

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulation
Maryland Higher Education Commission
(DLS Control No. 19-104)**

Overview and Legal and Fiscal Impact

This regulation alters the definition of “full-time” for purposes of the Cybersecurity Public Service Scholarship Program.

The regulation presents no legal issues of concern.

There is no fiscal impact on State or local agencies.

Regulation of COMAR Affected

Maryland Higher Education Commission:

Financial Aid: Cybersecurity Public Service Scholarship Program:
COMAR 13B.08.20.02

Legal Analysis

Background

The Cybersecurity Public Service Scholarship Program was created by Chapter 415 of 2018 and is administered by the Office of Student Financial Assistance within the Maryland Higher Education Commission. The program’s purpose is to support students who are pursuing education in programs that are directly relevant to cybersecurity. In order to be eligible for the program, among other things, a student must be enrolled full-time at an approved institution of higher education.

The statutory language does not define full-time enrollment, but the initial regulations implementing the statute, effective March 25, 2019, define “full-time” to be “enrollment in at least 12 credits per semester.” For more information regarding the program regulations, see DLS Control No. 18-288.

Summary of Regulation

The regulation amends the definition of “full-time” to mean enrollment at an eligible institution in “at least 12 credits per semester in a certificate or undergraduate degree program or

at least 9 credits per semester in a graduate certificate, graduate degree, or doctoral degree program.”

Legal Issues

The regulation presents no legal issues of concern.

Statutory Authority and Legislative Intent

The commission cites §§ 11-105(u), 18-204(c), 18-3503, and 18-3506 of the Education Article as statutory authority for this regulation. Section 11-105(u) gives the commission the authority to adopt any rule or regulation necessary to carry out its powers and duties. Section 18-204(c) gives the office the authority to adopt any rule or regulation necessary to carry out its powers and duties. Section 18-3503 requires the office to administer the program and sets forth the eligibility requirements. Section 18-3506 requires the office to adopt regulations to implement the program, including regulations to define the number of credits a scholarship recipient must earn as a full-time student.

This authority is correct and complete. The regulations comply with the legislative intent of the law.

Technical Corrections and Special Notes

In response to a suggestion from the Department of Legislative Services, staff for the commission corrected the citation of statutory authority to reference §§ 18-3503 and 18-3506 of the Education Article rather than § 18-3406. This analysis reflects that correction.

Fiscal Analysis

There is no fiscal impact on State or local agencies.

Agency Estimate of Projected Fiscal Impact

The commission advises that that the regulation has no impact on State or local governments. The Department of Legislative Services concurs and advises that according to statute, funds for the Cybersecurity Scholarship Cybersecurity Program (Chapter 415 of 2018) are as provided in the annual budget. Thus, altering the definition of full-time enrollment in regulation may alter who receives funds under the program but does not alter the amount of funding required.

Impact on Budget

There is no impact on the State operating or capital budget.

Agency Estimate of Projected Small Business Impact

The commission advises that the regulation has minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

Contact Information

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