

# SENATE BILL 795

F2  
SB 538/21 – B&T

2lr0640  
CF 2lr2355

---

By: **Senator Guzzone**

Introduced and read first time: February 7, 2022

Assigned to: Budget and Taxation

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Community Colleges and Private Nonprofit Institutions of Higher Education –**  
3 **Funding**

4 FOR the purpose of requiring certain funding to be provided to community colleges and  
5 private nonprofit institutions of higher education in certain fiscal years; and  
6 generally relating to community college and private nonprofit institutions of higher  
7 education funding.

8 BY repealing and reenacting, with amendments,

9 Article – Education

10 Section 16–305(c)(1)(i)12. and 13., 16–512(a)(1)(xiii) and (xiv), and 17–104(a)(1)(x)  
11 and (xi)

12 Annotated Code of Maryland

13 (2018 Replacement Volume and 2021 Supplement)

14 BY adding to

15 Article – Education

16 Section 16–305(c)(1)(i)14., 16–512(a)(1)(xv), and 17–104(a)(1)(xii) and (xiii)

17 Annotated Code of Maryland

18 (2018 Replacement Volume and 2021 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

20 That the Laws of Maryland read as follows:

21 **Article – Education**

22 16–305.

23 (c) (1) (i) Except as provided in subparagraphs (iii), (iv), and (v) of this  
24 paragraph, the total State operating fund per full-time equivalent student to the  
25 community colleges for each fiscal year as requested by the Governor shall be:

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   12. In fiscal year 2022, not less than an amount equal to 27%  
2 of the State's General Fund appropriation per full-time equivalent student to the 4-year  
3 public institutions of higher education in the State as designated by the Commission for  
4 the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article  
5 in the same fiscal year; [and]

6                   13. In fiscal year 2023 [and each fiscal year thereafter], not  
7 less than an amount equal to 29% of the State's General Fund appropriation per full-time  
8 equivalent student to the 4-year public institutions of higher education in the State as  
9 designated by the Commission for the purpose of administering the Joseph A. Sellinger  
10 Program under Title 17 of this article in the same fiscal year; AND

11                   **14. IN FISCAL YEAR 2024 AND EACH FISCAL YEAR**  
12 **THEREAFTER, NOT LESS THAN AN AMOUNT EQUAL TO 30% OF THE STATE'S**  
13 **GENERAL FUND APPROPRIATION PER FULL-TIME EQUIVALENT STUDENT TO THE**  
14 **4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STATE AS**  
15 **DESIGNATED BY THE COMMISSION FOR THE PURPOSE OF ADMINISTERING THE**  
16 **JOSEPH A. SELLINGER PROGRAM UNDER TITLE 17 OF THIS ARTICLE IN THE SAME**  
17 **FISCAL YEAR.**

18 16-512.

19           (a) (1) The total State operating fund per full-time equivalent student  
20 appropriated to Baltimore City Community College for each fiscal year other than fiscal  
21 year 2013, as requested by the Governor shall be:

22                   (xiii) In fiscal year 2022, not less than an amount equal to 66.5% of the  
23 State's General Fund appropriation per full-time equivalent student to the 4-year public  
24 institutions of higher education in the State as designated by the Commission for the  
25 purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in  
26 the same fiscal year; [and]

27                   (xiv) In fiscal year 2023 [and each fiscal year thereafter], not less than  
28 an amount equal to 68.5% of the State's General Fund appropriation per full-time  
29 equivalent student to the 4-year public institutions of higher education in the State as  
30 designated by the Commission for the purpose of administering the Joseph A. Sellinger  
31 Program under Title 17 of this article in the same fiscal year; AND

32                   **(XV) IN FISCAL YEAR 2024 AND EACH FISCAL YEAR THEREAFTER,**  
33 **NOT LESS THAN AN AMOUNT EQUAL TO 69% OF THE STATE'S GENERAL FUND**  
34 **APPROPRIATION PER FULL-TIME EQUIVALENT STUDENT TO THE 4-YEAR PUBLIC**  
35 **INSTITUTIONS OF HIGHER EDUCATION IN THE STATE AS DESIGNATED BY THE**  
36 **COMMISSION FOR THE PURPOSE OF ADMINISTERING THE JOSEPH A. SELLINGER**  
37 **PROGRAM UNDER TITLE 17 OF THIS ARTICLE IN THE SAME FISCAL YEAR.**

1 17-104.

2 (a) (1) Except as provided in paragraphs (2), (3), (4), and (5) of this subsection,  
3 the Maryland Higher Education Commission shall compute the amount of the annual  
4 apportionment for each institution that qualifies under this subtitle by multiplying the  
5 number of full-time equivalent students enrolled at the institution during the fall semester  
6 of the fiscal year preceding the fiscal year for which the aid apportionment is made, as  
7 determined by the Maryland Higher Education Commission by:

8 (x) In fiscal year 2020, an amount not less than 11.1% of the State's  
9 General Fund per full-time equivalent student appropriation to the 4-year public  
10 institutions of higher education in this State for the same fiscal year; [and]

11 (xi) In fiscal year 2022 [and each fiscal year thereafter], an amount  
12 not less than 15.5% of the State's General Fund per full-time equivalent student  
13 appropriation to the 4-year public institutions of higher education in this State for the  
14 same fiscal year;

15 **(XII) IN FISCAL YEAR 2024, AN AMOUNT NOT LESS THAN 15.75%**  
16 **OF THE STATE'S GENERAL FUND PER FULL-TIME EQUIVALENT STUDENT**  
17 **APPROPRIATION TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN**  
18 **THIS STATE FOR THE SAME FISCAL YEAR; AND**

19 **(XIII) IN FISCAL YEAR 2025 AND EACH FISCAL YEAR THEREAFTER,**  
20 **AN AMOUNT NOT LESS THAN 16% OF THE STATE'S GENERAL FUND PER FULL-TIME**  
21 **EQUIVALENT STUDENT APPROPRIATION TO THE 4-YEAR PUBLIC INSTITUTIONS OF**  
22 **HIGHER EDUCATION IN THIS STATE FOR THE SAME FISCAL YEAR.**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
24 1, 2022.