

**Maryland General Assembly  
Department of Legislative Services**

**Proposed Regulations  
Maryland Higher Education Commission  
(DLS Control No. 20-161)**

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**Overview and Legal and Fiscal Impact**

These regulations clarify the eligibility criteria and alter the application procedures for the Richard W. Collins III Leadership with Honor Scholarship.

These regulations presents 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: Richard W. Collins III Leadership With Honor Scholarship Program:  
COMAR 13B.08.11.02 through .04

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**Legal Analysis**

**Background**

The Richard W. Collins III Leadership With Honor Scholarship Program was established by Chapter 597 of 2018 and is administered by the Office of Student Financial Assistance within the Maryland Higher Education Commission. The purpose of the program is to provide scholarships for students who (1) are eligible for in-State tuition (2) are members of a Reserve Officer Training Corps (ROTC) program; (3) are members of a minority group or another group historically underrepresented in ROTC programs; and (4) attend a historically black college or university in the State. The initial regulations implementing the program took effect November 18, 2019 (see DLS Control No. 19-030).

**Summary of Regulations**

These regulations clarify the eligibility criteria for the scholarship by specifying that part-time students, as well as full-time students, are eligible to receive a scholarship award. “Part-time” is defined to mean “enrollment at an eligible institution in:

(a) At least 6 credits but less than 12 credits per semester in a certificate or undergraduate degree program; or

(b) At least 6 credits but less than 9 credits per semester in a graduate certificate, graduate degree or doctoral degree program.”

Additionally, these regulations alter the date by which an applicant for the scholarship must apply and submit a Free Application for Federal Student Aid (FAFSA) or a Maryland State Financial Aid Application (MSFAA) from July 15 to April 1 and establishes priority consideration for applications received by April 1 and those received after April 15 but no later than July 15.

## **Legal Issues**

These regulations present no legal issues of concern.

## **Statutory Authority and Legislative Intent**

The commission cites §§ 11-105(u), 18-204(c), and 18-605(e) of the Education Article as statutory authority for these regulations. 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 Student 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 18-605 establishes the Richard W. Collins Leadership With Honor Scholarship Program. More specifically, § 18-605(e) requires the office to adopt any procedures or regulations necessary to implement this section.

This authority is correct and complete. These 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 make administrative changes to the Richard W. Collins III Leadership with Honor Scholarship Program and, thus, have no fiscal impact. The Department of Legislative Services notes that the regulations expand eligibility to part-time students and change the priority application deadline, but concurs that these changes have no fiscal impact. The Governor is required to appropriate \$1 million for the scholarship annually. While the proposed regulations may increase the number of students who are eligible for the scholarship and, thus, may decrease the amount of scholarship award for individual students, it does not affect the mandated annual program funding amount.

## **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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