

# SENATE BILL 297

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By: **Senator McKay**

Introduced and read first time: January 27, 2023

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Community Colleges – Capital Projects – State Share Adjustment**

3 FOR the purpose of providing for a certain adjustment to the State share percentage for a  
4 community college capital project under certain circumstances; and generally  
5 relating to the grant program for community college capital projects.

6 BY repealing and reenacting, with amendments,  
7 Article – Education  
8 Section 11–105(j)  
9 Annotated Code of Maryland  
10 (2022 Replacement Volume)

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

13 **Article – Education**

14 11–105.

15 (j) (1) In this subsection, “community college” includes the Carroll County  
16 Community College and the Calvert County and St. Mary’s County branch campuses of the  
17 College of Southern Maryland established under the authority granted by § 16–103(l) of  
18 this article, and does not include the Baltimore City Community College.

19 (2) The Commission shall administer the general public junior or  
20 community college and regional community college construction program in accordance  
21 with this section and regulations approved by the Board of Public Works.

22 (3) (i) Whenever a county desires, or whenever the counties that  
23 support a regional community college desire, to participate in the financial assistance  
24 provided by the State for the general public junior or community college and regional

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 community college construction program, the jurisdiction or jurisdictions shall file with the  
2 Commission a petition and such information as the Commission requires, together with a  
3 complete proposal for each project for which financial assistance is desired.

4 (ii) The Commission shall submit to the Department of Budget and  
5 Management a copy of each petition and project proposal.

6 (4) On receipt of the recommendations of the Department of Budget and  
7 Management on each petition and project proposal, the Commission shall make a written  
8 report to the Board of Public Works describing the request or requests for financial  
9 assistance received and recommending a disposition for each request.

10 (5) The Board of Public Works shall approve each grant and shall certify  
11 the amount of the grant to the Treasurer and the Comptroller. The Comptroller shall issue  
12 a warrant to the Treasurer to pay the grant to or on behalf of the petitioning jurisdiction or  
13 jurisdictions, when needed, for design and construction or the acquisition of real property  
14 or interests in land. The decision of the Board of Public Works shall be in such form as the  
15 Board deems advisable and shall be final and conclusive.

16 (6) (I) The amount of the grant shall be a percentage of total design and  
17 construction costs, including site acquisition and development costs, as follows:

18 [(i)] 1. For a regional community college established under §  
19 16–202 of this article, 75 percent; or

20 [(ii)] 2. For a public junior or community college that is not a  
21 regional community college, the greater of:

22 [1.] A. A percentage equal to that percentage of the  
23 foundation program that the State pays to the petitioning jurisdiction under [§ 5–202(b)] §  
24 5–213(A) of this article up to a maximum of 70 percent; or

25 [2.] B. 50 percent.

26 (II) 1. **A COUNTY IS ELIGIBLE FOR AN ADJUSTMENT TO THE**  
27 **STATE SHARE PERCENTAGE FOR A COMMUNITY COLLEGE CAPITAL PROJECT IF:**

28 **A. A COUNTY’S MEDIAN HOUSEHOLD INCOME IS IN THE**  
29 **BOTTOM QUARTILE IN THE STATE; AND**

30 **B. THE STATE SHARE PERCENTAGE FOR A COMMUNITY**  
31 **COLLEGE CAPITAL PROJECT IS 50%.**

1                                   **2. A. THE LOCAL SHARE OF A COMMUNITY COLLEGE**  
2 **CAPITAL PROJECT SHALL BE REDUCED TO EQUAL THE LOCAL SHARE OF THE**  
3 **ADJACENT COUNTY THAT IS LESS THAN 50% BUT CLOSEST TO 50%.**

4                                   **B. THE STATE SHARE OF A COMMUNITY COLLEGE**  
5 **CAPITAL PROJECT SHALL BE INCREASED BY A PERCENTAGE THAT IS EQUAL TO THE**  
6 **REDUCTION UNDER SUBSUBSUBPARAGRAPH A OF THIS SUBSUBPARAGRAPH.**

7                   (7) The Commission shall adopt regulations in accordance with Title 10,  
8 Subtitle 1 of the State Government Article concerning the administration of the general  
9 public junior or community college and regional community college construction program.

10                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
11 1, 2023.