

Chapter 640

(Senate Bill 501)

AN ACT concerning

**Maryland Higher Education Commission – Procedures and Operations –
Alterations**

FOR the purpose of requiring the Maryland Higher Education Commission to follow certain procedures for each open meeting of the Commission; requiring the Commission to design and implement a certain scholarship application; requiring the Office of Student Financial Assistance within the Commission, on or before a certain date each year, to notify each student of the Office's decision regarding the student's application for a Delegate Howard P. Rawlings Educational Excellence Award; authorizing certain tax information to be disclosed to the Commission; requiring the Commission to update the award deadlines in the Maryland Community College Scholarships Program regulations; stating the intent of the General Assembly for the reorganization of the Commission to establish the Office as a separate independent agency in a certain fiscal year; and generally relating to alterations to procedures and operations of the Maryland Higher Education Commission.

BY adding to

Article – Education
Section 11–105(w) and (x)
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,

Article – Education
Section 18–301(a)
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,

Article – Education
Section 18–307
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 13–203(c)
Annotated Code of Maryland
(2016 Replacement Volume and 2021 Supplement)

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

Article – Education

11–105.

(W) (1) EACH OPEN MEETING OF THE COMMISSION SHALL BE MADE AVAILABLE TO THE PUBLIC THROUGH LIVE VIDEO STREAMING.

(2) THE COMMISSION SHALL MAKE PUBLICLY AVAILABLE ON THE INTERNET A COMPLETE, UNEDITED ARCHIVED VIDEO RECORDING OF EACH OPEN MEETING FOR A MINIMUM OF 5 YEARS AFTER THE DATE OF THE MEETING.

(X) (1) ON OR BEFORE JULY 1, 2025, THE COMMISSION SHALL DESIGN AND IMPLEMENT A UNIFIED SCHOLARSHIP APPLICATION THAT, ON COMPLETION, WILL RESULT IN THE APPLICANT APPLYING FOR ALL OF THE CENTRALIZED SCHOLARSHIP PROGRAMS AVAILABLE IN THE COMMISSION.

(2) THE UNIFIED SCHOLARSHIP APPLICATION SHALL:

(I) BE:

1. AVAILABLE IN MULTIPLE LANGUAGES; AND

2. MOBILE ACCESSIBLE, INCLUDING THE ABILITY FOR A STUDENT TO UPLOAD DOCUMENTS FROM THE STUDENT’S PHONE;

(II) INCLUDE:

1. AN ELECTRONIC INBOX THAT ALLOWS A STUDENT TO SEE ALL COMMUNICATIONS SENT TO THE STUDENT IN ONE PLACE;

2. A DISPLAY THAT SHOWS IN AN ACCESSIBLE AND CLEAR MANNER ALL REQUIRED DOCUMENTS AND THE STUDENT’S PROGRESS IN COMPLETING THOSE DOCUMENTS;

3. THE ABILITY FOR A STUDENT TO ELECTRONICALLY SIGN ALL DOCUMENTS;

4. AN INTEGRATION OF A STUDENT’S TAX INFORMATION FROM THE COMPTROLLER AUTHORIZED UNDER § 13–203(C)(12) OF THE TAX – GENERAL ARTICLE;

5. A WAY TO CONTACT THE COMMISSION WITH ANY QUESTIONS FOR A TIMELY ANSWER; AND

6. VIDEOS AND GUIDANCE TO EXPLAIN THE APPLICATION PROCESS.

18-301.

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

18-307.

(a) Except as provided in subsection (d) of this section, the Office shall compile and certify lists for the entire State that rank applicants by financial need.

(b) All funds for annual initial grants shall be awarded from the statewide list on the basis of greatest financial need.

(c) **(1) ON OR BEFORE APRIL 15 EACH YEAR, THE OFFICE SHALL SEND A NOTIFICATION TO EACH INDIVIDUAL WHO APPLIED FOR A DELEGATE HOWARD P. RAWLINGS EDUCATIONAL EXCELLENCE AWARD INDICATING:**

(I) WHETHER OR NOT THE STUDENT IS A RECIPIENT OF AN AWARD; AND

(II) IF APPLICABLE, THE AMOUNT AWARDED TO THE STUDENT.

(2) On or before May 1 of each year, the Office shall send each Senator and each Delegate a list of individuals in each legislative district to whom Delegate Howard P. Rawlings Educational Excellence Awards are awarded.

(d) (1) (i) If State funds are available for this purpose, institutions of higher education in the State may provide Delegate Howard P. Rawlings Educational Excellence Awards to students who otherwise meet the requirements for receiving a Delegate Howard P. Rawlings Educational Excellence Award but who apply after the March 1 deadline or have other extenuating circumstances.

(ii) Each year the Commission shall transfer at least \$2 million of the funds available under § 18-107(b) of this title for the purposes of this subsection.

(2) The Commission shall:

(i) Establish guidelines for the awarding of Delegate Howard P. Rawlings Educational Excellence Awards by the institutions of higher education to the students; and

(ii) Adopt regulations necessary for the implementation of this subsection.

(3) (i) The Commission shall allocate available funds to institutions of higher education based on the proportion of State residents enrolled at each institution who receive federal Pell Grants.

(ii) An institution of higher education that receives funds under this paragraph shall provide the Commission with an annual audit describing the disposition of the funds.

Article – Tax – General

13–203.

(c) Tax information may be disclosed to:

(1) an employee or officer of the State who, by reason of that employment or office, has the right to the tax information;

(2) another tax collector;

(3) the Maryland Tax Court;

(4) a legal representative of the State, to review the tax information about a taxpayer:

(i) who applies for review under this title;

(ii) who appeals from a determination under this title; or

(iii) against whom an action to recover tax or a penalty is pending or will be initiated under this title;

(5) any license issuing authority of the State required by State law to verify through the Comptroller that an applicant has paid all undisputed taxes and unemployment insurance contributions payable to the Comptroller or the Secretary of Labor or that the applicant has provided for payment in a manner satisfactory to the unit responsible for collection;

(6) a local official as defined in § 13–925 of this title to the extent necessary to administer Subtitle 9, Part V of this title;

(7) a federal official as defined in § 13–930 of this title to the extent necessary to administer Subtitle 9, Part VI of this title;

(8) the Maryland Department of Health in accordance with the federal Children's Health Insurance Program Reauthorization Act of 2009;

(9) the State Board of Individual Tax Preparers;

(10) the Alcohol and Tobacco Commission; [and]

(11) the [Emergency Number Systems] MARYLAND 9-1-1 Board; AND

(12) THE MARYLAND HIGHER EDUCATION COMMISSION.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before August 1, 2022, the Maryland Higher Education Commission shall update the Maryland Community College Promise Scholarships Program regulations related to award deadlines to award scholarships as soon as practicable based on the changes to the Delegate Howard P. Rawlings Educational Excellence Award as enacted in Section 1 of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Maryland Higher Education Commission be reorganized to establish the Office of Student Financial Assistance as a separate independent agency in fiscal year 2024.

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) The Maryland Higher Education Commission shall use the funding provided in the fiscal year 2023 operating budget, as enacted by Chapter _____ of the Acts of the General Assembly of 2022 (S.B. 290) to develop the unified scholarship application under § 11-105(x) of the Education Article, as enacted by Section 1 of this Act.

(b) It is the intent of the General Assembly that the unified scholarship application under § 11-105(x) of the Education Article, as enacted by Section 1 of this Act, replace the current Maryland College Aid Processing System (MDCAPS) site on or before July 1, 2025.

SECTION ~~2~~ 5. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 29, 2022.