (ii) Was a prisoner of war on or after January 1, 1960, as a
19 result of the Vietnam conflict and was a resident of this State at the time the person
20 was declared to be a prisoner of war or missing in action;

21 (iii) 1. A. Is at least 16 years old and a son or daughter of
22 any State or local public safety employee killed in the line of duty; or

23 B. Is the surviving spouse of any State or local public
24 safety employee killed in the line of duty; and

25 2. Is a resident of any state;

26 (iv) 1. Is a disabled public safety employee;

27 2. Is at least 16 years old and a son or daughter of a
28 disabled public safety employee who sustains an injury in the line of duty that renders
29 the public safety employee 100% disabled; or

30 3. Is the surviving spouse of a disabled public safety
31 employee who sustains an injury in the line of duty that renders the public safety
32 employee 100% disabled;

1 (v) Is a veteran, as defined under § 9–901 of the State
2 Government Article, who:

3 1. Suffers a service connected disability of 25% or
4 greater; and

5 2. Has exhausted or is no longer eligible for federal
6 veterans' educational benefits; or

7 (vi) Is at least 16 years old and a son or daughter of or the
8 surviving spouse of a victim of the September 11, 2001, terrorist attacks.

9 (e) For a person who graduates from a high school in this State in 2004, that
10 person shall be eligible under subsection (d)(1) of this section if the person:

11 (1) Is a resident of Maryland;

12 (2) Is a student at a Maryland high school at the time of application;
13 or

14 (3) Graduated from a Maryland high school within 3 months of
15 application.

16 (f) A scholarship awarded under this section:

17 (1) May be used for the tuition and mandatory fees at any eligible
18 institution; and

19 (2) May not:

20 (i) Exceed the equivalent annual tuition and mandatory fees of
21 a resident undergraduate student at the 4–year public institution of higher education
22 within the University System of Maryland, other than the University of Maryland
23 University College and University of Maryland, Baltimore, with the highest annual
24 expenses for a full–time resident undergraduate; and

25 (ii) Be less than the lesser of:

26 1. \$3,000; or

27 2. The equivalent annual tuition and mandatory fees of
28 a resident of the institution attended by the recipient of the scholarship.

29 (g) (1) Each postsecondary institution shall determine the eligibility of
30 persons who apply to the institution for the Edward T. Conroy Memorial Scholarship
31 Program.

1 (2) Funds for the Edward T. Conroy Memorial Scholarship Program
2 shall be allocated by the Commission to each postsecondary institution based on the
3 number of eligible recipients attending each institution.

4 (3) In October and February of each year, each postsecondary
5 institution shall report to the Commission the number of eligible recipients attending
6 the institution.

7 (4) The Commission shall allocate funds for awards to postsecondary
8 institutions upon verification of eligible recipients attending the institutions.

9 (5) If funds cannot be allocated in the fiscal year in which awards are
10 made, priority shall be given to allocating funds for those awards in the following fiscal
11 year.

12 **(H) (1) IF FUNDS CANNOT BE ALLOCATED IN THE FISCAL YEAR IN**
13 **WHICH AN AWARD IS MADE TO A STUDENT WHO IS A SON OR DAUGHTER OF A**
14 **STATE OR LOCAL PUBLIC SAFETY EMPLOYEE KILLED IN THE LINE OF DUTY, THE**
15 **GOVERNOR SHALL PROVIDE IN THE ANNUAL BUDGET IN THE FOLLOWING**
16 **FISCAL YEAR THE AMOUNT OF THE PRIOR FISCAL YEAR'S EXPENDITURE FOR**
17 **THE AWARD, IN ADDITION TO 7% OF THE AMOUNT.**

18 **(2) THE POSTSECONDARY INSTITUTION THAT MAKES AN AWARD**
19 **UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL:**

20 **(I) ALLOW THE STUDENT TO ENROLL IN THE REGULAR**
21 **UNDERGRADUATE, GRADUATE, OR PROFESSIONAL PROGRAM AT THE**
22 **INSTITUTION AND ATTEND CLASSES FOR CREDIT; AND**

23 **(II) WAIVE TUITION FOR 1 YEAR PENDING ALLOCATION OF**
24 **THE FUNDS AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION.**

25 **[(h)] (I) (1)** Each recipient of a scholarship under this section may hold
26 the award for 5 years of full-time study or 8 years of part-time study.

27 (2) The number of eligible recipients under subsection (d)(3)(v) of this
28 section shall be limited to 15 each year.

29 (3) An award provided under subsection (d)(3)(vi) of this section may
30 not exceed the amount specified in subsection (f)(2) of this section when combined with
31 any other scholarship received by a student based on the student's status as a child or
32 spouse of a victim of the September 11, 2001, terrorist attacks.

33 **[(i)] (J)** The Commission:

1 (1) May accept any gift or grant from any person for the Edward T.
2 Conroy Scholarship Fund;

3 (2) Shall use any gift or grant that it receives for a scholarship from
4 the Program; and

5 (3) Shall deposit any gift or grant that it receives for the Program with
6 the State Treasurer in a nonbudgeted account.

7 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
8 read as follows:

9 **Article – Education**

10 18–601.

11 (a) (1) In this section the following words have the meanings indicated.

12 (2) “Disabled public safety employee” means a State or local public
13 safety employee who sustains an injury in the line of duty that:

14 (i) Precludes the individual from continuing to serve or be
15 employed as a State or local public safety employee; and

16 (ii) In the case of a volunteer member of a fire department or
17 ambulance or rescue company or squad, precludes the member from continuing to be
18 employed in the nonpublic safety occupation in which the member is engaged at the
19 time of the injury.

20 (3) “Surviving spouse” means a person who has not remarried.

