

HOUSE BILL 824

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~~EMERGENCY BILL~~
ENROLLED BILL

(9lr2550)

— Appropriations/Education, Health, and Environmental Affairs —

Introduced by **Delegates Jones, B. Barnes, Gaines, McIntosh, and Mosby**

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 **Financial Aid – Guaranteed Access Grants – Verification and Administration by**
3 **Institutions of Higher Education**

4 FOR the purpose of authorizing certain institutions of higher education to verify certain
5 eligibility for, and on verification administer, Guaranteed Access Grants under the
6 Delegate Howard P. Rawlings Program of Educational Excellence Awards under
7 certain circumstances; requiring certain recipients to demonstrate a definite
8 financial need to certain institutions, rather than only to the Office of Student
9 Financial Assistance in the Maryland Higher Education Commission, under certain
10 circumstances; prohibiting certain institutions from considering certain amounts of
11 money as income under certain circumstances; requiring certain institutions to
12 verify certain qualifications, evaluate certain income eligibility, maintain certain
13 records, and provide the Commission with a certain audit as part of the verification
14 and administration process; authorizing a certain verification to be used at certain
15 institutions, subject to a certain adjustment under certain circumstances; ~~making~~

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.



~~this Act an emergency measure, requiring the Financial Aid Advisory Council in the Commission to study a certain process and report certain recommendations to the Commission and to participating institutions on or before a certain date; providing for the termination of certain provisions of this Act; providing for a delayed effective date for certain provisions of this Act; and generally relating to the verification and administration of Guaranteed Access Grants by institutions of higher education.~~

BY repealing and reenacting, without amendments,
 Article – Education
 Section 18–301(a) and (b)(1) and 18–303(b) and (c)
 Annotated Code of Maryland
 (2018 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
 Article – Education
 Section 18–303(a) and (d)
 Annotated Code of Maryland
 (2018 Replacement Volume and 2018 Supplement)

BY adding to
 Article – Education
 Section 18–303.3
 Annotated Code of Maryland
 (2018 Replacement Volume and 2018 Supplement)

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

Article – Education

18–301.

(a) There is a Delegate Howard P. Rawlings Program of Educational Excellence Awards in this State that are awarded under this subtitle.

(b) The Program shall consist of the following types of awards:

(1) Guaranteed Access Grants that are awarded to the neediest students to ensure that 100 percent of educational costs, as defined by regulations adopted by the Commission, are paid; and

18–303.

(a) Subject to subsection (e) of this section, each recipient of a Delegate Howard P. Rawlings Educational Excellence Award shall:

1 (1) Be accepted for admission in the regular undergraduate program at an
2 eligible institution or be enrolled in a 2-year associate degree program in which the course
3 work is acceptable for transfer credit for an accredited baccalaureate program in an eligible
4 institution;

5 (2) Except as provided in § 18–303.2 of this subtitle, be a resident of this
6 State;

7 (3) Demonstrate **A DEFINITE FINANCIAL NEED** to:

8 (I) **FOR AN EDUCATIONAL ASSISTANCE GRANT**, the Office [a
9 definite financial need]; **OR**

10 (II) **FOR A GUARANTEED ACCESS GRANT, THE OFFICE OR AN**
11 **INSTITUTION OF HIGHER EDUCATION THAT COMPLIES WITH § 18–303.3 OF THIS**
12 **SUBTITLE**; and

13 (4) Accept any other conditions attached to the award.

14 (b) Except as provided in subsection (c) of this section, each recipient of a
15 Guaranteed Access Grant shall:

16 (1) Have attained a grade point average of at least 2.5 on a 4.0 scale or its
17 equivalent at the end of the first semester of the senior year in high school and have
18 completed high school or, failing to do so, on the recommendation of the recipient's high
19 school principal, provide evidence satisfactory to the Office of extenuating circumstances;

20 (2) Begin college within 1 year of completing high school or, failing to do
21 so, provide evidence satisfactory to the Office of extenuating circumstances;

22 (3) Be under the age of 22 years at the time of receiving the first award;

23 (4) Have successfully completed a college preparatory program in high
24 school;

25 (5) Enroll in college as a full-time student;

26 (6) Subject to subsection (d) of this section, have an annual family income
27 below a poverty index determined by the Commission; and

28 (7) Satisfy any additional criteria the Commission may establish.

29 (c) (1) Subject to paragraph (2) of this subsection, an individual who has
30 successfully obtained a high school diploma by examination under § 11–808 of the Labor
31 and Employment Article is exempt from the requirements of subsection (b) of this section.

1 (2) An individual described under paragraph (1) of this subsection is
2 eligible for a Guaranteed Access Grant if the individual:

3 (i) Has scored a passing score of at least 165 per module on the
4 diploma by examination;

5 (ii) Begins college within 1 year of achieving the score described
6 under item (i) of this paragraph or, failing to do so, provides evidence satisfactory to the
7 Office of extenuating circumstances;

8 (iii) Is under the age of 26 years at the time of receiving the first
9 award;

10 (iv) Enrolls in college as a full-time student; and

11 (v) Subject to subsection (d) of this section, has an annual family
12 income below a poverty index determined by the Commission.

