

HOUSE BILL 390

F2, P5

11r0729

By: **Delegates McDonough, Dwyer, Impallaria, Kipke, and Krebs**

Introduced and read first time: February 3, 2011

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education – Senatorial and Delegate Scholarships – Eligibility**
3 **Requirements**

4 FOR the purpose of requiring an applicant for a senatorial or delegate scholarship to
5 affirm through documentation that the applicant is a citizen or a legal
6 permanent resident of the United States to qualify for a certain award;
7 requiring a certain recipient of a senatorial scholarship to continue to be a
8 citizen or legal permanent resident of the United States to hold the award for a
9 certain number of years; requiring that an applicant for a delegate scholarship
10 be a resident of the State; and generally relating to eligibility requirements for
11 senatorial and delegate scholarships.

12 BY repealing and reenacting, with amendments,
13 Article – Education
14 Section 18–402, 18–406, and 18–502
15 Annotated Code of Maryland
16 (2008 Replacement Volume and 2010 Supplement)

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

19 **Article – Education**

20 18–402.

21 (a) (1) Except as provided in paragraph (2) of this subsection, each
22 applicant for a senatorial scholarship shall:

23 (i) Take a competitive examination administered by the Office;
24 and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) Be accepted for admission in the regular undergraduate,
2 graduate, or professional program at an eligible institution; or be enrolled in a 2-year
3 terminal certificate program in which the course work is acceptable for transfer credit
4 for an accredited baccalaureate program in an eligible institution.

5 (2) An applicant is exempt from the examination if the applicant:

6 (i) Is attending an eligible institution and has completed at
7 least 1 year in good academic standing at the institution;

8 (ii) Graduated from high school at least 5 years before
9 application for a senatorial scholarship;

10 (iii) Is accepted for admission to a private career institution, if
11 the institution's curriculum is approved by the Commission, and the institution is
12 accredited by a national accrediting association approved by the United States
13 Department of Education; or

14 (iv) Is planning to attend or is attending a Maryland community
15 college.

16 **(B) EACH APPLICANT SHALL AFFIRM THROUGH DOCUMENTATION THAT**
17 **THE APPLICANT IS A CITIZEN OF OR A LEGAL PERMANENT RESIDENT OF THE**
18 **UNITED STATES.**

19 **[(b)] (C)** Each applicant shall:

20 (1) Be a resident of this State; and

21 (2) At the time of the applicant's initial application, be a resident of
22 the legislative district from which the applicant seeks an award.

23 **[(c)] (D)** (1) Each applicant shall demonstrate to the Office a definite
24 financial need, and each Senator shall consider the financial need of each applicant.

25 (2) Each Senator is the final judge of the financial need of each
26 applicant to whom he awards a scholarship, and the Office may not negate this
27 judgment or impose requirements of time or procedure.

28 **[(d)] (E)** Each applicant shall accept any other conditions attached to the
29 award.

30 18-406.

31 (a) Except as otherwise provided in this section, each recipient of a
32 senatorial scholarship may hold the scholarship for 4 undergraduate academic years
33 and 4 graduate academic years if he:

1 (1) Is a full-time student;

2 (2) Continues to be a resident of this State; [and]

3 **(3) CONTINUES TO BE A CITIZEN OF OR A LEGAL PERMANENT**
4 **RESIDENT OF THE UNITED STATES; AND**

5 ~~[(3)]~~ (4) Continues to be a student at the institution and takes at
6 least 12 semester hours of courses as an undergraduate or 9 semester hours of courses
7 as a graduate student each semester leading to a degree.

8 (b) A recipient of an undergraduate or graduate senatorial scholarship may
9 hold the scholarship, appropriately prorated, for 8 academic years if he:

10 (1) Is a part-time student;

11 (2) Continues to be a resident of this State; [and]

12 **(3) CONTINUES TO BE A CITIZEN OF OR A LEGAL PERMANENT**
13 **RESIDENT OF THE UNITED STATES; AND**

14 ~~[(3)]~~ (4) Continues to be a student at the institution and takes at
15 least 6 semester hours of courses each semester leading to a degree.

16 (c) Any recipient of a senatorial scholarship may use up to one-half of the
17 yearly award for summer school.

18 (d) A recipient of a senatorial scholarship who is enrolled in a terminal
19 certificate program as provided in § 18-402(a) of this subtitle may hold the scholarship
20 for 2 years if he is a full-time student and otherwise meets the conditions of
21 subsection (a) of this section, or may hold the scholarship for 4 years if he is a
22 part-time student and otherwise meets the conditions of subsection (b) of this section.

23 (e) Each recipient of a senatorial scholarship who is enrolled in a private
24 postsecondary proprietary institution that is accredited by a national accrediting
25 association approved by the United States Department of Education:

26 (1) May hold the scholarship for the completion of 1 program if the
27 student otherwise meets the conditions of paragraphs (1) and (2) of subsection (a) of
28 this section; and

29 (2) Shall complete the program within the length of time prescribed by
30 the institution for the completion of the program.

31 18-502.

1 **(A) [Each] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION,**
2 **EACH** member of the House of Delegates may select the recipients of the scholarships
3 on any basis that the Delegate considers appropriate.

4 **(B) EACH APPLICANT FOR A DELEGATE SCHOLARSHIP SHALL:**

5 **(1) AFFIRM THROUGH DOCUMENTATION THAT THE APPLICANT IS**
6 **A CITIZEN OF OR A LEGAL PERMANENT RESIDENT OF THE UNITED STATES; AND**

7 **(2) BE A RESIDENT OF THIS STATE.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 July 1, 2011.