

# SENATE BILL 828

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3lr1737  
CF HB 831

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By: ~~Senator Madaleno~~ Senators Madaleno, Jones–Rodwell, and McFadden

Introduced and read first time: February 1, 2013

Assigned to: Budget and Taxation

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 29, 2013

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## CHAPTER \_\_\_\_\_

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**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 14-410.

2 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE  
3 MEANINGS INDICATED.

4 (2) "ACADEMIC YEAR" MEANS THE PERIOD COMMENCING WITH  
5 THE FALL SEMESTER AND CONTINUING THROUGH THE IMMEDIATELY  
6 FOLLOWING SUMMER SESSION AT ST. MARY'S COLLEGE OF MARYLAND.

7 (3) "FUND" MEANS THE HIGHER EDUCATION INVESTMENT FUND  
8 ESTABLISHED IN § 15-106.6 OF THIS ARTICLE.

9 (4) (I) "TUITION" MEANS THE CHARGES APPROVED BY THE  
10 BOARD OF TRUSTEES OF ST. MARY'S COLLEGE OF MARYLAND THAT ARE  
11 REQUIRED OF ALL UNDERGRADUATE RESIDENT STUDENTS BY THE INSTITUTION  
12 AS A CONDITION OF ENROLLMENT REGARDLESS OF THE STUDENT'S DEGREE  
13 PROGRAM, FIELD OF STUDY, OR SELECTED COURSES.

14 (II) "TUITION" DOES NOT INCLUDE:

15 1. FEES THAT ARE REQUIRED OF ALL  
16 UNDERGRADUATE RESIDENT STUDENTS BY THE INSTITUTION AS A CONDITION  
17 OF ENROLLMENT REGARDLESS OF THE STUDENT'S DEGREE PROGRAM, FIELD OF  
18 STUDY, OR SELECTED COURSES;

19 2. FEES DEDICATED TO SUPPORT AUXILIARY  
20 ENTERPRISES AND OTHER SELF-FUNDED ACTIVITIES OF THE INSTITUTION; OR

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

26 (B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FOR THE  
27 ACADEMIC YEARS BEGINNING IN THE FALL OF 2013 ~~THROUGH~~ AND THE FALL OF  
28 ~~2017~~ 2014, THE BOARD OF TRUSTEES MAY NOT APPROVE AND MAY NOT IMPOSE  
29 AN INCREASE IN THE TUITION CHARGED FOR AN ACADEMIC YEAR TO A  
30 RESIDENT UNDERGRADUATE STUDENT AT THE INSTITUTION OVER THE AMOUNT  
31 CHARGED FOR TUITION AT THE INSTITUTION IN THE PRECEDING ACADEMIC  
32 YEAR.

1       ~~(C) FOR EACH OF FISCAL YEARS 2014 THROUGH 2018, FROM THE~~  
 2 ~~FUND, THE GOVERNOR SHALL APPROPRIATE TO ST. MARY'S COLLEGE OF~~  
 3 ~~MARYLAND \$800,000 PLUS:~~

4           ~~(1) FOR FISCAL YEAR 2015, THE PRIOR YEAR'S APPROPRIATION~~  
 5 ~~FROM THE FUND MADE UNDER THIS SECTION MULTIPLIED BY THE IMPLICIT~~  
 6 ~~PRICE DEFLATOR FOR STATE AND LOCAL GOVERNMENT USED UNDER § 14 405~~  
 7 ~~OF THIS ARTICLE FOR THE FISCAL YEAR 2015 GENERAL FUND GRANT;~~

8           ~~(2) FOR FISCAL YEAR 2016, THE PRIOR YEAR'S APPROPRIATION~~  
 9 ~~FROM THE FUND MADE UNDER THIS SECTION MULTIPLIED BY THE IMPLICIT~~  
 10 ~~PRICE DEFLATOR FOR STATE AND LOCAL GOVERNMENT USED UNDER § 14 405~~  
 11 ~~OF THIS ARTICLE FOR THE FISCAL YEAR 2016 GENERAL FUND GRANT;~~

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

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

20       (C) FROM THE FUND, THE GOVERNOR SHALL APPROPRIATE TO ST.  
 21 MARY'S COLLEGE OF MARYLAND:

22           (1) FOR FISCAL YEAR 2014, \$800,000; AND

23           (2) FOR FISCAL YEAR 2015, \$1,616,000.

24       (D) THE CALCULATION MADE UNDER § 14-405 OF THIS SUBTITLE FOR  
 25 THE FISCAL YEAR ~~2019~~ 2016 GENERAL FUND GRANT SHALL INCLUDE THE  
 26 FISCAL YEAR ~~2018~~ 2015 APPROPRIATION FROM THE FUND MADE UNDER THIS  
 27 SECTION.

28 14-411.

29       (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE  
 30 MEANINGS INDICATED.

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

1           **(3) “GRANT” MEANS THE DESOUSA–BRENT SCHOLARS**  
2 **COMPLETION GRANT.**

3           **(B) THERE IS A DESOUSA–BRENT SCHOLARS COMPLETION GRANT TO**  
4 **ST. MARY’S COLLEGE OF MARYLAND.**

5           **(C) THE PURPOSE OF THE GRANT IS TO INCREASE THE RETENTION AND**  
6 **GRADUATION RATES OF DESOUSA–BRENT SCHOLARS AT ST. MARY’S COLLEGE**  
7 **OF MARYLAND.**

8           **(D) FOR FISCAL YEARS 2014 THROUGH 2019, THE GOVERNOR SHALL**  
9 **APPROPRIATE THE FOLLOWING GRANT AMOUNTS FROM THE FUND TO ST.**  
10 **MARY’S COLLEGE OF MARYLAND:**

11                   **(1) \$300,000 IN FISCAL YEAR 2014;**

12                   **(2) \$550,000 IN FISCAL YEAR 2015; AND**

13                   **(3) \$800,000 IN EACH OF FISCAL YEARS 2016 THROUGH 2019.**

14           **(E) FOR FISCAL YEARS 2015 THROUGH 2020, EXCEPT AS PROVIDED IN**  
15 **SUBSECTION (F) OF THIS SECTION, THE PRIOR FISCAL YEAR’S APPROPRIATION**  
16 **FROM THE FUND MADE UNDER THIS SECTION MAY NOT BE INCLUDED IN THE**  
17 **CALCULATION UNDER § 14–405 OF THIS SUBTITLE.**

18           **(F) THE FISCAL YEAR 2019 APPROPRIATION FROM THE FUND SHALL BE**  
19 **INCLUDED IN THE CALCULATION UNDER § 14–405 OF THIS SUBTITLE FOR THE**  
20 **FISCAL YEAR 2020 GENERAL FUND GRANT APPROPRIATION IF:**

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

23                   **(2) THE FIRST– TO THIRD–YEAR RETENTION RATE FOR THE FALL**  
24 **2015 COHORT OF THE DESOUSA–BRENT SCHOLARS IS AT LEAST 79%; AND**

25                   **(3) THE FOUR–YEAR GRADUATION RATE FOR THE FALL 2015**  
26 **COHORT OF THE DESOUSA–BRENT SCHOLARS IS AT LEAST 70%.**

27           **(G) ON OR BEFORE DECEMBER 1 OF EACH YEAR ST. MARY’S COLLEGE**  
28 **OF MARYLAND SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH**  
29 **§ 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY THE**  
30 **RETENTION AND GRADUATION RATES OF DESOUSA–BRENT SCHOLARS.**

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.