

SB0728/813121/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 728
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Community College Promise Scholarship Eligibility**” and substitute “**Student Financial Assistance**”; in line 3, strike “**Delmar High School Graduates**” and substitute “Alterations to Scholarship Programs”; in line 6, after “Delaware;” insert “authorizing an institution of postsecondary education to award a scholarship under the Fallen Transportation Workers Scholarship Program to certain individuals including a surviving transportation worker and certain individuals related to a surviving transportation worker or a fallen transportation worker; renaming the Fallen Transportation Workers Scholarship Program to be the Fallen and Surviving Transportation Workers Scholarship Program; authorizing a scholarship awarded under the Fallen and Surviving Transportation Workers Scholarship Program to be used for the total cost of attendance at any institution of postsecondary education;”; in lines 6 and 7, strike “the Community College Promise Scholarship” and substitute “student financial assistance in higher education”; and in line 10, after “18–3603(b)(2)” insert “; and 18–4001 through 18–4004 to be under the amended subtitle “Subtitle 40. Fallen and Surviving Transportation Workers Scholarship Program””.

AMENDMENT NO. 2

On page 2, after line 19, insert:

“Subtitle 40. Fallen AND SURVIVING Transportation Workers Scholarship Program.

18–4001.

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

(B) “ELIGIBLE RECIPIENT” MEANS AN INDIVIDUAL WHO IS:

(1) ACCEPTED FOR ADMISSION OR ENROLLED IN A REGULAR UNDERGRADUATE, GRADUATE, OR PROFESSIONAL PROGRAM AT AN INSTITUTION OF POSTSECONDARY EDUCATION;

(2) AT LEAST 16 YEARS OLD; AND

(3) (I) A SURVIVING TRANSPORTATION WORKER;

(II) 1. A CHILD, STEPCHILD, SPOUSE, OR UNMARRIED PARTNER OF A SURVIVING TRANSPORTATION WORKER; OR

2. IF A SURVIVING TRANSPORTATION WORKER DOES NOT HAVE A CHILD, STEPCHILD, SPOUSE, OR UNMARRIED PARTNER, A SIBLING OF THE SURVIVING TRANSPORTATION WORKER;

(III) 1. A SURVIVING CHILD, STEPCHILD, SPOUSE, OR UNMARRIED PARTNER OF A FALLEN TRANSPORTATION WORKER; OR

2. IF A FALLEN TRANSPORTATION WORKER DOES NOT HAVE A SURVIVING CHILD, STEPCHILD, SPOUSE, OR UNMARRIED PARTNER, A SIBLING OF THE FALLEN TRANSPORTATION WORKER; OR

(IV) A CHILD OR STEPCHILD OF AN UNMARRIED PARTNER.

[b] (C) “Fallen transportation worker” means an individual:

(1) Whose occupation is in the construction, rehabilitation, or operation of a transportation facility or transportation facilities project in the State; and

(2) Who died, on or after January 1, 2022, as a result of an accident occurring while the individual was performing any job duty necessary for the construction, maintenance, rehabilitation, or operation of a transportation facility or transportation facilities project in the State.

[(c)] (D) “Fund” means the Fallen AND SURVIVING Transportation Workers Scholarship Fund.

[(d)] (E) “Program” means the Fallen AND SURVIVING Transportation Workers Scholarship Program.

(F) “SURVIVING TRANSPORTATION WORKER” MEANS AN INDIVIDUAL:

(1) WHOSE OCCUPATION IS IN THE CONSTRUCTION, REHABILITATION, OR OPERATION OF A TRANSPORTATION FACILITY OR TRANSPORTATION FACILITIES PROJECT IN THE STATE; AND

(2) WHO SURVIVED, ON OR AFTER JANUARY 1, 2022, AN ACCIDENT:

(i) RESULTING IN AT LEAST \$100,000,000 IN TOTAL DAMAGES TO A TRANSPORTATION FACILITY OR TRANSPORTATION FACILITIES PROJECT IN THE STATE; AND

(ii) OCCURRING WHILE THE INDIVIDUAL WAS PERFORMING ANY JOB DUTY NECESSARY FOR THE CONSTRUCTION, MAINTENANCE, REHABILITATION, OR OPERATION OF A TRANSPORTATION FACILITY OR TRANSPORTATION FACILITIES PROJECT IN THE STATE.

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(G) “TRANSPORTATION FACILITIES PROJECT” HAS THE MEANING STATED IN § 4-101 OF THE TRANSPORTATION ARTICLE.

[(e)] (H) “Transportation facility” has the meaning stated in § 3-101 of the Transportation Article.

[(f) “Transportation facilities project” has the meaning stated in § 4-101 of the Transportation Article.]

