

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulation
Maryland Higher Education Commission**
(DLS Control No. 19-293)

Overview and Legal and Fiscal Impact

This regulation repeals the requirement that an applicant for the Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship complete and file the Free Application for Federal Student Aid (FAFSA) by a specified date to qualify for the scholarship.

This regulation presents no legal issue of concern.

General fund expenditures increase minimally, by approximately \$5,000, for the commission to update the State scholarship system. There is no fiscal impact on local agencies.

Regulation of COMAR Affected

Maryland Higher Education Commission:

Financial Aid: Charles W Riley Firefighter and Ambulance and Rescue Squad Member Scholarship Program: COMAR 13B.08.03.03

Legal Analysis

Background

Chapter 147 of 2019 repealed the requirement that applicants for and recipients of the Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship file for federal and State financial aid by March 1 of each year.

Summary of Regulation

This regulation repeals the requirement that an applicant for the Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship complete and file the FAFSA by March 1 each year to qualify for the scholarship.

Legal Issues

This regulation presents no legal issue of concern.

Statutory Authority and Legislative Intent

The Maryland Higher Education Commission cites §§ 11-105(u), 18-204(c), and 18-603.1 of the Education Article as statutory authority for this regulation. Section 11-105(u) authorizes the commission to adopt any rule or regulation necessary to carry out its powers and duties. Section 18-204(c) authorizes the Office of Financial Assistance within the commission to adopt any rule or regulation necessary to carry out its powers and duties, including the administration of scholarship and tuition assistance programs in the State. Section 18-603.1 establishes and sets forth the eligibility requirements and other provisions relating to the Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship program.

This authority is correct and complete. The regulation complies with the legislative intent of the law.

Fiscal Analysis

General fund expenditures increase minimally, by approximately \$5,000, for the commission to update the State scholarship system. There is no fiscal impact on local agencies.

Agency Estimate of Projected Fiscal Impact

The regulation implements Chapter 147 of 2019 (Senate Bill 74), which repealed the requirement that applicants and recipients of the Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship file for federal and State financial aid by March 1 of each year. The fiscal and policy note for Senate Bill 74 assumed that, under the bill, the commission could process any additional applications and process existing applications using existing resources, and the commission notes in the economic impact statement accompanying the regulations that the regulation has no economic impact. However, the commission also advises that there are one-time contractual costs (approximately \$5,000) associated with updating the State scholarship system that were not accounted for in the fiscal and policy note for Senate Bill 74. The Department of Legislative Services concurs.

Impact on Budget

There is no material 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

Legal Analysis: Stacy M. Goodman – (410) 946/(301) 970-5350

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