

SENATE BILL 55

F2

3lr0075

(PRE-FILED)

By: **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)**

Requested: October 4, 2012

Introduced and read first time: January 9, 2013

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: January 22, 2013

CHAPTER _____

1 AN ACT concerning

2 **Private Career Schools – Solicitor Permits – Repeal**

3 FOR the purpose of repealing the requirement that a solicitor for a private career
4 school located outside the State obtain a permit from the Maryland Higher
5 Education Commission; and generally relating to requirements for solicitors for
6 private career schools.

7 BY repealing

8 Article – Education

9 Section 11–402

10 Annotated Code of Maryland

11 (2008 Replacement Volume and 2012 Supplement)

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

14 **Article – Education**

15 ~~[11–402.~~

16 (a) (1) In this section the following words have the meanings indicated.

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 (2) (i) “School” means a private career school located outside the
2 State.

3 (ii) “School” does not include a private career school that
4 operates in the State pursuant to a certificate of approval issued under § 11–202(b) of
5 this title.

6 (3) “Solicitor” means a person engaged in the business, for
7 compensation, of soliciting or offering to solicit students in this State to enroll in or
8 apply for a program offered by a school.

9 (b) A person may not act as a solicitor unless such person has a permit
10 issued under this section.

11 (c) (1) A person wishing to act as a solicitor shall apply to the Commission
12 for a permit.

13 (2) The application shall be made on the forms the Commission
14 provides, shall contain the information the Commission requires, and shall be
15 accompanied by:

16 (i) A copy of each type of contract offered by the solicitor to
17 prospective students; and

18 (ii) Any advertising materials and other representations that
19 are made by the school to its students or prospective students.

20 (d) Each permit issued under this section expires on June 30 after its
21 issuance and may be renewed annually on application and payment of the required
22 fee.

23 (e) (1) The Commission shall consider the application and accompanying
24 material.

25 (2) If the Commission approves the application, it shall issue a permit
26 to the solicitor, on payment of an initial fee of \$25. The renewal fee is \$25.

27 (f) After notice to the solicitor and an opportunity for a hearing, the
28 Commission may revoke the solicitor’s permit for:

29 (1) Violation of a contract with a student; or

30 (2) Any other good cause.]

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