

# HOUSE BILL 1215

F2

(4lr3091)

## ENROLLED BILL

— *Ways and Means/Education, Health, and Environmental Affairs* —

Introduced by **Delegates Bohanan, Barve, Healey, Hixson, Jameson, Kaiser, Murphy, and Wilson**

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 **Higher Education – 2+2 Transfer Scholarship**

3 FOR the purpose of renaming the Community College Transfer Scholarship to be the  
4 2+2 Transfer Scholarship and altering certain elements of the scholarship  
5 program; altering the ~~institutions at which the scholarship may be used,~~  
6 qualifications for the scholarship; and the annual amount of the award;  
7 specifying that the scholarship may be used for a certain period of time; altering  
8 the requirements for maintaining the award; repealing a certain employment  
9 obligation associated with the scholarship; requiring certain funds to be  
10 transferred from a certain fund for certain purposes under certain  
11 circumstances; and generally relating to the 2+2 Transfer Scholarship.

12 BY repealing and reenacting, without amendments,  
13 Article – Education

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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 10–101(c) ~~and (m) and (n)~~ and 18–101(c)  
 2 Annotated Code of Maryland  
 3 (2008 Replacement Volume and 2013 Supplement)

4 BY repealing and reenacting, with amendments,  
 5 Article – Education  
 6 Section 18–107(c); and 18–2501 through 18–2506 to be under the amended  
 7 subtitle “Subtitle 25. HOPE for Nontraditional Students – 2+2 Transfer  
 8 Scholarship Program”  
 9 Annotated Code of Maryland  
 10 (2008 Replacement Volume and 2013 Supplement)

11 BY repealing  
 12 Article – Education  
 13 Section 18–2507  
 14 Annotated Code of Maryland  
 15 (2008 Replacement Volume and 2013 Supplement)

16 BY adding to  
 17 Article – Education  
 18 Section 18–2507  
 19 Annotated Code of Maryland  
 20 (2008 Replacement Volume and 2013 Supplement)

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

23 **Article – Education**

24 10–101.

25 (c) “Commission” means the Maryland Higher Education Commission.

26 ~~(m) “Public senior higher education institution” means:~~

27 ~~(1) The constituent institutions of the University System of Maryland~~  
 28 ~~and the University of Maryland Center for Environmental Science;~~

29 ~~(2) Morgan State University; and~~

30 ~~(3) St. Mary’s College of Maryland.~~

31 (m) “Public senior higher education institution” means:

32 (1) The constituent institutions of the University System of Maryland  
 33 and the University of Maryland Center for Environmental Science;

1           (2)    Morgan State University; and

2           (3)    St. Mary's College of Maryland.

3 18-101.

4           (c)    “Office” means the Office of Student Financial Assistance.

5 18-107.

6           (c)    (1)    In this subsection, “Fund” means the Need-based Student  
7 Financial Assistance Fund.

8                   (2)    There is a Need-based Student Financial Assistance Fund.

9                   (3)    The purpose of the Fund is to allow money appropriated for  
10 student financial assistance programs that is not used in a fiscal year to be retained  
11 for need-based awards in future fiscal years.

12                   (4)    The Commission shall administer the Fund.

13                   (5)    (i)    The Fund is a special, nonlapsing fund that is not subject to  
14 § 7-302 of the State Finance and Procurement Article.

15                           (ii)   The State Treasurer shall hold the Fund and the  
16 Comptroller shall account for the Fund.

17                   (6)    The Fund consists of:

18                           (i)    Money distributed to the Fund under subsection (b) of this  
19 section; and

20                           (ii)   Any other money from any other source accepted for the  
21 benefit of the Fund.

22                   (7)    (i)    The Fund may be used only for making need-based financial  
23 assistance awards to students as provided in §§ 18-301, 18-601, 18-604, 18-706(f),  
24 18-1401, 18-14A-01, 18-1501, **18-2507**, and 18-2601 of this title.

25                           (ii)   The Fund may not be used for administrative expenses.

26                   (8)    (i)    The State Treasurer shall invest the money of the Fund in  
27 the same manner as other State money may be invested.

28                           (ii)   Any investment earnings on the funds in the account shall  
29 be paid into the General Fund of the State.

1 (9) Expenditures from the Fund may be made only in accordance with  
2 the State budget.

3 Subtitle 25. HOPE for Nontraditional Students – [Community College] **2+2** Transfer  
4 Scholarship Program.

5 18–2501.

6 There is a [Community College] **2+2** Transfer Scholarship Program in the State  
7 under which scholarships are awarded under this subtitle.

8 18–2502.

