

# HOUSE BILL 904

P1, F5, G2

2lr2559

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By: **Delegate Cox**

Introduced and read first time: February 7, 2022

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **State-Related Institutions – Required Reports**

3 FOR the purpose of requiring certain State-related institutions to submit annually a  
4 certain financial disclosure report and a certain supplemental report for public  
5 institutions of postsecondary education to certain entities under certain  
6 circumstances; requiring a State-related institution to submit a certain annual list  
7 of certain contracts executed by the State-related institution to the Governor and  
8 General Assembly; requiring State-related institutions to make copies of certain  
9 meeting minutes and certain reports available for public inspection in a certain  
10 manner and for certain periods of time; requiring a certain list to be posted and  
11 maintained online in a certain manner for a certain period of time; and generally  
12 relating to reports from State-related institutions.

13 BY adding to

14 Article – General Provisions

15 Section 5-6A-01 through 5-6A-06 to be under the new subtitle “Subtitle 6A.  
16 State-Related Institutions”

17 Annotated Code of Maryland

18 (2019 Replacement Volume and 2021 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
20 That the Laws of Maryland read as follows:

21 **Article – General Provisions**

22 **SUBTITLE 6A. STATE-RELATED INSTITUTIONS.**

23 **5-6A-01.**

24 **IN THIS SUBTITLE, “STATE-RELATED INSTITUTION” INCLUDES:**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1           **(1) THE UNIVERSITY SYSTEM OF MARYLAND;**
- 2           **(2) MORGAN STATE UNIVERSITY;**
- 3           **(3) ST. MARY'S COLLEGE;**
- 4           **(4) A COMMUNITY COLLEGE ESTABLISHED UNDER TITLE 16 OF THE**  
5 **EDUCATION ARTICLE;**
- 6           **(5) AN INTERGOVERNMENTAL, REGIONAL, OR MUNICIPAL AGENCY,**  
7 **AUTHORITY, COUNCIL, BOARD, COMMISSION, OR OTHER GOVERNMENTAL ENTITY;**
- 8           **(6) AN ECONOMIC DEVELOPMENT AUTHORITY; AND**
- 9           **(7) AN INDUSTRIAL DEVELOPMENT AUTHORITY.**

10 **5-6A-02.**

11           **(A) (1) ON OR BEFORE SEPTEMBER 1 EACH YEAR, EACH STATE-RELATED**  
12 **INSTITUTION SHALL SUBMIT THE FOLLOWING REPORTS TO THE GOVERNOR, THE**  
13 **ATTORNEY GENERAL, AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE**  
14 **GOVERNMENT ARTICLE, AND THE GENERAL ASSEMBLY:**

15                   **(I) A FINANCIAL DISCLOSURE REPORT; AND**

16                   **(II) FOR A STATE-RELATED INSTITUTION LISTED UNDER §**  
17 **5-6A-01(1) THROUGH (4) OF THIS SUBTITLE, THE REPORT REQUIRED UNDER §**  
18 **5-6A-03 OF THIS SUBTITLE.**

19           **(2) EACH STATE-RELATED INSTITUTION SHALL ANNUALLY DELIVER**  
20 **A PRINT COPY OF THE REPORTS REQUIRED UNDER PARAGRAPH (1) OF THIS**  
21 **SUBSECTION TO EACH OF THE STATE REGIONAL LIBRARY RESOURCE CENTERS.**

22           **(B) THE FINANCIAL DISCLOSURE REPORT REQUIRED UNDER SUBSECTION**  
23 **(A)(1)(I) OF THIS SECTION SHALL INCLUDE:**

24                   **(1) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, THE**  
25 **INFORMATION REQUIRED BY IRS FORM 990, REGARDLESS OF WHETHER THE**  
26 **STATE-RELATED INSTITUTION IS REQUIRED TO FILE THE FORM BY THE FEDERAL**  
27 **GOVERNMENT;**

1           **(2) THE SALARIES OF ALL OFFICERS AND DIRECTORS OF THE**  
2 **STATE-RELATED INSTITUTION;**

3           **(3) THE SALARIES OF THE 25 HIGHEST PAID EMPLOYEES OF THE**  
4 **STATE-RELATED INSTITUTION THAT ARE NOT INCLUDED UNDER ITEM (2) OF THIS**  
5 **SUBSECTION;**

6           **(4) FOR A STATE-RELATED INSTITUTION WITH 2,500 EMPLOYEES OR**  
7 **MORE, THE SALARIES OF THE 175 HIGHEST PAID EMPLOYEES OF THE**  
8 **STATE-RELATED INSTITUTION THAT ARE NOT INCLUDED UNDER ITEM (2) OF THIS**  
9 **SUBSECTION;**

