

# SENATE BILL 728

F2

(6lr3282)

## ENROLLED BILL

— Education, Energy, and the Environment/Appropriations —

Introduced by **Senators Carozza and Mautz**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Higher Education – ~~Community College Promise Scholarship Eligibility~~ Student**  
3 **Financial Assistance – ~~Delmar High School Graduates~~ Alterations to**  
4 **Scholarship Programs**

5 FOR the purpose of altering the eligibility for the Community College Promise Scholarship  
6 to include residents of Delmar, Maryland who graduated from Delmar High School  
7 in Delmar, Delaware; authorizing an institution of postsecondary education to award  
8 a scholarship under the Fallen Transportation Workers Scholarship Program to  
9 certain individuals including a surviving transportation worker and certain  
10 individuals related to a surviving transportation worker or a fallen transportation  
11 worker; renaming the Fallen Transportation Workers Scholarship Program to be the  
12 Fallen and Surviving Transportation Workers Scholarship Program; authorizing a  
13 scholarship awarded under the Fallen and Surviving Transportation Workers  
14 Scholarship Program to be used for the total cost of attendance at any institution of

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#### 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.

*Italics indicate opposite chamber/conference committee amendments.*



1 ~~postsecondary education~~; and generally relating to ~~the Community College Promise~~  
 2 ~~Scholarship~~ student financial assistance in higher education.

3 BY repealing and reenacting, with amendments,

4 Article – Education

5 Section 18–3603(b)(2); and 18–4001 through 18–4004 to be under the amended  
 6 subtitle “Subtitle 40. Fallen and Surviving Transportation Workers  
 7 Scholarship Program”

8 Annotated Code of Maryland

9 (2022 Replacement Volume and 2025 Supplement)

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

12 **Article – Education**

13 18–3603.

14 (b) An applicant is eligible for a Maryland Community College Promise  
 15 Scholarship award if the applicant:

16 (2) (I) **ENROLLS AT:**

17 **1. THE COMMUNITY COLLEGE LOCATED IN THE COUNTY**  
 18 **WHERE THE APPLICANT LIVES;**

19 **2. THE REGIONAL COMMUNITY COLLEGE LOCATED IN**  
 20 **THE REGION WHERE THE APPLICANT LIVES; OR**

21 **3. A COMMUNITY COLLEGE IN THE STATE THAT HAS AN**  
 22 **ON–CAMPUS RESIDENTIAL FACILITY FOR STUDENTS; AND**

23 (II) **1.** Enrolls as a candidate for a vocational certificate, a  
 24 certificate, or an associate’s degree or participates in a registered apprenticeship after  
 25 graduating from a high school or successfully completing a GED in the State[:

26 (i) Except as provided in item (ii) of this item, at the community  
 27 college located in the county or, in the case of a regional community college, in the region,  
 28 where the applicant lives; or

29 (ii) At a community college in the State that has an on–campus  
 30 residential facility for students]; **OR**

31 **2. A. ENROLLS AS A CANDIDATE FOR A VOCATIONAL**  
 32 **CERTIFICATE, A CERTIFICATE, OR AN ASSOCIATE’S DEGREE OR PARTICIPATES IN A**

1 REGISTERED APPRENTICESHIP AFTER GRADUATING FROM DELMAR HIGH SCHOOL  
2 IN DELMAR, DELAWARE; AND

3 B. IS A RESIDENT OF DELMAR, MARYLAND;

4 Subtitle 40. Fallen AND SURVIVING Transportation Workers Scholarship Program.

5 18-4001.

6 (a) *In this subtitle the following words have the meanings indicated.*

7 (B) **“ELIGIBLE RECIPIENT” MEANS AN INDIVIDUAL WHO IS:**

8 (1) **ACCEPTED FOR ADMISSION OR ENROLLED IN A REGULAR**  
9 **UNDERGRADUATE, GRADUATE, OR PROFESSIONAL PROGRAM AT AN INSTITUTION OF**  
10 **POSTSECONDARY EDUCATION;**

11 (2) **AT LEAST 16 YEARS OLD; AND**

12 (3) (I) **A SURVIVING TRANSPORTATION WORKER;**

13 (II) ~~1. A CHILD, STEPCHILD, SPOUSE, OR UNMARRIED~~  
14 ~~PARTNER OF A SURVIVING TRANSPORTATION WORKER; OR~~

15 ~~2. IF A SURVIVING TRANSPORTATION WORKER DOES NOT~~  
16 ~~HAVE A CHILD, STEPCHILD, SPOUSE, OR UNMARRIED PARTNER, A SIBLING OF THE~~  
17 ~~SURVIVING TRANSPORTATION WORKER;~~

