

SENATE BILL 828

F2

3lr1737
CF 3lr2987

By: **Senator Madaleno**

Introduced and read first time: February 1, 2013

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **St. Mary's College of Maryland – Tuition Freeze and DeSousa–Brent Scholars**
3 **Completion Grant**

4 FOR the purpose of prohibiting the Board of Trustees of St. Mary's College of
5 Maryland from increasing the undergraduate resident student tuition rates in
6 certain academic years; requiring the Governor to appropriate a certain amount
7 to St. Mary's College of Maryland from a certain fund in certain fiscal years;
8 requiring a certain calculation for a certain fiscal year to include certain funds;
9 establishing a DeSousa–Brent Scholars Completion Grant; stating the purpose
10 of a certain grant; prohibiting a certain appropriation from being included in a
11 certain calculation for certain fiscal years except in certain circumstances;
12 requiring a certain report by a certain date; defining certain terms; and
13 generally relating to St. Mary's College of Maryland.

14 BY adding to
15 Article – Education
16 Section 14–410 and 14–411
17 Annotated Code of Maryland
18 (2008 Replacement Volume and 2012 Supplement)

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

21 **Article – Education**

22 **14–410.**

23 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
24 **MEANINGS INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) “ACADEMIC YEAR” MEANS THE PERIOD COMMENCING WITH**
2 **THE FALL SEMESTER AND CONTINUING THROUGH THE IMMEDIATELY**
3 **FOLLOWING SUMMER SESSION AT ST. MARY’S COLLEGE OF MARYLAND.**

4 **(3) “FUND” MEANS THE HIGHER EDUCATION INVESTMENT FUND**
5 **ESTABLISHED IN § 15-106.6 OF THIS ARTICLE.**

6 **(4) (I) “TUITION” MEANS THE CHARGES APPROVED BY THE**
7 **BOARD OF TRUSTEES OF ST. MARY’S COLLEGE OF MARYLAND THAT ARE**
8 **REQUIRED OF ALL UNDERGRADUATE RESIDENT STUDENTS BY THE INSTITUTION**
9 **AS A CONDITION OF ENROLLMENT REGARDLESS OF THE STUDENT’S DEGREE**
10 **PROGRAM, FIELD OF STUDY, OR SELECTED COURSES.**

11 **(II) “TUITION” DOES NOT INCLUDE:**

12 **1. FEES THAT ARE REQUIRED OF ALL**
13 **UNDERGRADUATE RESIDENT STUDENTS BY THE INSTITUTION AS A CONDITION**
14 **OF ENROLLMENT REGARDLESS OF THE STUDENT’S DEGREE PROGRAM, FIELD OF**
15 **STUDY, OR SELECTED COURSES;**

16 **2. FEES DEDICATED TO SUPPORT AUXILIARY**
17 **ENTERPRISES AND OTHER SELF-FUNDED ACTIVITIES OF THE INSTITUTION; OR**

18 **3. A FEE REQUIRED ONLY FOR ENROLLMENT IN A**
19 **SPECIFIC DEGREE PROGRAM, FIELD OF STUDY, OR COURSE WHEN THAT FEE IS**
20 **NOT REQUIRED OF UNDERGRADUATE RESIDENT STUDENTS AT THE**
21 **INSTITUTION FOR ENROLLMENT IN OTHER DEGREE PROGRAMS, FIELDS OF**
22 **STUDY, OR COURSES.**

23 **(B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FOR THE**
24 **ACADEMIC YEARS BEGINNING IN THE FALL OF 2013 THROUGH THE FALL OF**
25 **2017, THE BOARD OF TRUSTEES MAY NOT APPROVE AND MAY NOT IMPOSE AN**
26 **INCREASE IN THE TUITION CHARGED FOR AN ACADEMIC YEAR TO A RESIDENT**
27 **UNDERGRADUATE STUDENT AT THE INSTITUTION OVER THE AMOUNT CHARGED**
28 **FOR TUITION AT THE INSTITUTION IN THE PRECEDING ACADEMIC YEAR.**

29 **(C) FOR EACH OF FISCAL YEARS 2014 THROUGH 2018, FROM THE**
30 **FUND, THE GOVERNOR SHALL APPROPRIATE TO ST. MARY’S COLLEGE OF**
31 **MARYLAND \$800,000 PLUS:**

32 **(1) FOR FISCAL YEAR 2015, THE PRIOR YEAR’S APPROPRIATION**
33 **FROM THE FUND MADE UNDER THIS SECTION MULTIPLIED BY THE IMPLICIT**

1 PRICE DEFLATOR FOR STATE AND LOCAL GOVERNMENT USED UNDER § 14-405
2 OF THIS ARTICLE FOR THE FISCAL YEAR 2015 GENERAL FUND GRANT;