10           **(5) REVENUE AND EXPENDITURE BUDGETS OF THE STATE-RELATED**  
11 **INSTITUTION'S SUPPORT UNITS FOR THE CURRENT FISCAL YEAR;**

12           **(6) THE ACTUAL REVENUE AND EXPENDITURES OF THE**  
13 **STATE-RELATED INSTITUTION FOR THE PRIOR FISCAL YEAR;**

14           **(7) FOR ANY DEFINED PROJECT OR PROGRAM WHICH IS THE SUBJECT**  
15 **OF A SPECIFIC LINE ITEM APPROPRIATION FROM THE STATE'S GENERAL FUND:**

16                   **(I) REVENUE AND EXPENDITURE BUDGETS OF THE DEFINED**  
17 **PROGRAM OR PROJECT FOR THE CURRENT FISCAL YEAR; AND**

18                   **(II) THE ACTUAL REVENUE AND EXPENDITURES OF THE**  
19 **DEFINED PROGRAM OR PROJECT FOR THE PRIOR FISCAL YEAR;**

20           **(8) THE REVENUE AND EXPENDITURES OF ANY AUXILIARY**  
21 **ENTERPRISE WHICH IS DIRECTLY FUNDED IN WHOLE OR IN PART BY TUITION OR A**  
22 **STATE APPROPRIATION FOR THE CURRENT FISCAL YEAR;**

23           **(9) THE MOST RECENT AUDITED FINANCIAL STATEMENT FOR THE**  
24 **STATE-RELATED INSTITUTION; AND**

25           **(10) THE FOLLOWING INFORMATION FOR THE PRIOR FISCAL YEAR FOR**  
26 **EACH ACADEMIC OR ADMINISTRATIVE SUPPORT UNIT, FOR EACH DEFINED PROJECT**  
27 **OR PROGRAM, AND FOR AN AUXILIARY ENTERPRISE:**

28                   **(I) THE NUMBER OF EMPLOYEES, BY RANK;**

29                   **(II) THE NUMBER OF ADMINISTRATORS, STAFF, CLERICAL, AND**  
30 **TECHNICAL SERVICE EMPLOYEES, BY CLASSIFICATION;**

1 (III) MEDIAN AND MEAN SALARY, BY RANK;

2 (IV) MEDIAN AND MEAN SALARIES OF ADMINISTRATORS, STAFF,  
3 CLERICAL, AND TECHNICAL SERVICE EMPLOYEES, BY CLASSIFICATION;

4 (V) NONSALARY COMPENSATION AS A PERCENTAGE OF SALARY,  
5 INCLUDING:

6 1. MEDICAL BENEFITS;

7 2. LIFE INSURANCE BENEFITS;

8 3. PENSION BENEFITS;

9 4. LEAVE BENEFITS;

10 5. EMPLOYER SOCIAL SECURITY PAYMENTS; AND

11 6. WORKERS' COMPENSATION BENEFITS;

12 (VI) A STATEMENT OF THE STATE-RELATED INSTITUTION'S  
13 RETIREMENT POLICIES;

14 (VII) A POLICY STATEMENT RELATING TO ANY REDUCTION OF  
15 TUITION FOR EDUCATION EMPLOYEES' FAMILY MEMBERS; AND

16 (VIII) AN AGGREGATE LIST OF THE EXPENSES OF TRAVEL,  
17 SUBSISTENCE, AND LODGING, WHETHER PROVIDED OR REIMBURSED, BY ACADEMIC  
18 OR ADMINISTRATIVE SUPPORT UNIT.

19 (C) THE SALARIES PROVIDED UNDER SUBSECTION (B)(3) AND (4) OF THIS  
20 SECTION SHALL BE PRESENTED:

21 (1) IN SALARY RANGES COMPRISED OF BANDS OF NOT MORE THAN  
22 \$75,000;

23 (2) WITH INDIVIDUAL EMPLOYEE NAMES ITEMIZED ALPHABETICALLY  
24 IN THE RESPECTIVE SALARY RANGE; AND

25 (3) WITH THE DEPARTMENT OF THE STATE-RELATED INSTITUTION  
26 TO WHICH THE EMPLOYEE IS ASSIGNED PRESENTED WITH THE NAME OF THE  
27 EMPLOYEE.

