

# HOUSE BILL 1138

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5lr3373

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By: **Delegate Fair**

Introduced and read first time: February 5, 2025

Assigned to: Appropriations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 4, 2025

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Higher Education – Private Career Schools – Advertising**

3 FOR the purpose of authorizing the Secretary of Higher Education to allow certain private  
4 career schools to advertise certain information and collect certain contact  
5 information before receiving a certificate of approval from the Maryland Higher  
6 Education Commission to operate a private career school in the State; and generally  
7 relating to private career schools.

8 BY repealing and reenacting, without amendments,  
9 Article – Education  
10 Section 10–101(a) and (j)  
11 Annotated Code of Maryland  
12 (2022 Replacement Volume and 2024 Supplement)

13 BY adding to  
14 Article – Education  
15 Section 11–212  
16 Annotated Code of Maryland  
17 (2022 Replacement Volume and 2024 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**

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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 10-101.

2 (a) In this division the following words have the meanings indicated.

3 (j) "Private career school" means a privately owned and privately operated  
4 institution of postsecondary education other than an institution of higher education that  
5 furnishes or offers to furnish programs, whether or not requiring a payment of tuition or  
6 fee, for the purpose of training, retraining, or upgrading individuals for gainful employment  
7 as skilled or semiskilled workers or technicians in recognized occupations or in new and  
8 emerging occupations.

9 ~~11-212.~~

10 ~~(A) A PRIVATE CAREER SCHOOL MAY ADVERTISE AND COLLECT CONTACT~~  
11 ~~INFORMATION FOR POTENTIAL NEW STUDENTS BEFORE RECEIVING A CERTIFICATE~~  
12 ~~OF APPROVAL TO OPERATE IN THE STATE IF:~~

13 ~~(1) THE PRIVATE CAREER SCHOOL HAS:~~

14 ~~(I) COMPLETED A MARKET SURVEY;~~

15 ~~(II) SECURED A LEASE OR OWNS A PROPERTY FOR THE SCHOOL~~  
16 ~~BUILDING;~~

17 ~~(III) COMPLETED ANY NECESSARY CONSTRUCTION,~~  
18 ~~RENOVATIONS, OR MODIFICATIONS TO THE SCHOOL BUILDING; AND~~

19 ~~(IV) OBTAINED ALL EQUIPMENT AND PERMITS, EXCEPT FOR THE~~  
20 ~~CERTIFICATE OF APPROVAL, NECESSARY FOR OPERATING THE PRIVATE CAREER~~  
21 ~~SCHOOL;~~

22 ~~(2) THE PRIVATE CAREER SCHOOL IS LIKELY TO BE ISSUED A~~  
23 ~~CERTIFICATE OF APPROVAL FROM THE COMMISSION; AND~~

24 ~~(3) THE REQUEST TO BEGIN ADVERTISING IS APPROVED BY THE~~  
25 ~~SECRETARY.~~

26 ~~(B) ADVERTISING FOR A PRIVATE CAREER SCHOOL APPROVED UNDER~~  
27 ~~SUBSECTION (A) OF THIS SECTION:~~

28 ~~(1) MAY CONTAIN INFORMATION RELATING TO THE OPENING OF THE~~  
29 ~~PRIVATE CAREER SCHOOL, INCLUDING THE ANTICIPATED DATE OF OPENING,~~  
30 ~~PROGRAMS OF INSTRUCTION, AND THE APPLICATION PROCESS; AND~~

1           ~~(2) SHALL DISCLOSE THAT THE PRIVATE CAREER SCHOOL IS~~  
2 ~~PENDING APPROVAL.~~

3           ~~(C) THE SECRETARY SHALL ADOPT REGULATIONS SPECIFYING THE~~  
4 ~~PROCESS FOR APPROVAL TO ADVERTISE A PRIVATE CAREER SCHOOL UNDER THIS~~  
5 ~~SECTION.~~

6 11-212.

7           (A) THE SECRETARY MAY APPROVE A REQUEST FROM AN APPLICANT FOR A  
8 PRIVATE CAREER SCHOOL TO ADVERTISE AND COLLECT CONTACT INFORMATION  
9 FROM POTENTIAL NEW STUDENTS BEFORE THE PRIVATE CAREER SCHOOL RECEIVES  
10 A CERTIFICATE OF APPROVAL TO OPERATE.

11           (B) A PRIVATE CAREER SCHOOL APPROVED UNDER SUBSECTION (A) OF  
12 THIS SECTION:

13           (1) SHALL:

14                   (I) ADVERTISE ONLY INFORMATION RELATING TO THE  
15 OPENING OF THE PRIVATE CAREER SCHOOL, INCLUDING THE ANTICIPATED DATE OF  
16 OPENING, PROGRAMS OF INSTRUCTION, AND THE APPLICATION PROCESS; AND

17                   (II) INCLUDE, IN ANY ADVERTISEMENT, A DISCLOSURE THAT  
18 THE CERTIFICATE OF APPROVAL TO OPERATE THE PRIVATE CAREER SCHOOL IS  
19 PENDING APPROVAL; AND

20           (2) MAY NOT COLLECT ANY FEES OR ENTER INTO AN ENROLLMENT  
21 AGREEMENT WITH POTENTIAL STUDENTS.

22           (C) THE SECRETARY SHALL ADOPT REGULATIONS PROVIDING FOR THE  
23 PROCESS TO APPROVE A PRIVATE CAREER SCHOOL TO ADVERTISE UNDER THIS  
24 SECTION.

25           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
26 1, 2025.