

# HOUSE BILL 964

F4, F2

(3lr0834)

## ENROLLED BILL

— *Ways and Means/Budget and Taxation* —

Introduced by **Delegates Hixson, Barve, Cardin, Frick, Howard, Ivey, Luedtke, Stukes, Summers, F. Turner, Walker, and A. Washington**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Community Colleges – ~~Cade Funding Formula~~ Grants for English for**  
3 **Speakers of Other Languages Programs – ~~Repeal of Total Amount Limitation~~**

4 FOR the purpose of ~~removing~~ *increasing* the limit on the total amount of grants that  
5 may be distributed to certain community colleges to provide instruction and  
6 services to certain students enrolled in English for Speakers of Other  
7 Languages programs; and generally relating to grants for community colleges  
8 for English for Speakers of Other Languages programs.

9 BY repealing and reenacting, with amendments,  
10 Article – Education  
11 Section 16–305(e) and 16–508  
12 Annotated Code of Maryland  
13 (2008 Replacement Volume and 2012 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics* indicate opposite chamber/conference committee amendments.



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

3 **Article – Education**

4 16–305.

5 (e) (1) (i) Beginning in fiscal year 1996, a grant in the amount  
6 provided in paragraph (2) of this subsection shall be distributed to each board in order  
7 to provide instruction and services to students enrolled in an English for Speakers of  
8 Other Languages (“ESOL”) program.

9 (ii) To qualify for a grant under this subsection, each participant  
10 in the program shall be a student:

11 1. Born outside of the United States or whose native  
12 language is not English;

13 2. Who comes from an environment where a language  
14 other than English is dominant; or

15 3. Who is an American Indian or Alaskan native and  
16 comes from an environment where a language other than English has had a  
17 significant impact on the student’s level of English language proficiency.

18 (2) ~~¶~~(i) Subject to the provisions of subparagraph (ii) of this  
19 paragraph, the ~~THE~~ amount of the grant shall be \$800 times the number of qualified  
20 full-time equivalent students who are enrolled in a county ESOL program and at the  
21 community college.

22 ~~¶~~(ii) 1. The total amount of the grants under this paragraph  
23 may not exceed ~~\$6,000,000~~ \$8,000,000 for any fiscal year.

24 2. If, for any fiscal year, the total amount of the grants  
25 calculated under subparagraph (i) of this paragraph would exceed ~~\$6,000,000~~  
26 \$8,000,000, then each grant shall be prorated by the amount necessary to reduce the  
27 total amount of the grants to ~~\$6,000,000~~ \$8,000,000.

28 (3) (i) If the amount that is appropriated to a board under this  
29 subsection for any fiscal year is more than the actual cost of providing ESOL programs  
30 to students enrolled at the community college in that county or region, the excess  
31 funds shall be paid back to the State and credited to the General Fund of the State.

32 (ii) A board may not transfer State funds received under this  
33 subsection to any other program or category.

1           (4) ~~¶~~Subject to the provisions of paragraph (2) of this subsection, for~~¶~~  
2 ~~FOR~~ any fiscal year in which the State appropriation is insufficient to fully fund all  
3 grants eligible under this section, the Governor shall include in the budget bill for the  
4 following fiscal year a deficiency appropriation to fund all unfunded grants.

5 16-508.

6           (a) (1) Beginning with fiscal year 1996, the Governor shall include in the  
7 annual budget submission a General Fund appropriation for Baltimore City  
8 Community College in the amount provided in subsection (b) of this section to provide  
9 instruction and services to students enrolled in an English for Speakers of Other  
10 Languages (“ESOL”) program.

11           (2) To qualify for a grant under this section, each participant in the  
12 program shall be a student:

13                   (i) Born outside of the United States or whose native language  
14 is not English;

15                   (ii) Who comes from an environment where a language other  
16 than English is dominant; or

17                   (iii) Who is an American Indian or Alaskan native and comes  
18 from an environment where a language other than English has had a significant  
19 impact on the student’s level of English language proficiency.

20           (b) ~~¶~~(1) Subject to the provisions of paragraph (2) of this subsection, the~~¶~~  
21 ~~THE~~ amount of the grant shall be \$800 times the number of qualified full-time  
22 equivalent students who are enrolled in a Baltimore City Community College ESOL  
23 program, as certified by the Maryland Higher Education Commission.

24                   ~~¶~~(2) The total amount of the grant under this subsection may not  
25 exceed ~~\$1,000,000~~ **\$1,333,000** for any fiscal year.~~¶~~

26           (c) Baltimore City Community College may not transfer State funds received  
27 under this subsection to any other program or category.

28           (d) ~~¶~~Subject to the provisions of subsection (b) of this section, for~~¶~~ ~~FOR~~ any  
29 fiscal year in which the State appropriation is insufficient to fully fund all grants  
30 eligible under this section, the Governor shall include in the budget bill for the  
31 following fiscal year a deficiency appropriation to fund all unfunded grants.

32           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
33 June 1, 2013.