18 (III) 1. **A SURVIVING CHILD, STEPCHILD, SPOUSE, OR**  
19 **UNMARRIED PARTNER OF A FALLEN TRANSPORTATION WORKER; OR**

20 2. **IF A FALLEN TRANSPORTATION WORKER DOES NOT**  
21 **HAVE A SURVIVING CHILD, STEPCHILD, SPOUSE, OR UNMARRIED PARTNER, A**  
22 **SIBLING OF THE FALLEN TRANSPORTATION WORKER; OR**

23 (IV) **A CHILD OR STEPCHILD OF AN UNMARRIED PARTNER.**

24 [(b)] (C) **“Fallen transportation worker” means an individual:**

25 (1) **Whose occupation is in the construction, rehabilitation, or operation of**  
26 **a transportation facility or transportation facilities project in the State; and**

27 (2) **Who died, on or after January 1, 2022, as a result of an accident**  
28 **occurring while the individual was performing any job duty necessary for the construction,**

1 *maintenance, rehabilitation, or operation of a transportation facility or transportation*  
 2 *facilities project in the State.*

3 **[(c)] (D)** *“Fund” means the Fallen AND SURVIVING Transportation Workers*  
 4 *Scholarship Fund.*

5 **[(d)] (E)** *“Program” means the Fallen AND SURVIVING Transportation Workers*  
 6 *Scholarship Program.*

7 **(F)** **“SURVIVING TRANSPORTATION WORKER” MEANS AN INDIVIDUAL:**

8 **(1)** **WHOSE OCCUPATION IS IN THE CONSTRUCTION,**  
 9 **REHABILITATION, OR OPERATION OF A TRANSPORTATION FACILITY OR**  
 10 **TRANSPORTATION FACILITIES PROJECT IN THE STATE; AND**

11 **(2)** **WHO SURVIVED, ON OR AFTER JANUARY 1, 2022, AN ACCIDENT:**

12 **(I)** **RESULTING IN AT LEAST \$100,000,000 IN TOTAL DAMAGES**  
 13 **TO A TRANSPORTATION FACILITY OR TRANSPORTATION FACILITIES PROJECT IN THE**  
 14 **STATE; AND**

15 **(II)** **OCCURRING WHILE THE INDIVIDUAL WAS PERFORMING ANY**  
 16 **JOB DUTY NECESSARY FOR THE CONSTRUCTION, MAINTENANCE, REHABILITATION,**  
 17 **OR OPERATION OF A TRANSPORTATION FACILITY OR TRANSPORTATION FACILITIES**  
 18 **PROJECT IN THE STATE.**

19 **(G)** **“TRANSPORTATION FACILITIES PROJECT” HAS THE MEANING STATED IN**  
 20 **§ 4–101 OF THE TRANSPORTATION ARTICLE.**

21 **[(e)] (H)** *“Transportation facility” has the meaning stated in § 3–101 of the*  
 22 *Transportation Article.*

23 **[(f)** *“Transportation facilities project” has the meaning stated in § 4–101 of the*  
 24 *Transportation Article.]*

25 **(I)** **“UNMARRIED PARTNER” MEANS AN INDIVIDUAL WHO:**

26 **(1)** **AT THE TIME OF A FALLEN TRANSPORTATION WORKER’S DEATH:**

27 **(I)** **WAS IN A COMMITTED RELATIONSHIP WITH THE FALLEN**  
 28 **TRANSPORTATION WORKER; ~~AND~~**

29 **(II)** **SHARED A PRIMARY RESIDENCE WITH THE FALLEN**  
 30 **TRANSPORTATION WORKER; ~~OR~~ AND**

1 (III) WAS RECEIVING AND RELIED ON, IN WHOLE OR IN PART, THE  
 2 REASONABLE NECESSITIES OF LIFE FROM THE FALLEN TRANSPORTATION WORKER;  
 3 OR

4 (2) AT THE TIME OF A SURVIVING TRANSPORTATION WORKER'S  
 5 ACCIDENT:

6 (I) WAS IN A COMMITTED RELATIONSHIP WITH THE SURVIVING  
 7 TRANSPORTATION WORKER; AND

8 (II) SHARED A PRIMARY RESIDENCE WITH THE SURVIVING  
 9 TRANSPORTATION WORKER; AND

10 (III) WAS RECEIVING AND RELIED ON, IN WHOLE OR IN PART, THE  
 11 REASONABLE NECESSITIES OF LIFE FROM THE SURVIVING TRANSPORTATION  
 12 WORKER.

