

SENATE BILL 433

F2, F4
SB 608/20 – B&T

1lr1839
CF HB 173

By: **Senator King**

Introduced and read first time: January 20, 2021

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 23, 2021

CHAPTER _____

1 AN ACT concerning

2 ~~Community Colleges~~ Institutions of Higher Education – State Funding –
3 Revision

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

11 BY repealing and reenacting, without amendments,
12 Article – Education
13 Section 16–305(a) and (c)(1)(i)11. through 13. and 16–512(a)(1)(xii) through (xiv)
14 Annotated Code of Maryland
15 (2018 Replacement Volume and 2020 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Education
18 Section 16–305(c)(1)(ii) ~~and~~, 16–512(a)(2), and 17–104(d)
19 Annotated Code of Maryland
20 (2018 Replacement Volume and 2020 Supplement)

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

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

Article – Education

2 16–305.

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

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

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

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

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

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

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

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

32 16–512.

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

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

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

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

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

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

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

28 17-104.

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

32 (1) **NONCAPITAL** appropriations from the Higher Education Investment
33 Fund; AND

34 (2) **APPROPRIATIONS, REGARDLESS OF WHERE THEY ARE**
35 **BUDGETED, DESIGNATED FOR THE GENERAL OPERATION OF 4-YEAR PUBLIC**

1 INSTITUTIONS OF HIGHER EDUCATION IN THE STATE, INCLUDING
2 PERSONNEL-RELATED APPROPRIATIONS.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
4 1, 2021.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.