3 (2) FOR FISCAL YEAR 2016, THE PRIOR YEAR'S APPROPRIATION
4 FROM THE FUND MADE UNDER THIS SECTION MULTIPLIED BY THE IMPLICIT
5 PRICE DEFLATOR FOR STATE AND LOCAL GOVERNMENT USED UNDER § 14-405
6 OF THIS ARTICLE FOR THE FISCAL YEAR 2016 GENERAL FUND GRANT;

7 (3) FOR FISCAL YEAR 2017, THE PRIOR YEAR'S APPROPRIATION
8 FROM THE FUND MADE UNDER THIS SECTION MULTIPLIED BY THE IMPLICIT
9 PRICE DEFLATOR FOR STATE AND LOCAL GOVERNMENT USED UNDER § 14-405
10 OF THIS ARTICLE FOR THE FISCAL YEAR 2017 GENERAL FUND GRANT; AND

11 (4) FOR FISCAL YEAR 2018, THE PRIOR YEAR'S APPROPRIATION
12 FROM THE FUND MADE UNDER THIS SECTION MULTIPLIED BY THE IMPLICIT
13 PRICE DEFLATOR FOR STATE AND LOCAL GOVERNMENT USED UNDER § 14-405
14 OF THIS ARTICLE FOR THE FISCAL YEAR 2018 GENERAL FUND GRANT.

15 (D) THE CALCULATION MADE UNDER § 14-405 OF THIS SUBTITLE FOR
16 THE FISCAL YEAR 2019 GENERAL FUND GRANT SHALL INCLUDE THE FISCAL
17 YEAR 2018 APPROPRIATION FROM THE FUND MADE UNDER THIS SECTION.

18 14-411.

19 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
20 MEANINGS INDICATED.

21 (2) "FUND" MEANS THE HIGHER EDUCATION INVESTMENT FUND
22 ESTABLISHED IN § 15-106.6 OF THIS ARTICLE.

23 (3) "GRANT" MEANS THE DESOUSA-BRENT SCHOLARS
24 COMPLETION GRANT.

25 (B) THERE IS A DESOUSA-BRENT SCHOLARS COMPLETION GRANT TO
26 ST. MARY'S COLLEGE OF MARYLAND.

27 (C) THE PURPOSE OF THE GRANT IS TO INCREASE THE RETENTION AND
28 GRADUATION RATES OF DESOUSA-BRENT SCHOLARS AT ST. MARY'S COLLEGE
29 OF MARYLAND.

30 (D) FOR FISCAL YEARS 2014 THROUGH 2019, THE GOVERNOR SHALL
31 APPROPRIATE THE FOLLOWING GRANT AMOUNTS FROM THE FUND TO ST.
32 MARY'S COLLEGE OF MARYLAND:

- 1 **(1) \$300,000 IN FISCAL YEAR 2014;**
2 **(2) \$550,000 IN FISCAL YEAR 2015; AND**
3 **(3) \$800,000 IN EACH OF FISCAL YEARS 2016 THROUGH 2019.**

4 **(E) FOR FISCAL YEARS 2015 THROUGH 2020, EXCEPT AS PROVIDED IN**
5 **SUBSECTION (F) OF THIS SECTION, THE PRIOR FISCAL YEAR'S APPROPRIATION**
6 **FROM THE FUND MADE UNDER THIS SECTION MAY NOT BE INCLUDED IN THE**
7 **CALCULATION UNDER § 14-405 OF THIS SUBTITLE.**

8 **(F) THE FISCAL YEAR 2019 APPROPRIATION FROM THE FUND SHALL BE**
9 **INCLUDED IN THE CALCULATION UNDER § 14-405 OF THIS SUBTITLE FOR THE**
10 **FISCAL YEAR 2020 GENERAL FUND GRANT APPROPRIATION IF:**

11 **(1) THE FIRST- TO SECOND-YEAR RETENTION RATE FOR THE**
12 **FALL 2015 COHORT OF THE DESOUSA-BRENT SCHOLARS IS AT LEAST 88%;**

13 **(2) THE FIRST- TO THIRD-YEAR RETENTION RATE FOR THE FALL**
14 **2015 COHORT OF THE DESOUSA-BRENT SCHOLARS IS AT LEAST 79%; AND**

15 **(3) THE FOUR-YEAR GRADUATION RATE FOR THE FALL 2015**
16 **COHORT OF THE DESOUSA-BRENT SCHOLARS IS AT LEAST 70%.**

17 **(G) ON OR BEFORE DECEMBER 1 OF EACH YEAR ST. MARY'S COLLEGE**
18 **OF MARYLAND SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH**
19 **§ 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY THE**
20 **RETENTION AND GRADUATION RATES OF DESOUSA-BRENT SCHOLARS.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 July 1, 2013.