

Section 446 32A(h) be and it is hereby added to Article 77A - Public Higher Education, of the Annotated Code of Maryland (1975 Replacement Volume and 1976 Supplement) to read as follows:

Article 77A - Public Higher Education

446-32A.

~~(A)~~ (H) (1) AS USED IN THIS SUBTITLE SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

~~(B)~~ (I) "SOLICITOR" MEANS A PERSON ENGAGED IN THE BUSINESS, FOR COMPENSATION, OF SOLICITING OR OFFERING TO SOLICIT STUDENTS WITHIN THE STATE TO ENROLL IN OR APPLY FOR ANY COURSE OF INSTRUCTION OFFERED BY ANY SCHOOL.

~~(C)~~ "SCHOOL" MEANS A PRIVATE NONCOLLEGIATE EDUCATIONAL INSTITUTION OR A PRIVATE POSTSECONDARY INSTITUTION WHICH CHARGES TUITION OR FEES FOR ATTENDANCE OR INSTRUCTION AND WHICH OFFERS ANY EDUCATIONAL PROGRAM WITHIN THE STATE. THE TERM DOES NOT INCLUDE (I) A REFRESHER PROGRAM OR CONTINUING EDUCATION PROGRAM SPONSORED BY A PROFESSIONAL GROUP FOR THE EXCLUSIVE USE AND BENEFIT OF THE MEMBERS OF THE PROFESSION, OR (II) A PRIVATE NONCOLLEGIATE EDUCATIONAL INSTITUTION WHICH HOLDS A CERTIFICATE OF APPROVAL UNDER § 11(D) OR WHICH IS SPECIFICALLY EXEMPTED FROM THAT REQUIREMENT BY § 11(D).

SECTION 3. AND BE IT FURTHER ENACTED, That Sections 147, 148, and 149 of Article 77 - Public Education, of the Annotated Code of Maryland (1975 Replacement Volume and 1976 Supplement) be and they are hereby repealed and reenacted, with amendments, to read as follows:

Article 77 - Public Education

147.

~~(a)~~ Every solicitor for any [nonpublic] school located within or without the State of Maryland, shall apply to the [State Superintendent of Schools] STATE BOARD OF EDUCATION OR THE STATE BOARD FOR HIGHER EDUCATION for an annual permit on July 1 of each year. THE APPLICATION SHALL BE MADE TO THE STATE BOARD OF EDUCATION IF THE SCHOOL IS A PRIVATE NONCOLLEGIATE EDUCATIONAL INSTITUTION. THE APPLICATION SHALL BE MADE TO THE STATE BOARD FOR HIGHER EDUCATION IF THE SCHOOL IS A PRIVATE POSTSECONDARY INSTITUTION.

~~(b)~~ The application shall be made on forms supplied by the [State Superintendent] BOARD and shall contain such information as the [State Superintendent shall deem] BOARD DEEMS reasonable and necessary. Together with the application, the solicitor shall submit [to the State Superintendent] for approval a copy of each type of contract offered by the solicitor to prospective students and used by the solicitor's school, together with such