

HOUSE BILL 392

F2, F1

7lr1704

By: **Delegates Krimm and Chang**

Introduced and read first time: January 26, 2017

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education – Senatorial and Delegate Scholarships – Allocation of**
3 **Unused Funds**

4 FOR the purpose of authorizing certain Senators and Delegates to use certain unspent
5 scholarship money to reimburse certain county boards of education for certain
6 expenditures; authorizing certain money to be retained for use in certain fiscal years;
7 and generally relating to the allocation of unused funds from senatorial and Delegate
8 scholarships.

9 BY repealing and reenacting, without amendments,
10 Article – Education
11 Section 18–401, 18–402(b), 18–501(a), 18–14A–01(a)(1) and (2), and 18–14A–04
12 Annotated Code of Maryland
13 (2014 Replacement Volume and 2016 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Education
16 Section 18–407(d), 18–506, and 18–507
17 Annotated Code of Maryland
18 (2014 Replacement Volume and 2016 Supplement)

19 BY adding to
20 Article – Education
21 Section 18–501(d)
22 Annotated Code of Maryland
23 (2014 Replacement Volume and 2016 Supplement)

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

26 **Article – Education**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 18-401.

2 There is a program of senatorial scholarships in this State that are awarded under
3 this subtitle.

4 18-402.

5 (b) Each applicant shall:

6 (1) Be a resident of this State; and

7 (2) At the time of the applicant's initial application, be a resident of the
8 legislative district from which the applicant seeks an award.

9 18-407.

10 (d) To the extent a scholarship awarded under § 18-404 of this subtitle is not used
11 by a student, moneys appropriated to the Commission for that award not used by the end
12 of the fiscal year [~~shall~~] **MAY** be [~~retained~~]:

13 **(1) USED BY THE AWARDING SENATOR TO REIMBURSE THE COUNTY**
14 **BOARD OF EDUCATION, IN THE COUNTY OF THE STUDENT'S RESIDENCE UNDER §**
15 **18-402(B)(2) OF THIS SUBTITLE, FOR EXPENDITURES MADE UNDER § 18-14A-04 OF**
16 **THIS TITLE ON BEHALF OF DUALY ENROLLED STUDENTS; OR**

17 **(2) RETAINED** by the Commission for use by the awarding Senator in the
18 Senatorial Scholarship Program during subsequent fiscal years.

19 18-501.

20 (a) There is a program of Delegate Scholarships in this State that are awarded
21 under this subtitle.

22 **(D) TO THE EXTENT THAT SCHOLARSHIPS AWARDED UNDER THIS SECTION**
23 **ARE NOT USED BY THE STUDENT, MONEY APPROPRIATED TO THE COMMISSION FOR**
24 **THAT AWARD NOT USED BY THE END OF THE FISCAL YEAR MAY BE:**

25 **(1) USED BY THE AWARDING DELEGATE TO REIMBURSE COUNTY**
26 **BOARDS OF EDUCATION, IN ANY COUNTY THE DELEGATE REPRESENTS, FOR**
27 **EXPENDITURES MADE UNDER § 18-14A-04 OF THIS TITLE ON BEHALF OF DUALY**
28 **ENROLLED STUDENTS; OR**

1 **(2) RETAINED BY THE COMMISSION FOR USE BY THE AWARDING**
2 **DELEGATE IN THE DELEGATE SCHOLARSHIP PROGRAM DURING SUBSEQUENT**
3 **FISCAL YEARS.**

4 18-506.

5 (a) As an alternative to the scholarship awards authorized by §§ 18-503 through
6 18-505 of this subtitle, and subject to the provisions of subsection (b) of this section, during
7 each year in office each Delegate may award scholarships in a total amount equal to four
8 times the tuition and mandatory fees for a full-time undergraduate student enrolled at the
9 University of Maryland, College Park Campus for the academic year commencing in that
10 year.

