

SENATE BILL 262

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2lr0465

By: **Senators Kagan and Jennings**

Introduced and read first time: January 14, 2022

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education – Senatorial and Delegate Scholarships – Qualifications and**
3 **Limitations**

4 FOR the purpose of requiring applicants for a Delegate Scholarship, at the time of initial
5 application, to be domiciled in the legislative district from which the applicant is
6 seeking an award; prohibiting applicants for senatorial and Delegate Scholarships
7 from applying for awards from more than one legislative district; prohibiting
8 Senators and Delegates from awarding scholarships to relatives except under certain
9 circumstances; and generally relating to senatorial and Delegate Scholarships.

10 BY repealing and reenacting, with amendments,
11 Article – Education
12 Section 18–402, 18–407, and 18–502
13 Annotated Code of Maryland
14 (2018 Replacement Volume and 2021 Supplement)

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

17 **Article – Education**

18 18–402.

19 (a) (1) Except as provided in paragraphs (2) and (3) of this subsection, each
20 applicant for a senatorial scholarship shall:

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

22 (ii) 1. Be accepted for admission in the regular undergraduate,
23 graduate, or professional program at an eligible institution; or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 2. Be enrolled in a 2–year terminal certificate program in
2 which the course work is acceptable for transfer credit for an accredited baccalaureate
3 program in an eligible institution.

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

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

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

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

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

15 (3) An applicant is exempt from the requirements of paragraph (1) of this
16 subsection if the applicant is or was enrolled in a certificate or license program, course, or
17 sequence of courses at a community college that leads to certification or licensure.

18 (b) **(1)** Each applicant shall:

19 **[(1)] (I)** Be eligible for in–State tuition under this article; and

20 **[(2)] (II)** At the time of the applicant’s initial application, be domiciled in
21 the legislative district from which the applicant seeks an award.

22 **(2) AN APPLICANT MAY NOT APPLY FOR AN AWARD FROM MORE THAN**
23 **ONE LEGISLATIVE DISTRICT.**

24 (c) (1) Each applicant shall demonstrate to the Office a definite financial need,
25 and each Senator shall consider the financial need of each applicant.

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

29 (d) Each applicant shall accept any other conditions attached to the award.

30 18–407.

1 (a) Each Senator shall award all of the Senator's senatorial scholarships on or
2 before September 1 of each year.

3 (b) If any Senator fails to award all of the Senator's scholarships on or before
4 September 1 of each year, the Commission shall make the remaining awards to applicants
5 from the Senator's legislative district who:

6 (1) Scored highest on the competitive examination; or

7 (2) Are attending an eligible institution and have completed at least 1 year
8 in good academic standing.

9 (c) (1) **IN THIS SUBSECTION, "RELATIVE" HAS THE MEANING STATED IN**
10 **§ 2-107 OF THE STATE GOVERNMENT ARTICLE.**

11 (2) **A SENATOR MAY NOT AWARD A SCHOLARSHIP TO A RELATIVE**
12 **UNLESS:**

13 (i) **THE SENATOR RECEIVES PERMISSION FROM THE**
14 **PRESIDENT OF THE SENATE TO MAKE THE AWARD; AND**

15 (ii) **THE SENATOR DISCLOSES THE AWARD TO THE JOINT**
16 **COMMITTEE ON LEGISLATIVE ETHICS.**

17 [(c)] (D) The Office shall:

18 (1) Notify each Senator of the applicants to whom it awards the Senator's
19 scholarships; and

20 (2) Announce publicly the names of all recipients.

21 [(d)] (E) To the extent a scholarship awarded under § 18-404 of this subtitle is
22 not used by a student, money appropriated to the Commission for that award not used by
23 the end of the fiscal year shall be retained by the Commission for use by the awarding
24 Senator in the Senatorial Scholarship Program during subsequent fiscal years.

25 18-502.

26 (a) (1) **[Each] SUBJECT TO SUBSECTIONS (B) AND (C) OF THIS SECTION,**
27 **EACH** member of the House of Delegates may select the recipients of the scholarships on
28 any basis that the Delegate considers appropriate.

29 [(b)] (2) **[A] SUBJECT TO SUBSECTIONS (B) AND (C) OF THIS SECTION, A**
30 member of the House of Delegates may select any individual who is eligible for in-State
31 tuition under this article as a recipient of the scholarship.

1 **(B) (1) AT THE TIME OF AN APPLICANT’S INITIAL APPLICATION, THE**
2 **APPLICANT SHALL BE DOMICILED IN THE LEGISLATIVE DISTRICT FROM WHICH THE**
3 **APPLICANT SEEKS AN AWARD.**

4 **(2) AN APPLICANT MAY NOT APPLY FOR AN AWARD FROM MORE THAN**
5 **ONE LEGISLATIVE DISTRICT.**

6 **(C) (1) IN THIS SUBSECTION, “RELATIVE” HAS THE MEANING STATED IN**
7 **§ 2-107 OF THE STATE GOVERNMENT ARTICLE.**

8 **(2) A DELEGATE MAY NOT AWARD A SCHOLARSHIP TO A RELATIVE**
9 **UNLESS:**

10 **(I) THE DELEGATE RECEIVES PERMISSION FROM THE**
11 **SPEAKER OF THE HOUSE TO MAKE THE AWARD; AND**

12 **(II) THE DELEGATE DISCLOSES THE AWARD TO THE JOINT**
13 **COMMITTEE ON LEGISLATIVE ETHICS.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
15 1, 2022.