

CHAPTER 35

(House Bill 8)

AN ACT concerning

Higher Education - Community Colleges - Authority to Incur Debt

FOR the purpose of authorizing the boards of community college trustees for Hagerstown Community College, ~~Harford Community College~~, and Wor-Wic Community College to borrow money for certain purposes and to secure certain debt in a certain manner; correcting an obsolete reference; and generally relating to the authority of community colleges to incur debt.

BY repealing and reenacting, with amendments,

Article - Education

Section 16-302

Annotated Code of Maryland

(2001 Replacement Volume and 2003 Supplement)

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

Article - Education

16-302.

(a) Notwithstanding any other provisions of this subtitle, and subject to funds being appropriated, the Board of Community College Trustees for Allegany County, Anne Arundel County, Baltimore County, Carroll County, Cecil County, [Charles County] THE COLLEGE OF SOUTHERN MARYLAND, Chesapeake College, Frederick County, Garrett County, HAGERSTOWN COMMUNITY COLLEGE, ~~HARFORD COUNTY~~, Howard County, Montgomery County, [or] Prince George's County, OR WOR-WIC COMMUNITY COLLEGE may borrow money to acquire an interest in personal property, including fixtures, for the operation of the community college, on terms and conditions that the Board of Trustees considers proper.

(b) A borrowing under this section may be secured by the personal property acquired or revenues derived from the property.

(c) All multiyear financing agreements reflecting borrowing under this section shall be subject to cancellation by the Board of Trustees at the end of a fiscal year if sufficient funds are not appropriated to fund the agreement in subsequent years.

(d) (1) Borrowing under this section does not create or constitute a debt or obligation of the State or any political subdivision of the State other than a community college.

(2) Borrowing under this section does not constitute a debt or obligation of the General Assembly or pledge the faith and credit of the State within the meaning of Article III, § 34 of the Maryland Constitution.