1 (D) THE REPORT SUBMITTED UNDER SUBSECTION (A) OF THIS SECTION:

2 (1) MAY NOT INCLUDE INFORMATION RELATING TO INDIVIDUAL  
3 DONORS; AND

4 (2) SHALL PRESENT FINANCIAL STATEMENTS IN ACCORDANCE WITH:

5 (I) THE GENERALLY ACCEPTED ACCOUNTING PRINCIPLES OF  
6 THE NATIONAL ASSOCIATION OF COLLEGE AND UNIVERSITY BUSINESS OFFICERS,  
7 THE AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS, OR BY ANOTHER  
8 RECOGNIZED AUTHORITATIVE BODY; AND

9 (II) ANY FINANCIAL REPORTING POLICIES AND STANDARDS  
10 ADOPTED BY THE ETHICS COMMISSION AND BY THE FEDERAL GOVERNMENT THAT  
11 APPLY TO THE STATE-RELATED INSTITUTIONS.

12 5-6A-03.

13 (A) IN ADDITION TO THE REPORT SUBMITTED UNDER § 5-6A-02(A)(1)(I) OF  
14 THIS SUBTITLE, A STATE-RELATED INSTITUTION LISTED UNDER § 5-6A-01(1)  
15 THROUGH (4) OF THIS SUBTITLE SHALL SUBMIT A SUPPLEMENTAL REPORT WHICH  
16 INCLUDES FOR THE 12-MONTH PERIOD BEGINNING WITH THE SUMMER TERM OF  
17 THE IMMEDIATELY PRECEDING YEAR:

18 (1) FOR EACH TERM DURING THE PERIOD:

19 (I) THE DEFINITION AND NUMBER OF:

20 1. FACULTY MEMBERS EMPLOYED FULL TIME;

21 2. FACULTY MEMBERS EMPLOYED PART TIME;

22 3. FULL-TIME STUDENTS ENROLLED IN A GRADUATE  
23 COURSE;

24 4. FULL-TIME STUDENTS ENROLLED IN AN  
25 UNDERGRADUATE COURSE;

26 5. PART-TIME STUDENTS ENROLLED IN A GRADUATE  
27 COURSE; AND

28 6. PART-TIME STUDENTS ENROLLED IN AN  
29 UNDERGRADUATE COURSE;

1                   **(II) THE TOTAL NUMBER OF:**

2                   1.     **UNDERGRADUATE STUDENT CREDIT HOURS, DIVIDED**  
3 **INTO LOWER DIVISION AND UPPER DIVISION COURSE LEVELS; AND**

4                   2.     **GRADUATE STUDENT CREDIT HOURS, DIVIDED INTO**  
5 **THREE COURSE LEVELS: MASTER'S, FIRST PROFESSIONAL, AND DOCTORAL;**

6                   **(III) THE NUMBER OF DIFFERENT COURSES SCHEDULED BY**  
7 **LEVEL OF INSTRUCTION AND THE NUMBER OF SECTIONS OF INDIVIDUAL**  
8 **INSTRUCTION SCHEDULED BY LEVEL OF INSTRUCTION, EACH FURTHER SUBDIVIDED**  
9 **BY TWO-DIGIT CLASSIFICATION OF INSTRUCTIONAL PROGRAM CATEGORIES OF**  
10 **INSTRUCTIONAL PROGRAMS OF HIGHER EDUCATION AS DEFINED BY THE NATIONAL**  
11 **CENTER FOR EDUCATION STATISTICS, U.S. DEPARTMENT OF EDUCATION; AND**

12                   **(IV) THE NUMBER OF TERMS SCHEDULED AND THE DATES OF**  
13 **THE TERMS;**

14                   **(2) IN TOTAL AND FOR EACH PROGRAM CATEGORY:**

15                   **(I) A CLASSIFICATION OF FACULTY MEMBERS OR OTHER**  
16 **PROFESSIONAL EMPLOYEES BY TITLE, INCLUDING:**

17                   1.     **PROFESSOR;**

18                   2.     **ASSOCIATE PROFESSOR;**

19                   3.     **ASSISTANT PROFESSOR;**

20                   4.     **INSTRUCTOR;**

21                   5.     **LECTURER;**

22                   6.     **RESEARCH ASSOCIATE;**

23                   7.     **LIBRARIAN; AND**

24                   8.     **ACADEMIC ADMINISTRATOR;**

25                   **(II) FACULTY MEMBERS OR OTHER PROFESSIONAL EMPLOYEES**  
26 **UNDER EACH TITLE, CLASSIFIED AS TEACHING OR NONTEACHING;**

