

**HB0741/484564/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 741

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “schools” insert “and certain for-profit institutions of higher education”; strike beginning with “including” in line 7 down through “funds;” in line 8; and in line 15, after “circumstances;” insert “providing for the application of a certain provision of this Act;”.

AMENDMENT NO. 2

On page 2, in lines 8, 13, and 18, in each instance, after “SCHOOL” insert “OR FOR-PROFIT INSTITUTION OF HIGHER EDUCATION”; in line 8, strike “**10-101(J)**” and substitute “10-101”; in lines 10, 14, and 20, in each instance, after “LICENSURE” insert “OR CERTIFICATION”; strike in their entirety lines 15 through 17, inclusive; after line 17, insert:

**“(2) THE STATE ENTITY THAT LICENSES OR CERTIFIES INDIVIDUALS IN THE FIELD REQUIRES AS A CONDITION OF LICENSURE OR CERTIFICATION THAT THE PRIVATE CAREER SCHOOL OR FOR-PROFIT INSTITUTION OF HIGHER EDUCATION ATTENDED BY THE INDIVIDUAL SATISFIES A STATUTORY OR REGULATORY REQUIREMENT, AND THE SCHOOL DOES NOT SATISFY THE REQUIREMENT; OR”;**

in line 18, after “AWARE” insert “OR REASONABLY SHOULD HAVE BEEN AWARE”; in line 19, strike “**CHARACTERISTICS OF THE STUDENT OR OF THE PROGRAM**” and substitute “FACTORS”; in the same line, strike “**WOULD**” and substitute “MAY”; and in line 20, strike “**SEEK**” and substitute “PURSUE”.

AMENDMENT NO. 3

(Over)

On page 3, strike in their entirety lines 16 through 30, inclusive; after line 30, insert:

**“(2) (I) THE FOR-PROFIT INSTITUTIONS OF HIGHER EDUCATION FUND AND THE PRIVATE CAREER SCHOOL FUND SHALL BE USED:**

**1. IN THE EVENT OF A SCHOOL CLOSURE BY A FOR-PROFIT INSTITUTION OF HIGHER EDUCATION OR A PRIVATE CAREER SCHOOL, TO PROVIDE A FULL REFUND OF TUITION AND FEES INCURRED BY A STUDENT THAT HAVE NOT BEEN REIMBURSED OR DISCHARGED;**

**2. SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, TO PROVIDE A REFUND, AS DETERMINED BY THE SECRETARY, OF TUITION AND FEES INCURRED BY A STUDENT THAT HAVE NOT BEEN REIMBURSED OR DISCHARGED, IF A FOR-PROFIT INSTITUTION OF HIGHER EDUCATION OR A PRIVATE CAREER SCHOOL FAILS TO:**

**A. PERFORM FAITHFULLY ANY ENROLLMENT AGREEMENT OR CONTRACT WITH THE STUDENT; OR**

**B. COMPLY WITH ANY PROVISIONS OF THIS ARTICLE;**  
**OR**

**3. FOR ANY OTHER REASON DIRECTLY RELATED TO THE ORIGINAL PURPOSE OF THE FUND DEEMED APPROPRIATE BY THE SECRETARY.”;**

and in line 31, strike “(iii)” and substitute “**(II)**”.

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On page 4, in lines 14 and 20, strike “(iv)” and “(v)”, respectively, and substitute “(III)” and “(IV)”, respectively.

AMENDMENT NO. 4

On page 4, in line 25, after “CLAIM” insert “UNDER PARAGRAPH (2)(I)2 OF THIS SUBSECTION”; and in line 27, after “COMPLAINT” insert “FILED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH”.

AMENDMENT NO. 5

On page 6, after line 16, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That § 11-203(d)(2)(i)1 of the Education Article, as enacted by Section 1 of this Act, does not apply to a for-profit institution of higher education that underwent an orderly closure on or before October 1, 2016, that included a teach-out plan:

(1) to teach-out the students enrolled in the for-profit institution of higher education at the time of closure;

(2) that requires a teach-out to be conducted by the for-profit institution of higher education;

(3) that requires a teach-out to be provided to the students using the same method of instructional delivery that was provided to the students on or before October 1, 2016; and

(4) that requires completion on or before December 31, 2017.”;

and in line 17, strike “2.” and substitute “3.”.