(I) “UNMARRIED PARTNER” MEANS AN INDIVIDUAL WHO:

(1) AT THE TIME OF A FALLEN TRANSPORTATION WORKER’S DEATH:

(I) WAS IN A COMMITTED RELATIONSHIP WITH THE FALLEN TRANSPORTATION WORKER; AND

(II) SHARED A PRIMARY RESIDENCE WITH THE FALLEN TRANSPORTATION WORKER; OR

(2) AT THE TIME OF A SURVIVING TRANSPORTATION WORKER’S ACCIDENT:

(I) WAS IN A COMMITTED RELATIONSHIP WITH THE SURVIVING TRANSPORTATION WORKER; AND

(II) SHARED A PRIMARY RESIDENCE WITH THE SURVIVING TRANSPORTATION WORKER.

SB0728/813121/01 Appropriations Committee
Amendments to SB 728
Page 5 of 8

(a) There is a Fallen AND SURVIVING Transportation Workers Scholarship Program.

(b) The purpose of the Program is to provide tuition assistance to a student who was [a dependent or is the surviving spouse of a fallen transportation worker] IMPACTED BY AN ACCIDENT INVOLVING A FALLEN TRANSPORTATION WORKER OR A SURVIVING TRANSPORTATION WORKER.

18-4003.

(a) An individual may apply to an eligible institution of postsecondary education for a scholarship under this subtitle if the individual is[:

(1) Accepted for admission or enrolled in a regular undergraduate, graduate, or professional program at an institution of postsecondary education;

(2) At least 16 years old; and

(3) The child, stepchild, or surviving spouse of a fallen transportation worker] AN ELIGIBLE RECIPIENT OF A SCHOLARSHIP UNDER THIS SUBTITLE.

(b) A scholarship awarded under this subtitle:

(1) May be used for the [tuition and mandatory fees] TOTAL COST OF ATTENDANCE at any institution of postsecondary education; and

(2) May not:

(i) Exceed the equivalent annual tuition and mandatory fees of an undergraduate student at the 4-year institution of higher education within the

(Over)

SB0728/813121/01 Appropriations Committee
Amendments to SB 728
Page 6 of 8

University System of Maryland, other than the University of Maryland Global Campus and the University of Maryland, Baltimore Campus, with the highest annual expenses for a full-time undergraduate; and

(ii) Be less than the lesser of:

1. \$3,000; or

2. The equivalent tuition and mandatory fees of the institution attended by the recipient of the scholarship.

(c) (1) Each institution of postsecondary education shall determine eligibility of individuals who apply to the institution for the Program.

(2) Subject to the availability of funds, funds for the Program shall be allocated by the Commission to each institution of postsecondary education based on the number of eligible recipients attending each institution.

(3) In February and October each year, beginning in 2024, each institution of postsecondary education shall report to the Commission the number of eligible recipients attending the institution.

(4) The Commission shall allocate funds for awards to institutions of postsecondary education on verification of eligible recipients attending the institutions.

(5) If funds cannot be allocated in the fiscal year in which awards are made, priority shall be given to allocating funds for those awards in the immediately following fiscal year.

(d) Each recipient of a scholarship under this subtitle may hold the award for 5 years of full-time study or 8 years of part-time study.

SB0728/813121/01 Appropriations Committee
Amendments to SB 728
Page 7 of 8

(e) To the extent practicable, the Department of Transportation, a local department of transportation, or a contractor that employed fallen transportation workers OR SURVIVING TRANSPORTATION WORKERS shall provide to the Commission the names and contact information for the families of the fallen transportation workers OR SURVIVING TRANSPORTATION WORKERS AFTER ANY ACCIDENT RESULTING IN ELIGIBILITY FOR A SCHOLARSHIP UNDER THIS SUBTITLE.

18-4004.

(a) There is a Fallen AND SURVIVING Transportation Workers Scholarship Fund.

(b) The Commission shall administer the Fund.

(c) (1) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.

(2) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.

(d) The Fund consists of:

(1) Money appropriated in the State budget to the Fund;

(2) Interest earnings; and

(3) Any other money from any other source accepted by the Commission for the benefit of the Fund.

(e) The Fund may be used only to award scholarships under the Program.

(Over)

SB0728/813121/01 Appropriations Committee
Amendments to SB 728
Page 8 of 8

(f) (1) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

(2) Any interest earnings of the Fund shall be credited to the Fund.

(g) Expenditures from the Fund may be made only in accordance with the State budget.

(h) The Commission:

(1) May accept any gift or grant from any person for the Fund; and

(2) Shall deposit any gift or grant that it receives for the Program with the State Treasurer.

(i) Funding for the Program shall be as provided in the State budget.”.