1 (III) EACH SET OF FACULTY MEMBERS OR OTHER PROFESSIONAL  
2 EMPLOYEES, DIVIDED BY FULL-TIME OR PART-TIME EMPLOYMENT;

3 (IV) THE FOLLOWING AGGREGATE FIGURES FOR EACH  
4 SUBDIVIDED CLASSIFICATION:

5 1. THE NUMBER OF FACULTY AND OTHER  
6 PROFESSIONAL EMPLOYEES AND THE FULL-TIME EQUIVALENT IN INSTRUCTIONAL  
7 AND NONINSTRUCTIONAL FUNCTIONS;

8 2. THE SUM OF CREDITS ASSIGNED TO UNDERGRADUATE  
9 CLASSROOM COURSES AND THE SUM OF CREDITS ASSIGNED TO GRADUATE  
10 CLASSROOM COURSES TAUGHT, DIVIDED INTO LOWER DIVISION, UPPER DIVISION,  
11 MASTER'S, FIRST PROFESSIONAL, AND DOCTORAL COURSE LEVELS;

12 3. THE SUM OF CREDITS ASSIGNED TO UNDERGRADUATE  
13 INDIVIDUAL INSTRUCTION COURSES AND THE SUM OF CREDITS ASSIGNED TO  
14 GRADUATE INDIVIDUAL INSTRUCTION COURSES TAUGHT, DIVIDED INTO LOWER  
15 DIVISION, UPPER DIVISION, MASTER'S, FIRST PROFESSIONAL, AND DOCTORAL  
16 COURSE LEVELS;

17 4. THE SUM OF UNDERGRADUATE CLASSROOM STUDENT  
18 CREDIT HOURS AND THE SUM OF GRADUATE CLASSROOM STUDENT CREDIT HOURS  
19 GENERATED, DIVIDED INTO LOWER DIVISION, UPPER DIVISION, MASTER'S, FIRST  
20 PROFESSIONAL, AND DOCTORAL COURSE LEVELS;

21 5. THE SUM OF UNDERGRADUATE INDIVIDUAL  
22 INSTRUCTION STUDENT CREDIT HOURS AND THE SUM OF GRADUATE INDIVIDUAL  
23 INSTRUCTION STUDENT CREDIT HOURS GENERATED, DIVIDED INTO LOWER  
24 DIVISION, UPPER DIVISION, MASTER'S, FIRST PROFESSIONAL, AND DOCTORAL  
25 COURSE LEVELS; AND

26 6. THE TOTAL SALARY PAID FOR TEACHING FUNCTIONS  
27 AND FOR NONTEACHING FUNCTIONS AND THE AMOUNT OF SALARY PAID FOR EACH  
28 OF THESE FUNCTIONS FROM STATE-RELATED INSTITUTION FUNDS, FEDERAL  
29 FUNDS, AND OTHER FUNDING SOURCES; AND

30 (V) FOR EACH TERM OF THE PERIOD COVERED, FOR EACH  
31 FACULTY MEMBER EMPLOYED FULL TIME IDENTIFIED BY PROGRAM CATEGORY AND  
32 TITLE, AN ANALYSIS OF THE AVERAGE HOURS PER WEEK SPENT ON:

33 1. ACTIVITIES RELATED TO THE STATE-RELATED  
34 INSTITUTION, SPECIFYING HOURS SPENT IN UNDERGRADUATE CLASSROOM

1 CONTACT AND GRADUATE CLASSROOM CONTACT AND HOURS SPENT IN  
2 PREPARATION;

3 2. RESEARCH; AND

4 3. PUBLIC SERVICE; AND

5 (3) FOR EACH PROGRAM OF THE STATE-RELATED INSTITUTION:

6 (I) THE MINIMUM NUMBER OF CREDITS REQUIRED FOR A  
7 BACCALAUREATE DEGREE AND FOR A MASTER'S DEGREE; AND

8 (II) THE NUMBER OF BACHELOR'S DEGREES, MASTER'S  
9 DEGREES, FIRST PROFESSIONAL DEGREES, AND DOCTORAL DEGREES AWARDED IN  
10 EACH OF THE PREVIOUS 5 YEARS AND ESTIMATED TO BE AWARDED IN THE  
11 UPCOMING YEAR.

12 (B) THE REPORT REQUIRED UNDER § 5-6A-02(A)(1)(I) OF THIS SUBTITLE  
13 AND THE SUPPLEMENTAL REPORT REQUIRED UNDER SUBSECTION (A) OF THIS  
14 SECTION SHALL BE SUBMITTED IN ELECTRONIC FORMAT TO THE STATE  
15 DEPARTMENT OF EDUCATION.

