

(3) THE FUNDING REQUIREMENTS OF THIS SUBSECTION REPRESENT A MINIMUM LEVEL OF GENERAL FUND AND HIGHER EDUCATION INVESTMENT FUND SUPPORT THAT THE GOVERNOR MAY EXCEED AS STATE RESOURCES PERMIT.

(4) FUNDING DISTRIBUTED UNDER THIS SUBSECTION MAY NOT BE USED TO SUPPLANT FUNDING OTHERWISE DISTRIBUTED IN ACCORDANCE WITH THE STATE'S PARTNERSHIP AGREEMENT WITH THE UNITED STATES DEPARTMENT OF EDUCATION, OFFICE OF CIVIL RIGHTS TO:

- (I) BOWIE STATE UNIVERSITY;
- (II) COPPIN STATE COLLEGE;
- (III) MORGAN STATE UNIVERSITY; OR
- (IV) UNIVERSITY OF MARYLAND, EASTERN SHORE.

(C) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, FOR THE ACADEMIC YEAR BEGINNING IN THE FALL OF 2004 AND EACH ACADEMIC YEAR THROUGH THE FALL OF ~~2007~~ 2006, A GOVERNING BOARD MAY NOT APPROVE, AND A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION MAY NOT IMPOSE, AN INCREASE IN THE TUITION CHARGED FOR AN ACADEMIC YEAR TO A RESIDENT UNDERGRADUATE STUDENT AT THE INSTITUTION THAT EXCEEDS 5% OF THE AMOUNT CHARGED FOR TUITION AT THE INSTITUTION IN THE PRECEDING ACADEMIC YEAR.

(2) (I) FOR FISCAL YEAR 2005, THE TUITION LIMITATION IN PARAGRAPH (1) OF THIS SUBSECTION ONLY APPLIES TO INSTITUTIONS OF THE UNIVERSITY SYSTEM OF MARYLAND IF THE AGGREGATE GENERAL FUND AND HIGHER EDUCATION INVESTMENT FUND APPROPRIATIONS FOR THE UNIVERSITY SYSTEM OF MARYLAND HAVE INCREASED AT LEAST 3.4% OVER THE ACTUAL APPROPRIATIONS FOR FISCAL YEAR 2004.

(II) FOR FISCAL YEAR 2005, THE TUITION LIMITATION IN PARAGRAPH (1) OF THIS SUBSECTION ONLY APPLIES TO MORGAN STATE UNIVERSITY IF THE AGGREGATE GENERAL FUND AND HIGHER EDUCATION INVESTMENT FUND APPROPRIATIONS HAVE INCREASED AT LEAST 3.4% OVER THE ACTUAL APPROPRIATIONS FOR FISCAL YEAR 2004.

(3) (I) FOR FISCAL YEARS 2006 ~~THROUGH 2008~~ AND 2007, THE TUITION LIMITATION IN PARAGRAPH (1) OF THIS SUBSECTION ONLY APPLIES TO INSTITUTIONS OF THE UNIVERSITY SYSTEM OF MARYLAND IF THE AGGREGATE GENERAL FUND AND HIGHER EDUCATION INVESTMENT FUND APPROPRIATIONS FOR THE UNIVERSITY SYSTEM OF MARYLAND IN THAT FISCAL YEAR HAVE INCREASED AT LEAST 5% OVER THE APPROPRIATIONS FOR THE PRECEDING FISCAL YEAR.

(II) FOR FISCAL YEARS 2006 ~~THROUGH 2008~~ AND 2007, THE TUITION LIMITATION IN PARAGRAPH (1) OF THIS SUBSECTION ONLY APPLIES TO MORGAN STATE UNIVERSITY IF THE AGGREGATE GENERAL FUND AND HIGHER EDUCATION INVESTMENT FUND APPROPRIATIONS IN THAT FISCAL YEAR HAVE INCREASED AT LEAST 5% OVER THE APPROPRIATIONS FOR THE PRECEDING FISCAL YEAR.