

**Maryland General Assembly  
Department of Legislative Services**

**Proposed Regulations  
Maryland Higher Education Commission**  
(DLS Control No. 19-291)

---

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

These new regulations provide for the administration of the Near Completer Grant Program, which makes grant awards to students who are no longer in college but have previously completed college credits.

The regulations present no legal issues of concern.

There is no fiscal impact on State or local agencies.

## **Regulations of COMAR Affected**

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

Financial Aid: Near Completer Grant Program: COMAR 13B.08.07.01 through .08

---

## **Legal Analysis**

### **Background**

The Near Completer Grant Program was established by Chapter 533 of 2013 and modified by Chapter 554 of 2018. The program, which is administered by the Office of Student Financial Assistance in the Maryland Higher Education Commission, provides grants to individual students who have completed some college credits, but do not have a college degree and are no longer attending an institution of higher education.

### **Summary of Regulations**

The regulations establish eligibility criteria for a student to receive a grant, the application process, and the award process, including notification to the award recipient and acceptance of the award. The regulations also specify the amount of the grant, the payment schedule for the grant, and the certification process to ensure the student actually enrolls in an institution of higher education.

### **Legal Issues**

The regulations present no legal issues of concern.

## **Statutory Authority and Legislative Intent**

The Maryland Higher Education Commission cites §§ 11-105(u), 11-209, and 18-204(c) of the Education Article as statutory authority for the regulations. Sections 11-105(u) and 18-204(c) authorize the commission and the office to adopt any rule or regulation necessary to carry out the powers and duties of the commission and the office, respectively. Section 11-209 establishes the Near Completer Grant Program, including student eligibility criteria and the maximum amount of a grant award.

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

## **Technical Corrections and Special Notes**

After submitting the regulations, the commission made revisions that:

- in Regulation .03B(3) and C(3), correct one of the eligibility requirements by adding the phrase “a Maryland resident” to indicate that an applicant must be a Maryland resident or eligible for in-State tuition in accordance with Title 15 of the Education Article;
- in Regulation .05A, clarify that eligible applicants are “awarded” rather than “ranked” on a first-come, first-served basis; and
- delete Regulation .05B, which stated that applicants that previously attended an in-State institution would be prioritized over applicants that attended an out-of-State institution.

## **Fiscal Analysis**

There is no fiscal impact on State or local agencies.

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

The regulations implement provisions of Chapter 554 of 2018 (House Bill 16) related to the Near Completers Grant Program. In the economic impact statement accompanying the regulations, the commission advises that the regulations have no fiscal impact. The Department of Legislative Services concurs, but notes that the commission has recently budgeted approximately \$71,000 to spend on one-time programing costs to program the Maryland College Aid Processing System for the Near Completers Grant Program. This cost is generally attributable to general system maintenance and not the regulations or House Bill 16.

## **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**

**Legal Analysis:** Erika S. Schissler – (410) 946/(301) 970-5350

**Fiscal Analysis:** Caroline L. Boice – (410) 946/(301) 970-5510