

**Maryland General Assembly  
Department of Legislative Services**

**Proposed Regulations  
Maryland Higher Education Commission**  
(DLS Control No. 19-188)

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## **Overview and Legal and Fiscal Impact**

These regulations implement the Workforce Readiness Grant Program, established by Chapter 457 of 2019, which authorized the Governor to provide matching grants to community colleges to improve the community colleges' technology.

The regulations present no legal issue of concern.

There is no fiscal impact on State or local agencies.

## **Regulations of COMAR Affected**

### **Maryland Higher Education Commission:**

Community Colleges: Workforce Readiness Grant Program:  
COMAR 13B.07.06.01 through .05

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## **Legal Analysis**

### **Background**

Chapter 457 established the Workforce Readiness Grant Program to improve the technology in the State's community colleges. Chapter 457 authorizes the Governor to include matching appropriations to each campus of each community college for donations made to further the program's purpose. The Governor is authorized to appropriate in fiscal 2022 and fiscal 2024 up to \$250,000 for each community college campus or the amount of specified donations to the community college campus for the program in the preceding two fiscal years, whichever is less. The funding is required to be supplemental and in addition to operating money that is otherwise appropriated for the community colleges. Additionally, the Maryland Higher Education Commission must submit specified reports to the Governor and the General Assembly summarizing the total amount of funds raised for the program and how the funds were spent.

### **Summary of Regulations**

The regulations implement the program by providing a process for community colleges to request matching funds from the State and specifying that community colleges must retain certain records. In order to request matching funds from the State, a community college must provide the

commission, within 60 days after the end of a specified donation period, an itemized list of all monetary and equipment donations made by each eligible donor, along with documentation from the donor that the donation was specifically designated to improve the community college's technology. A community college must provide additional documentation upon the commission's request. The regulations also require each community college to provide its annual audit and management report to the commission within 90 days of the close of each fiscal year; as well as reports on or before August 1, 2022 and August 1, 2024, specifying how program funds, including those made through matching fund grants, were used.

The regulations also require the community colleges to maintain records, available to the commission upon request, that document or support the information provided to the commission. These records must be kept through June 30, 2029, or until audited, whichever is earlier. Finally, the regulations state that the commission shall provide a list of the total eligible contributions made to each community college campus on or before October 1, 2021 and October 1, 2023.

### **Legal Issues**

These regulations present no legal issue of concern.

### **Statutory Authority and Legislative Intent**

The commission cites §§ 11-105(u) and 16-321 of the Education Article and Chapter 457 of 2019 as statutory authority for these regulations. Section 11-105(u) grants the commission the authority to adopt any rule or regulation necessary to carry out its powers and duties. Section 16-321, which was added by Chapter 457, establishes the program and § 16-321(f) requires the commission to adopt regulations to implement the program.

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

### **Fiscal Analysis**

There is no fiscal impact on State or local agencies.

### **Agency Estimate of Projected Fiscal Impact**

The commission advises that the regulations have no fiscal impact. The Department of Legislative Services concurs. The Department of Legislative Services advises the regulations implement Chapter 457 of 2019 (Senate Bill 515) which establishes a Workforce Readiness Grant Program to provide matching grants to each community college to improve the community college's technology. Chapter 457 authorizes the Governor to include matching grants of up to \$250,000 for each community college campus in fiscal 2022 and 2024, as specified in the legislation. There is no impact beyond what has already been accounted for in the fiscal and policy note for Senate Bill 515. The fiscal and policy note indicated that general fund expenditure may increase by up to \$5.5 million in both fiscal 2022 and 2024 for matching grants. Further,

Baltimore City Community College revenues and expenditures may increase in fiscal 2020 through 2024.

### **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 regulations have minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

### **Contact Information**

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