

HOUSE BILL 173

F2, F4
HB 423/20 – APP

(PRE-FILED)

1lr1256
CF SB 433

By: **Delegates Feldmark, Ebersole, Kerr, Hill, and Hornberger**

Requested: October 29, 2020

Introduced and read first time: January 13, 2021

Assigned to: Appropriations

Committee Report: Favorable

House action: Adopted

Read second time: February 11, 2021

CHAPTER _____

1 AN ACT concerning

2 **Community Colleges – State Funding – Revision**

3 FOR the purpose of specifying that a certain appropriation calculated under the Senator
4 John A. Cade Funding Formula and a certain appropriation for Baltimore City
5 Community College include appropriations, regardless of where they are budgeted,
6 designated for the general operation of 4-year public institutions of higher education
7 in the State; and generally relating to State appropriations for community colleges.

8 BY repealing and reenacting, without amendments,

9 Article – Education

10 Section 16–305(a) and (c)(1)(i)11. through 13. and 16–512(a)(1)(xii) through (xiv)

11 Annotated Code of Maryland

12 (2018 Replacement Volume and 2020 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Education

15 Section 16–305(c)(1)(ii) and 16–512(a)(2)

16 Annotated Code of Maryland

17 (2018 Replacement Volume and 2020 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Education**

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.



1 16-305.

2 (a) The formula used for the distribution of funds to the community colleges in
3 the State shall be known as the Senator John A. Cade Funding Formula.

4 (c) (1) (i) Except as provided in subparagraphs (iii), (iv), and (v) of this
5 paragraph, the total State operating fund per full-time equivalent student to the
6 community colleges for each fiscal year as requested by the Governor shall be:

7 11. In fiscal year 2021, not less than an amount equal to 25%
8 of the State's General Fund appropriation per full-time equivalent student to the 4-year
9 public institutions of higher education in the State as designated by the Commission for
10 the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article
11 in the same fiscal year;

12 12. In fiscal year 2022, not less than an amount equal to 27%
13 of the State's General Fund appropriation per full-time equivalent student to the 4-year
14 public institutions of higher education in the State as designated by the Commission for
15 the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article
16 in the same fiscal year; and

17 13. In fiscal year 2023 and each fiscal year thereafter, not less
18 than an amount equal to 29% of the State's General Fund appropriation per full-time
19 equivalent student to the 4-year public institutions of higher education in the State as
20 designated by the Commission for the purpose of administering the Joseph A. Sellinger
21 Program under Title 17 of this article in the same fiscal year.

22 (ii) For purposes of this subsection, the State's General Fund
23 appropriation per full-time equivalent student to the 4-year public institutions of higher
24 education in the State for a fiscal year shall include [noncapital]:

25 1. **NONCAPITAL** appropriations from the Higher Education
26 Investment Fund; **AND**

27 2. **APPROPRIATIONS, REGARDLESS OF WHERE THEY**
28 **ARE BUDGETED, DESIGNATED FOR THE GENERAL OPERATION OF 4-YEAR PUBLIC**
29 **INSTITUTIONS OF HIGHER EDUCATION IN THE STATE, INCLUDING**
30 **PERSONNEL-RELATED APPROPRIATIONS.**

31 16-512.

32 (a) (1) The total State operating fund per full-time equivalent student
33 appropriated to Baltimore City Community College for each fiscal year other than fiscal
34 year 2013, as requested by the Governor shall be:

(xii) In fiscal year 2021, not less than an amount equal to 64.5% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;

(xiii) In fiscal year 2022, not less than an amount equal to 66.5% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year; and

(xiv) In fiscal year 2023 and each fiscal year thereafter, not less than an amount equal to 68.5% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year.

(2) For purposes of this subsection, the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State for a fiscal year shall include [noncapital]:

(I) NONCAPITAL appropriations from the Higher Education Investment Fund; AND

(II) APPROPRIATIONS, REGARDLESS OF WHERE THEY ARE BUDGETED, DESIGNATED FOR THE GENERAL OPERATION OF 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE, INCLUDING PERSONNEL-RELATED APPROPRIATIONS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.