13 18-4002.

14 (a) There is a Fallen AND SURVIVING Transportation Workers Scholarship  
 15 Program.

16 (b) The purpose of the Program is to provide tuition assistance to a student who  
 17 was [a dependent or is the surviving spouse of a fallen transportation worker] IMPACTED  
 18 BY AN ACCIDENT INVOLVING A FALLEN TRANSPORTATION WORKER OR A SURVIVING  
 19 TRANSPORTATION WORKER.

20 18-4003.

21 (a) An individual may apply to an eligible institution of postsecondary education  
 22 for a scholarship under this subtitle if the individual is[:

23 (1) Accepted for admission or enrolled in a regular undergraduate,  
 24 graduate, or professional program at an institution of postsecondary education;

25 (2) At least 16 years old; and

26 (3) The child, stepchild, or surviving spouse of a fallen transportation  
 27 worker] AN ELIGIBLE RECIPIENT OF A SCHOLARSHIP UNDER THIS SUBTITLE.

28 (b) A scholarship awarded under this subtitle:

29 (1) May be used for the [tuition and mandatory fees] TOTAL COST OF  
 30 ATTENDANCE at any institution of postsecondary education; and

1           (2)    May not:

2                   (i)    Exceed the equivalent annual tuition and mandatory fees of an  
3 undergraduate student at the 4-year institution of higher education within the University  
4 System of Maryland, other than the University of Maryland Global Campus and the  
5 University of Maryland, Baltimore Campus, with the highest annual expenses for a  
6 full-time undergraduate; and

7                   (ii)   Be less than the lesser of:

8                           1.    \$3,000; or

9                           2.    The equivalent tuition and mandatory fees of the  
10 institution attended by the recipient of the scholarship.

11           (c)    (1)    Each institution of postsecondary education shall determine eligibility  
12 of individuals who apply to the institution for the Program.

13                   (2)    Subject to the availability of funds, funds for the Program shall be  
14 allocated by the Commission to each institution of postsecondary education based on the  
15 number of eligible recipients attending each institution.

16                   (3)    In February and October each year, beginning in 2024, each institution  
17 of postsecondary education shall report to the Commission the number of eligible recipients  
18 attending the institution.

19                   (4)    The Commission shall allocate funds for awards to institutions of  
20 postsecondary education on verification of eligible recipients attending the institutions.

21                   (5)    If funds cannot be allocated in the fiscal year in which awards are made,  
22 priority shall be given to allocating funds for those awards in the immediately following  
23 fiscal year.

24           (d)    Each recipient of a scholarship under this subtitle may hold the award for 5  
25 years of full-time study or 8 years of part-time study.

26           (e)    To the extent practicable, the Department of Transportation, a local  
27 department of transportation, or a contractor that employed fallen transportation workers  
28 **OR SURVIVING TRANSPORTATION WORKERS** shall provide to the Commission the names  
29 and contact information for the families of the fallen transportation workers **OR SURVIVING**  
30 **TRANSPORTATION WORKERS AFTER ANY ACCIDENT RESULTING IN ELIGIBILITY FOR**  
31 **A SCHOLARSHIP UNDER THIS SUBTITLE.**

32    18-4004.

33           (a)    There is a **Fallen AND SURVIVING** Transportation Workers Scholarship Fund.

1           **(b)**    The Commission shall administer the Fund.

2           **(c)**    **(1)**    The Fund is a special, nonlapsing fund that is not subject to § 7-302 of  
3 the State Finance and Procurement Article.

4                   **(2)**    The State Treasurer shall hold the Fund separately, and the  
5 Comptroller shall account for the Fund.

6           **(d)**    The Fund consists of:

7                   **(1)**    Money appropriated in the State budget to the Fund;

8                   **(2)**    Interest earnings; and

9                   **(3)**    Any other money from any other source accepted by the Commission for  
10 the benefit of the Fund.

11          **(e)**    The Fund may be used only to award scholarships under the Program.

12          **(f)**    **(1)**    The State Treasurer shall invest the money of the Fund in the same  
13 manner as other State money may be invested.

14                   **(2)**    Any interest earnings of the Fund shall be credited to the Fund.

15          **(g)**    Expenditures from the Fund may be made only in accordance with the State  
16 budget.

17          **(h)**    The Commission:

18                   **(1)**    May accept any gift or grant from any person for the Fund; and

19                   **(2)**    Shall deposit any gift or grant that it receives for the Program with the  
20 State Treasurer.

21          **(i)**    Funding for the Program shall be as provided in the State budget.

22           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
23 1, 2026.