9 A [Community College] **2+2** Transfer Scholarship awarded under this subtitle  
10 may be used only at a ~~[4-year public or private nonprofit institution of higher~~  
11 ~~education~~ **PUBLIC SENIOR HIGHER EDUCATION INSTITUTION OR A PRIVATE**  
12 **NONPROFIT INSTITUTION OF HIGHER EDUCATION** ~~]~~ ~~PUBLIC SENIOR HIGHER~~  
13 ~~EDUCATION INSTITUTION~~ in the State.

14 18–2503.

15 To qualify for a [Community College] **2+2** Transfer Scholarship, an applicant  
16 shall:

17 (1) Be a resident of the State;

18 (2) Be a student at a community college in the State;

19 (3) Maintain a cumulative [3.0] **2.5** grade point average on a 4.0 scale  
20 while a student at a community college in the State;

21 (4) Have [completed at least 60 credits at a community college in the  
22 State or have] earned an associate's degree **FROM A COMMUNITY COLLEGE IN THE**  
23 **STATE** by the end of the semester in which the applicant plans to transfer;

24 (5) Be accepted for admission in a degree program at a ~~[4-year public~~  
25 ~~or private nonprofit institution of higher education~~ **PUBLIC SENIOR HIGHER**  
26 **EDUCATION INSTITUTION OR A PRIVATE NONPROFIT INSTITUTION OF HIGHER**  
27 **EDUCATION** in the State ~~]~~ ~~PUBLIC SENIOR HIGHER EDUCATION INSTITUTION~~;

28 (6) Intend to enroll in a ~~[4-year public or private nonprofit institution~~  
29 ~~of higher education~~ **PUBLIC SENIOR HIGHER EDUCATION INSTITUTION OR A**  
30 **PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION** in the State ~~]~~ ~~PUBLIC~~  
31 ~~SENIOR HIGHER EDUCATION INSTITUTION~~ in order to complete a bachelor's degree  
32 program;

1 (7) [Enroll] **ON OR AFTER THE FALL SEMESTER OF 2014, ENROLL**  
2 **as a full-time student in ~~[that 4-year institution]~~ A PUBLIC SENIOR HIGHER**  
3 **EDUCATION INSTITUTION OR A PRIVATE NONPROFIT INSTITUTION OF HIGHER**  
4 **EDUCATION IN THE STATE ~~A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION~~**  
5 **BY THE FALL SEMESTER FOLLOWING COMPLETION OF THE ASSOCIATE'S**  
6 **DEGREE;**

7 [(8) Have an annual total family income of not more than \$95,000; and]

8 (8) **IN THE CASE OF AN INDIVIDUAL WHO IS REQUIRED TO**  
9 **REGISTER WITH THE SELECTIVE SERVICE SYSTEM, HAVE COMPLIED WITH THE**  
10 **REGISTRATION REQUIREMENT;**

11 (9) **HAVE COMPLETED THE FEDERAL FREE APPLICATION FOR**  
12 **FEDERAL STUDENT AID (FAFSA);**

13 (10) **HAVE DEMONSTRATED FINANCIAL NEED, DEFINED AS A**  
14 **FEDERALLY CALCULATED EXPECTED FAMILY CONTRIBUTION (EFC) OF \$10,000**  
15 **OR LESS AS REPORTED ON THE STUDENT'S FAFSA; AND**

16 [(9)] (11) **Accept any other conditions or satisfy any additional criteria**  
17 **that the Commission or the Office may establish.**

18 18-2504.

19 (a) (1) [The] **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**  
20 **SUBSECTION, THE annual amount of the [Community College] 2+2 Transfer**  
21 **Scholarship awarded under this subtitle shall be [\$3,000] \$1,000.**

22 (2) **FOR A STUDENT WHO ENROLLS IN A SCIENCE, TEACHING,**  
23 **ENGINEERING, COMPUTER SCIENCE, MATHEMATICS, OR NURSING PROGRAM AT**  
24 **A ~~A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION~~ 4-YEAR-PUBLIC PUBLIC**  
25 **SENIOR HIGHER EDUCATION INSTITUTION OR A PRIVATE NONPROFIT**  
26 **INSTITUTION OF HIGHER EDUCATION IN THE STATE, THE ANNUAL AMOUNT OF**  
27 **THE 2+2 TRANSFER SCHOLARSHIP AWARDED UNDER THIS SUBTITLE SHALL BE**  
28 **\$2,000.**

29 (b) A [Community College] 2+2 Transfer Scholarship may be used for tuition  
30 and mandatory fees **FOR 3 YEARS OF STUDY, OR SIX SEMESTERS OF STUDY,**  
31 **WHICHEVER IS LONGER.**

