

## Chapter 172

### (Senate Bill 54)

AN ACT concerning

#### **Maryland Higher Education Commission – Scholarship Funds – Technical Alterations**

FOR the purpose of amending provisions of the Educational Excellence Fund, the Edward T. Conroy Scholarship Fund, the Veterans of the Afghanistan and Iraq Conflicts Scholarship Fund, and the Workforce Shortage Student Assistance Grant Fund to require each of the funds to be special, nonlapsing funds that are administered by the Maryland Higher Education Commission, held by the State Treasurer, and accounted for by the Comptroller; repealing requirements for the funds to be held in nonbudgeted accounts; defining certain terms; making technical changes; and generally relating to technical alterations to certain scholarship fund provisions.

BY repealing and reenacting, with amendments,

Article – Education

Section 15–106.7(a), 18–310, 18–601(a) and (h), 18–604(k), and 18–708(a) and (o)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 18–601(b) and (c), 18–604(b), and 18–708(b)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

#### **Article – Education**

15–106.7.

(a) In this section, “State or local public safety employee” has the meaning stated in § [18–601(a)(4)] **18–601(A)(5)** of this article.

18–310.

(a) Funds for the Delegate Howard P. Rawlings Educational Excellence Award Program shall be as provided in the annual budget of the Commission by the Governor.

(b) **(1) IN THIS SECTION, “FUND” MEANS THE EDUCATIONAL EXCELLENCE FUND.**

**[(1)] (2)** There is an Educational Excellence Fund in the Commission.

**(3) THE COMMISSION SHALL ADMINISTER THE FUND.**

**(4) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

**(5) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

**[(2)] (6)** The Commission:

(i) May accept any gift or grant from any person or corporation for the [Educational Excellence] Fund;

(ii) Shall use any gift or grant that it receives to support an early intervention program to identify students eligible for the Delegate Howard P. Rawlings Educational Excellence Award Program and prepare them for college; and

(iii) Shall deposit any gift or grant that it receives for the Fund with the State Treasurer [in a nonbudgeted account] for use only in the early intervention program.

**[(3)] (7)** (i) At the end of the fiscal year, the Commission shall prepare an annual report on the [Educational Excellence] Fund that includes an accounting of all financial receipts and expenditures to and from the Fund.

(ii) The Commission shall submit a copy of the report to the General Assembly as provided under § 2-1246 of the State Government Article.

18-601.

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

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

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

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

**(3) "FUND" MEANS THE EDWARD T. CONROY SCHOLARSHIP FUND.**

**[(3)] (4)** "Surviving spouse" means a person who has not remarried.

**[(4)] (5)** "State or local public safety employee" means a person who is:

(i) A career or volunteer member of a:

1. Fire department;
2. Ambulance company or squad; or
3. Rescue company or squad;

(ii) A law enforcement officer;

(iii) A correctional officer; or

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

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

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

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

**(h) (1) THERE IS AN EDWARD T. CONROY SCHOLARSHIP FUND.**

**(2) THE COMMISSION SHALL ADMINISTER THE FUND.**

**(3) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

**(4) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

**(5) The Commission:**

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

**[(2)] (II)** Shall use any gift or grant that it receives for a scholarship from the Program; and

**[(3)] (III)** Shall deposit any gift or grant that it receives for the Program with the State Treasurer [in a nonbudgeted account].

18-604.

(b) There is a Veterans of the Afghanistan and Iraq Conflicts Scholarship.

(k) (1) Funds for the Veterans of the Afghanistan and Iraq Conflicts Scholarship shall be as provided in the annual budget of the Commission by the Governor.

**(2) (I) IN THIS SUBSECTION, “FUND” MEANS THE VETERANS OF THE AFGHANISTAN AND IRAQ CONFLICTS SCHOLARSHIP FUND.**

**[(i)] (II)** There is a Veterans of the Afghanistan and Iraq Conflicts Scholarship Fund in the Commission.

**(III) THE COMMISSION SHALL ADMINISTER THE FUND.**

**(IV) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

**(V) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

**[(ii)] (VI)** The Commission:

1. May accept any gift or grant from any person or corporation for the [Veterans of the Afghanistan and Iraq Conflicts Scholarship] Fund;

2. Shall use any gift or grant that it receives for a scholarship from the [Veterans of the Afghanistan and Iraq Conflicts Scholarship] Fund; and

3. Shall deposit any gift or grant that it receives for the [Veterans of the Afghanistan and Iraq Conflicts Scholarship] Fund with the State Treasurer [in a nonbudgeted account].

(3) (i) At the end of the fiscal year, the Commission shall prepare an annual report on the [Veterans of the Afghanistan and Iraq Conflicts Scholarship] Fund that includes an accounting of all financial receipts and expenditures to and from the Fund.

(ii) The Commission shall submit a copy of the report to the General Assembly as provided under § 2–1246 of the State Government Article.

18–708.

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

(2) “Advisory Council” means the Advisory Council on Workforce Shortage.

(3) “Eligible institution” means a public or private nonprofit institution of higher education in this State that possesses a certificate of approval from the Commission.

**(4) “FUND” MEANS THE WORKFORCE SHORTAGE STUDENT ASSISTANCE GRANT FUND.**

**[(4)] (5)** “Grant” means the Workforce Shortage Student Assistance grant.

**[(5)] (6)** “Public good or benefit” means service to low-income or underserved residents or areas of the State in an occupation in the public sector or in an organization, institution, association, society, or corporation that is exempt from taxation under § 501(c)(3) or (4) of the Internal Revenue Code of 1986.

(b) There is a program of Workforce Shortage Student Assistance grants under this section for students who pledge to work in fields of critical shortage in the State on completion of their studies.

(o) (1) There is a Workforce Shortage Student Assistance Grant Fund in the Commission.

**(2) THE COMMISSION SHALL ADMINISTER THE FUND.**

**(3) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

**(4) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

**[(2)] (5)** The Commission:

(i) May accept any gift or grant from any person or corporation for the [Workforce Shortage Student Assistance Grant] Fund;

(ii) Shall use any gift or grant that it receives for a grant award from the Fund; and

(iii) Shall deposit any gift or grant that it receives for the Fund with the State Treasurer [in a nonbudgeted account].

~~(5)~~ **(6)** (i) At the end of the fiscal year, the Commission shall prepare an annual report on the [Workforce Shortage Student Assistance Grant] Fund that includes an accounting of all financial receipts and expenditures to and from the Fund.

(ii) The Commission shall submit a copy of the report to the General Assembly as provided under § 2-1246 of the State Government Article.

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

**Approved by the Governor, May 2, 2013.**