13 (d) To determine the annual family income eligibility of an applicant for a
14 Guaranteed Access Grant, the Office **OR AN INSTITUTION OF HIGHER EDUCATION THAT**
15 **COMPLIES WITH § 18-303.3 OF THIS SUBTITLE** may not consider an amount received by
16 the applicant as an earned income credit under § 32 of the Internal Revenue Code.

17 **18-303.3.**

18 (A) **A PUBLIC INSTITUTION OF HIGHER EDUCATION IN THE STATE, OR A**
19 **PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION THAT IS ELIGIBLE FOR**
20 **STATE AID UNDER § 17-103 OF THIS ARTICLE, MAY VERIFY THE ELIGIBILITY OF AN**
21 **APPLICANT FOR, AND ON VERIFICATION OF THE ELIGIBILITY ADMINISTER, A**
22 **GUARANTEED ACCESS GRANT IN ACCORDANCE WITH THIS SECTION.**

23 (B) **AN INSTITUTION MAY VERIFY:**

24 (1) **THE ELIGIBILITY OF AN APPLICANT WHO:**

25 (i) **IS IDENTIFIED BY THE OFFICE AS POTENTIALLY ELIGIBLE**
26 **FOR A GUARANTEED ACCESS GRANT UNDER § 18-303 OF THIS SUBTITLE; AND**

27 (ii) **APPLIES FOR ADMISSION TO THE INSTITUTION; OR**

28 (2) **THE RENEWAL ELIGIBILITY OF A STUDENT WHO:**

29 (i) **RECEIVED A GUARANTEED ACCESS GRANT UNDER §**
30 **18-303 OF THIS SUBTITLE IN THE PRIOR AWARD YEAR; AND**

1 (II) IS AN ADMITTED STUDENT AT THE INSTITUTION IN THE
2 CURRENT AWARD YEAR.

3 (C) AN INSTITUTION SHALL:

4 (1) VERIFY THAT AN APPLICANT QUALIFIES FOR A GUARANTEED
5 ACCESS GRANT UNDER THE REQUIREMENTS OF § 18-303 OF THIS SUBTITLE;

6 (2) EVALUATE THE APPLICANT'S INCOME ELIGIBILITY CRITERIA
7 USING FEDERAL V1 STANDARD VERIFICATION AND IN ACCORDANCE WITH THE
8 INCOME ELIGIBILITY CRITERIA ESTABLISHED BY THE OFFICE;

9 (3) MAINTAIN RECORDS USED BY THE INSTITUTION TO DETERMINE
10 THE ELIGIBILITY OF APPLICANTS FOR A PERIOD OF 5 YEARS AFTER THE END DATE
11 OF THE AWARD YEAR ASSOCIATED WITH THE STUDENT'S LAST AWARD; AND

12 (4) PROVIDE THE COMMISSION WITH AN AUDIT, IN ACCORDANCE
13 WITH RULES ADOPTED BY THE COMMISSION, TO SHOW THAT AWARDS VERIFIED AND
14 ADMINISTERED UNDER THIS SECTION HAVE BEEN MADE PROPERLY.

15 (D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A
16 VERIFICATION OBTAINED BY AN APPLICANT UNDER SUBSECTION (B) OF THIS
17 SECTION MAY BE USED AT ANY ELIGIBLE INSTITUTION DESCRIBED UNDER § 18-305
18 OF THIS SUBTITLE.

19 (2) THE AMOUNT OF THE GUARANTEED ACCESS GRANT AWARDED TO
20 AN APPLICANT MAY BE ADJUSTED IN ACCORDANCE WITH THE COST OF ATTENDANCE
21 AT THE INSTITUTION AT WHICH THE APPLICANT USES THE AWARD.

22 SECTION 2. AND BE IT FURTHER ENACTED, ~~That this Act is an emergency~~
23 ~~measure, is necessary for the immediate preservation of the public health or safety, has~~
24 ~~been passed by a ye and nay vote supported by three fifths of all the members elected to~~
25 ~~each of the two Houses of the General Assembly, and shall take effect from the date it is~~
26 ~~enacted.~~ That, on or before December 31, 2019, the Financial Assistance Advisory Council
27 in the Maryland Higher Education Commission shall study the financial aid verification
28 process described in Section 1 of this Act and shall make recommendations to the
29 Commission and to participating institutions on the implementation of this Act. The
30 Council shall consider issues relating to the dissemination of information to applicants,
31 limiting inconsistencies and duplication of efforts in the application process, and the
32 prioritization of awards.

33 *SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take*
34 *effect July 1, 2020.*

1 ~~SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take~~
 2 ~~effect July 1, 2019. It shall remain effective for a period of 2 years and, at the end of June~~
 3 ~~30, 2021, Section 2 of this Act, with no further action required by the General Assembly,~~
 4 ~~shall be abrogated and of no further force and effect.~~

5 SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section
 6 3 of this Act, this Act shall take effect July 1, 2020 2019.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.