11 (b) A scholarship award under subsection (a) of this section:

12 (1) May not be for an amount less than \$200 or more than one-half of the
13 total amount of scholarships authorized by subsection (a) of this section for that year;

14 (2) Shall be used at an eligible institution;

15 (3) May be used by:

16 (i) A graduate, undergraduate, or professional student; or

17 (ii) A student at a private career school within the State that is
18 approved by the Maryland Higher Education Commission under § 11-202 of this article
19 and that is accredited by a national accrediting association that is approved by the United
20 States Department of Education; and

21 (4) To the extent it is not used by the student, [shall] **MONEY**
22 **APPROPRIATED TO THE COMMISSION MAY** be [recredited]:

23 **(I) USED BY THE AWARDING DELEGATE TO REIMBURSE**
24 **COUNTY BOARDS OF EDUCATION, IN ANY COUNTY THE DELEGATE REPRESENTS, FOR**
25 **EXPENDITURES MADE UNDER § 18-14A-04 OF THIS TITLE ON BEHALF OF DUALY**
26 **ENROLLED STUDENTS; OR**

27 **(II) RECREDITED** to the Delegate's scholarship account and may be
28 awarded in the next 12 months by that Delegate to another student pursuant to this
29 section.

30 18-507.

31 (a) Beginning in fiscal year 1996, each Delegate may authorize the Office of
32 Student Financial Assistance to award all or a portion of the funds authorized under this

1 subtitle to eligible recipients of a Delegate Howard P. Rawlings Educational Excellence
2 Award who reside in the Delegate's legislative district.

3 (b) In the event that the total number of eligible recipients of a Delegate Howard
4 P. Rawlings Educational Excellence Award who reside in the Delegate's legislative district
5 is insufficient to utilize the total amount of funds available to the Delegate for any fiscal
6 year, **ANY REMAINING FUNDS MAY BE USED:**

7 **(1) TO REIMBURSE COUNTY BOARDS OF EDUCATION, IN ANY COUNTY**
8 **THE DELEGATE REPRESENTS, FOR EXPENDITURES MADE UNDER § 18-14A-04 OF**
9 **THIS TITLE ON BEHALF OF DUALY ENROLLED STUDENTS; OR**

10 **(2) BY** the Office of Student Financial Assistance [may], with the consent
11 of the Delegate, **TO** award the unused funds to other eligible recipients throughout the
12 State.

13 18-14A-01.

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

15 (2) "Dually enrolled student" means a student who is dually enrolled in:

16 (i) A secondary school in the State; and

17 (ii) An institution of higher education in the State.

18 18-14A-04.

19 (a) A public institution of higher education may not charge tuition to a dually
20 enrolled student.

21 (b) (1) Subject to subsection (d) of this section, for each dually enrolled student
22 who is enrolled in a public school in the county, the county board shall pay for up to a
23 maximum of four courses in which the student is enrolled while a student in a public
24 secondary school in the State:

25 (i) For a public senior institution of higher education, 75% of the
26 cost of tuition; and

27 (ii) For a community college, the lesser of:

28 1. 5% of the target per pupil foundation amount established
29 under § 5-202(a) of this article; or

30 2. 75% of the cost of tuition.

1 (2) For each course in excess of four in which a dually enrolled student is
2 enrolled, the county board shall pay:

3 (i) For a public senior institution of higher education, 90% of the
4 cost of tuition; and

5 (ii) For a community college, the lesser of:

6 1. 5% of the target per pupil foundation amount established
7 under § 5-202(a) of this article; or

8 2. 90% of the cost of tuition.

9 (3) If there is an agreement before July 1, 2013, between a public school
10 and a public institution of higher education in which the public institution of higher
11 education charges less than 75% of the cost of tuition to a dually enrolled student, the
12 county board shall pay the cost of tuition under the existing agreement.

13 (c) (1) (i) A county board may charge a dually enrolled student a fee not to
14 exceed 90% of the amount paid under subsection (b)(1) of this section.

15 (ii) A county board may charge a dually enrolled student a fee not to
16 exceed 100% of the amount paid under subsection (b)(2) of this section.

17 (2) A county board shall consider the financial ability of students when
18 setting fees.

19 (3) A county board shall waive the fee for students who are eligible for free
20 and reduced price meals.

21 (d) If there is an agreement between a public school and a public institution of
22 higher education in which a public school agrees to pay for more than four courses at a
23 public institution of higher education for a dually enrolled student, the public school shall
24 pay for the number of courses under the agreement.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2017.