21 (4) “State or local public safety employee” means a person who is:

22 (i) A career or volunteer member of a:

23 1. Fire department;

24 2. Ambulance company or squad; or

25 3. Rescue company or squad;

26 (ii) A law enforcement officer;

27 (iii) A correctional officer; or

28 (iv) A member of the Maryland National Guard who was a
29 resident of this State at the time of death.

1 (5) “Victim of the September 11, 2001, terrorist attacks” means a
2 Maryland resident who was killed as a result of the attacks on the World Trade Center
3 in New York City, the attack on the Pentagon in Virginia, or the crash of United
4 Airlines Flight 93 in Pennsylvania.

5 (b) There is a program of scholarships that are awarded by eligible
6 postsecondary institutions under this section.

7 (c) The Program is the Edward T. Conroy Memorial Scholarship Program.

8 (d) A person may apply to an eligible postsecondary institution for a
9 scholarship under this section if the person:

10 (1) Except as provided in item (3)(iii) of this subsection, is a resident of
11 Maryland;

12 (2) (i) Is accepted for admission or enrolled in the regular
13 undergraduate, graduate or professional program at an eligible institution; or

14 (ii) Is enrolled in a 2–year terminal certificate program in which
15 the course work is acceptable for transfer credit for an accredited baccalaureate
16 program in an eligible institution; and

17 (3) (i) Is at least 16 years old and a son or daughter of a member of
18 the armed forces who:

19 1. Died as a result of military service after December 7,
20 1941;

21 2. Suffered a service connected 100% permanent
22 disability after December 7, 1941; or

23 3. Was declared to be a prisoner of war or missing in
24 action, if that occurred on or after January 1, 1960, as a result of the Vietnam conflict,
25 and if the child was born prior to or while the parent was a prisoner of war or missing
26 in action;

27 (ii) Was a prisoner of war on or after January 1, 1960, as a
28 result of the Vietnam conflict and was a resident of this State at the time the person
29 was declared to be a prisoner of war or missing in action;

30 (iii) 1. A. Is at least 16 years old and a son or daughter of
31 any State or local public safety employee killed in the line of duty; or

32 B. Is the surviving spouse of any State or local public
33 safety employee killed in the line of duty; and

34 2. Is a resident of any state;

- 1 (iv) 1. Is a disabled public safety employee;
- 2 2. Is at least 16 years old and a son or daughter of a
3 disabled public safety employee who sustains an injury in the line of duty that renders
4 the public safety employee 100% disabled; or
- 5 3. Is the surviving spouse of a disabled public safety
6 employee who sustains an injury in the line of duty that renders the public safety
7 employee 100% disabled;
- 8 (v) Is a veteran, as defined under § 9–901 of the State
9 Government Article, who:
- 10 1. Suffers a service connected disability of 25% or
11 greater; and
- 12 2. Has exhausted or is no longer eligible for federal
13 veterans' educational benefits; or
- 14 (vi) Is at least 16 years old and a son or daughter of or the
15 surviving spouse of a victim of the September 11, 2001, terrorist attacks.
- 16 (e) A scholarship awarded under this section:
- 17 (1) May be used for the tuition and mandatory fees at any eligible
18 institution; and
- 19 (2) May not:
- 20 (i) Exceed the equivalent annual tuition and mandatory fees of
21 a resident undergraduate student at the 4–year public institution of higher education
22 within the University System of Maryland, other than the University of Maryland
23 University College and University of Maryland, Baltimore, with the highest annual
24 expenses for a full–time resident undergraduate; and
- 25 (ii) Be less than the lesser of:
- 26 1. \$3,000; or
- 27 2. The equivalent annual tuition and mandatory fees of
28 a resident of the institution attended by the recipient of the scholarship.
- 29 (f) (1) Each postsecondary institution shall determine the eligibility of
30 persons who apply to the institution for the Edward T. Conroy Memorial Scholarship
31 Program.

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2 shall be allocated by the Commission to each postsecondary institution based on the
3 number of eligible recipients attending each institution.

4 (3) In October and February of each year, each postsecondary
5 institution shall report to the Commission the number of eligible recipients attending
6 the institution.

7 (4) The Commission shall allocate funds for awards to postsecondary
8 institutions upon verification of eligible recipients attending the institutions.

9 (5) If funds cannot be allocated in the fiscal year in which awards are
10 made, priority shall be given to allocating funds for those awards in the following
11 fiscal year.

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25 **[(g)] (H) (1)** Each recipient of a scholarship under this section may hold
26 the award for 5 years of full-time study or 8 years of part-time study.

27 (2) The number of eligible recipients under subsection (d)(3)(v) of this
28 section shall be limited to 15 each year.

29 (3) An award provided under subsection (d)(3)(vi) of this section may
30 not exceed the amount specified in subsection (e)(2) of this section when combined
31 with any other scholarship received by a student based on the student's status as a
32 child or spouse of a victim of the September 11, 2001, terrorist attacks.

33 **[(h)] (I)** The Commission:

1 (1) May accept any gift or grant from any person for the Edward T.
2 Conroy Scholarship Fund;

3 (2) Shall use any gift or grant that it receives for a scholarship from
4 the Program; and

5 (3) Shall deposit any gift or grant that it receives for the Program with
6 the State Treasurer in a nonbudgeted account.

7 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall
8 take effect on the taking effect of the termination provision specified in Section 2 of
9 Chapter 418 of the Acts of the General Assembly of 2004. If that termination provision
10 takes effect, Section 1 of this Act shall be abrogated and of no further force and effect.
11 This Act may not be interpreted to have any effect on that termination provision.

12 SECTION 4. AND BE IT FURTHER ENACTED, That, subject to the provisions
13 of Section 3 of this Act, this Act shall take effect October 1, 2010.