16 5-6A-04.

17 (A) EACH STATE-RELATED INSTITUTION SHALL MAKE A COPY OF THE  
18 MINUTES OF EACH PUBLIC MEETING OF THE BOARD OF TRUSTEES OF THE  
19 STATE-RELATED INSTITUTION AVAILABLE FOR PUBLIC INSPECTION IN PRINT  
20 FORMAT AND ONLINE ON THE PUBLICLY ACCESSIBLE INTERNET WEBSITE OF THE  
21 STATE-RELATED INSTITUTION.

22 (B) MINUTES AVAILABLE UNDER SUBSECTION (A) OF THIS SECTION SHALL  
23 BE MAINTAINED IN PRINT AND ONLINE FOR AT LEAST 20 YEARS.

24 5-6A-05.

25 (A) A STATE-RELATED INSTITUTION SHALL MAKE A COPY OF THE REPORTS  
26 REQUIRED UNDER §§ 5-6A-02 AND 5-6A-03 OF THIS SUBTITLE AVAILABLE FOR  
27 PUBLIC INSPECTION:

28 (1) IN PRINT FORMAT IN THE LIBRARY OR, IF THE INSTITUTION DOES  
29 NOT HAVE A LIBRARY, IN THE LOCATION WHERE RECORDS ARE GENERALLY KEPT  
30 WITH A NOTICE PUBLISHED AS TO HOW TO ACCESS THE DOCUMENTS; AND



1           **(2) ON THE PUBLICLY ACCESSIBLE INTERNET WEBSITE OF THE**  
2 **STATE-RELATED INSTITUTION.**

3           **(B) THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION SHALL BE**  
4 **FULFILLED IN THE FOLLOWING MANNER:**

5           **(1) THE INFORMATION SHALL BE POSTED ONLINE IN A SEARCHABLE,**  
6 **SORTABLE, AND DOWNLOADABLE DATABASE FORMAT THAT IS FREELY ACCESSIBLE**  
7 **BY THE PUBLIC; AND**

8           **(2) TO THE EXTENT POSSIBLE, THE INFORMATION FOR EACH YEAR**  
9 **SHALL BE POSTED IN A SIMILAR MANNER IN ORDER TO FACILITATE EASY PUBLIC**  
10 **REVIEW.**

11           **(C) THE REPORTS REQUIRED UNDER §§ 5-6A-02 AND 5-6A-03 OF THIS**  
12 **SUBTITLE SHALL BE MAINTAINED IN PRINT AND ONLINE FOR AT LEAST 10 YEARS.**

13 **5-6A-06.**

14           **(A) THIS SECTION:**

15           **(1) APPLIES TO A PURCHASE ORDER EVIDENCING NEW OBLIGATIONS;**

16           **(2) DOES NOT APPLY TO A PURCHASE ORDER EVIDENCING**  
17 **FULFILLMENT OF AN EXISTING CONTRACT; AND**

18           **(3) DOES NOT APPLY TO A CONTRACT FOR SERVICES THAT ARE**  
19 **PROTECTED BY PRIVILEGE.**

20           **(B) ON OR BEFORE SEPTEMBER 1 EACH YEAR, A STATE-RELATED**  
21 **INSTITUTION SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH §**  
22 **2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY A LIST OF**  
23 **CONTRACTS EXECUTED BY THE STATE-RELATED INSTITUTION DURING THE PRIOR**  
24 **FISCAL YEAR IN EXCESS OF \$5,000 FOR THE PURCHASE OF GOODS AND SERVICES.**

25           **(C) THE LIST REQUIRED UNDER SUBSECTION (B) OF THIS SECTION SHALL**  
26 **INCLUDE FOR EACH CONTRACT:**

27           **(1) DATE OF EXECUTION;**

28           **(2) AMOUNT OF THE CONTRACT;**

29           **(3) BEGINNING DATE OF THE CONTRACT TERM;**

1           **(4) END DATE OF THE CONTRACT TERM, IF APPLICABLE;**

2           **(5) THE NAME AND ADDRESS OF THE CONTRACTOR; AND**

3           **(6) A BRIEF DESCRIPTION OF THE CONTRACT.**

4           **(D) THE LIST REQUIRED UNDER THIS SECTION SHALL BE POSTED AND**  
5 **MAINTAINED ON THE PUBLICLY ACCESSIBLE INTERNET WEBSITE OF THE**  
6 **STATE-RELATED INSTITUTION FOR AT LEAST 10 YEARS.**

7           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 2022.