32 (c) [(1) Subject to paragraphs (2) and (3) of this subsection, to] **TO** retain a  
33 **[Community College] 2+2 Transfer Scholarship, the recipient shall:**

1                    [(i)] (1)        Remain a resident of the State;

2                    [(ii)] (2)        Continue to be enrolled as an undergraduate student  
3 in a degree program at a ~~[4-year public or private nonprofit institution of higher~~  
4 ~~education~~ **PUBLIC SENIOR HIGHER EDUCATION INSTITUTION OR A PRIVATE**  
5 **NONPROFIT INSTITUTION OF HIGHER EDUCATION** in the State] ~~PUBLIC SENIOR~~  
6 ~~HIGHER EDUCATION INSTITUTION~~;

7                    [(iii)] (3)        Maintain a [3.0] **2.5** grade point average on a 4.0  
8 scale each academic year the individual is enrolled at a ~~[4-year public or private~~  
9 ~~nonprofit institution of higher education~~ **PUBLIC SENIOR HIGHER EDUCATION**  
10 **INSTITUTION OR A PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION** in  
11 the State] ~~PUBLIC SENIOR HIGHER EDUCATION INSTITUTION~~ or provide evidence  
12 satisfactory to the Office of extenuating circumstances; and

13                    [(iv)] (4)        Maintain the standards of the eligible institution that  
14 the individual attends.

15                    [(2)    A recipient of a Community College Transfer Scholarship awarded  
16 under this subtitle shall receive the award for each year that the recipient is eligible if  
17 the recipient signs an agreement at the time of the initial award to:

18                    (i)        Remain a resident of the State and:

19                    1.        Except as provided in paragraph (3)(ii) of this  
20 subsection, continue full-time employment in the State after completion of  
21 undergraduate studies for 1 year for each year that the Scholarship was awarded; or

22                    2.        Except as provided in paragraph (3)(ii) of this  
23 subsection, commence full-time employment in the State within 1 year after  
24 completion of undergraduate studies and thereafter continue employment in the State  
25 for 1 year for each year that the Scholarship was awarded; and

26                    (ii)        Repay the State the amounts awarded under this subtitle as  
27 set forth in § 18-112 of this title for any portion of the award if the recipient does not:

28                    1.        Satisfy the degree requirements of the eligible  
29 institution or fulfill other requirements as provided in this subtitle; and

30                    2.        Maintain State residency and satisfy the employment  
31 obligation required under this paragraph.

32                    (3)    (i)        The residency and employment obligation required by  
33 paragraph (2) of this subsection begins after graduation and cannot be fulfilled prior to  
34 graduation from an eligible institution.

1 (ii) A recipient of a Community College Transfer Scholarship  
2 awarded under this subtitle may fulfill the employment obligation required under  
3 paragraph (2)(i)1 and 2 of this subsection out of State if the recipient:

4 1. Was employed out of State at the time the recipient  
5 received the Scholarship;

6 2. Continues employment with the same employer while  
7 receiving the Scholarship; and

8 3. Continues employment with the same employer after  
9 completion of the recipient's undergraduate studies.]

10 18-2505.

11 On or before July 1 of each year, the Office shall send to each member of the  
12 Maryland General Assembly a list of individuals in each legislative district to whom  
13 [Community College] 2+2 Transfer Scholarships are awarded.

14 18-2506.

15 The Office shall publicize the availability of [Community College] 2+2 Transfer  
16 Scholarships under this subtitle.

17 [18-2507.

18 Funds for the Community College Transfer Scholarship Program established  
19 under this subtitle shall be as provided in the annual budget of the Office.]

20 18-2507.

21 (A) FUNDING FOR THE PROGRAM SHALL BE AS PROVIDED IN THE  
22 STATE BUDGET.

23 (B) IF THE STATE BUDGET DOES NOT INCLUDE AT LEAST \$2,000,000  
24 FOR THE 2+2 TRANSFER SCHOLARSHIP PROGRAM IN ANY FISCAL YEAR, FUNDS  
25 SHALL BE TRANSFERRED FROM THE NEED-BASED STUDENT FINANCIAL  
26 ASSISTANCE FUND, ESTABLISHED UNDER § 18-107 OF THIS TITLE, IN AN  
27 AMOUNT THAT PROVIDES A TOTAL OF AT LEAST \$2,000,000 TO MAKE AWARDS  
28 UNDER THE 2+2 TRANSFER SCHOLARSHIP PROGRAM EACH YEAR.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
30 July 1, 2014.