

Chapter 363

(House Bill 4)

AN ACT concerning

**Institutions of Higher Education – Admissions Standards – Prohibition on
Consideration of Legacy Preference or Donor Preference**

FOR the purpose of prohibiting certain institutions of higher education from considering a legacy preference or donor preference as an eligible criterion for admissions standards at the institution; and generally relating to admissions standards and institutions of higher education.

BY repealing and reenacting, without amendments,
Article – Education
Section 10–101(a) and (h)
Annotated Code of Maryland
(2022 Replacement Volume and 2023 Supplement)

BY adding to
Article – Education
Section 26–901 to be under the new subtitle “Subtitle 9. Consideration of ~~Legacy Preference~~ Preferences in the Admissions Process”
Annotated Code of Maryland
(2022 Replacement Volume and 2023 Supplement)

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

Article – Education

10–101.

(a) In this division the following words have the meanings indicated.

(h) (1) “Institution of higher education” means an institution of postsecondary education that generally limits enrollment to graduates of secondary schools, and awards degrees at either the associate, baccalaureate, or graduate level.

(2) “Institution of higher education” includes public, private nonprofit, and for-profit institutions of higher education.

**SUBTITLE 9. CONSIDERATION OF ~~LEGACY PREFERENCE~~ PREFERENCES IN THE
ADMISSIONS PROCESS.**

26-901.

(A) (1) IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “DONOR PREFERENCE” MEANS A PREFERENCE GIVEN TO AN APPLICANT TO AN INSTITUTION OF HIGHER EDUCATION BY THE INSTITUTION BASED ON THE APPLICANT’S FAMILIAL RELATIONSHIP TO A PERSON WHO PROVIDES FINANCIAL SUPPORT TO THE INSTITUTION.

(3) ~~“LEGACY~~ LEGACY PREFERENCE” MEANS A PREFERENCE GIVEN TO AN APPLICANT TO AN INSTITUTION OF HIGHER EDUCATION BY THE INSTITUTION BASED ON THE APPLICANT’S FAMILIAL RELATIONSHIP TO AN ALUM OF THE INSTITUTION.

(B) THIS SECTION APPLIES TO AN INSTITUTION OF HIGHER EDUCATION IN THE STATE THAT RECEIVES STATE FUNDS.

(C) (1) AN INSTITUTION OF HIGHER EDUCATION MAY NOT CONSIDER A LEGACY PREFERENCE OR DONOR PREFERENCE AS AN ELIGIBLE CRITERION FOR ADMISSION STANDARDS TO THE INSTITUTION.

(2) AN INSTITUTION OF HIGHER EDUCATION MAY ASK APPLICANTS TO PROVIDE INFORMATION ABOUT FAMILIAL RELATIONSHIPS TO ALUMS OF THE INSTITUTION FOR THE PURPOSE OF COLLECTING DATA.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2024.

Approved by the Governor, April 25, 2024.