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April 20, 2016

The Honorable Lawrence J. Hogan, Jr.
Governor of Maryland
State House
100 State Circle
Annapolis, Maryland 21401

RE: Senate Bill 272, "Financial Aid – Deaf and Hearing Impaired Students – Out-of-State Institutions of Higher Education"

Dear Governor Hogan:

We have reviewed and hereby approve for constitutionality and legal sufficiency Senate Bill 272, "Financial Aid – Deaf and Hearing Impaired Students – Out-of-State Institutions of Higher Education." We write to advise about the effective date of the bill.

Section 3 of Senate Bill 272 provides:

AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016, the effective date of Chapter 277 of the Acts of the General Assembly of 2011. If the effective date of Chapter 277 is amended, Section 1 of this Act shall take effect on the taking effect of Chapter 277.

Chapter 277 of 2011 had two separate effective dates, but the entire bill was in effect by July 1, 2011. *See* Sections 5, 6, and 7 of Chapter 277 of 2011. Section 6 of that Chapter provided that Section 3 of the bill took effect on July 1, 2011 and would remain in effect for five years. In addition, Section 6 of Chapter 277 provided that "at the end of June 30, 2016, with no further action required by the General Assembly, Section 3 of this Act shall be abrogated and of no further force and effect." Section 3 of Chapter 277 of 2011 amended Education Article, § 18-103, as does Section 1 of Senate Bill 272. Specifically, Senate Bill 272 is drafted to § 18-103 as it will appear when Section 3 of Chapter 277 of 2011 is abrogated. As a result, it is our view that the intent of the General Assembly was that

The Honorable Lawrence J. Hogan, Jr.
April 20, 2016
Page 2

Section 1 of Senate Bill 272 take effect if Section 3 of Chapter 277 is abrogated as provided in Section 6 of Chapter 277.

Sincerely,

A handwritten signature in cursive script, reading "Brian E. Frosh".

Brian E. Frosh
Attorney General

BEF/KMR/kk

cc: The Honorable John C. Wobensmith
Joseph M. Getty
Warren Deschenaux