

# HOUSE BILL 708

F2  
HB 522/23 – APP

4lr2026

---

By: **Delegates Lopez and Griffith**

Introduced and read first time: January 26, 2024

Assigned to: Appropriations

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Institutions of Postsecondary Education – Institutional Debt – Report**

3 FOR the purpose of requiring institutions of postsecondary education to submit a report on  
4 institutional debt to the Maryland Higher Education Commission each year;  
5 authorizing the Commission to assess a civil penalty against an institution for failure  
6 to submit a report or knowingly including inaccurate information in a report;  
7 establishing certain notice, appeal, and hearing procedures that the Commission  
8 must follow before assessing a civil penalty against an institution; and generally  
9 relating to institutional debt reporting by institutions of postsecondary education.

10 BY adding to

11 Article – Education

12 Section 11–212

13 Annotated Code of Maryland

14 (2022 Replacement Volume and 2023 Supplement)

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

17 **Article – Education**

18 **11–212.**

19 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
20 **INDICATED.**

21 **(2) “ADMINISTRATIVE HOLD” MEANS ANY HOLD OR LIMITATION ON A**  
22 **STUDENT’S ACCOUNT AT AN INSTITUTION OF POSTSECONDARY EDUCATION THAT**  
23 **PREVENTS THE STUDENT FROM ENROLLING IN COURSES, OBTAINING OR RESIDING**  
24 **IN CAMPUS HOUSING, USING FACILITIES, OR OTHERWISE LIMITING THE STUDENT’S**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 ACCESS TO THE INSTITUTION'S FACILITIES OR RESOURCES.

2 (3) "CHARGE OFF" MEANS AN ACCOUNTING MECHANISM BY WHICH  
3 AN INSTITUTION OF POSTSECONDARY EDUCATION INDICATES IT NO LONGER  
4 EXPECTS TO COLLECT AN INSTITUTIONAL DEBT, REGARDLESS OF WHETHER THE  
5 INSTITUTION:

- 6 (I) REMOVES THE DEBT FROM ITS RECORDS;  
7 (II) PURSUES THE STUDENT OWING THE DEBT;  
8 (III) ACCEPTS PAYMENT FOR THE DEBT; OR  
9 (IV) SELLS THE DEBT.

10 (4) "DEMOGRAPHIC CATEGORIES" MEANS THE FOLLOWING GROUPS  
11 AND POPULATIONS:

- 12 (I) RACE;  
13 (II) ETHNICITY;  
14 (III) AGE;  
15 (IV) GENDER;  
16 (V) IN-STATE OR OUT-OF-STATE RESIDENCY;  
17 (VI) ENROLLMENT STATUS; AND  
18 (VII) DEGREE, CERTIFICATE, OR CREDENTIAL CONFERRED OR  
19 PURSUED.

20 (5) (I) "INSTITUTIONAL DEBT" MEANS AN EXTENSION OF CREDIT,  
21 DEBT, OR OBLIGATION OWED OR INCURRED BY A STUDENT, IN THE STUDENT'S  
22 CAPACITY AS A STUDENT, TO AN INSTITUTION OF POSTSECONDARY EDUCATION.

23 (II) "INSTITUTIONAL DEBT" INCLUDES CREDIT, DEBT, OR  
24 OBLIGATION FOR:

- 25 1. TUITION CHARGES;  
26 2. ROOM AND BOARD CHARGES; AND



1 (III) LENGTH OF TIME INSTITUTIONAL DEBT HAS BEEN OWED;

2 (IV) TYPE OF CHARGES FOR WHICH INSTITUTIONAL DEBT WAS  
3 INCURRED;

4 (V) PERCENTAGE AND TOTAL NUMBER OF STUDENTS WITH  
5 INSTITUTIONAL DEBT WHO RECEIVED A FEDERAL PELL GRANT; AND

6 (VI) DEBT AMOUNT THAT ACCRUED DURING THAT FISCAL YEAR  
7 AND DEBT AMOUNT THAT ACCRUED BEFORE THAT FISCAL YEAR;

8 (3) STATUS AND COLLECTION OF INSTITUTIONAL DEBT, INCLUDING:

9 (I) PERCENTAGE AND TOTAL AMOUNT OF INSTITUTIONAL  
10 DEBT HELD IN GOOD STANDING AND PAST DUE;

11 (II) THE NUMBER AND TOTAL AMOUNT OF INSTITUTIONAL  
12 DEBTS UNDER TUITION PAYMENT PLANS, INCLUDING THE PERCENTAGE THAT ARE  
13 IN GOOD STANDING OR PAST DUE;

14 (III) THE NUMBER AND TOTAL AMOUNT OF INSTITUTIONAL  
15 DEBTS UNDER STUDENT LOANS OWED TO THE INSTITUTION, INCLUDING THE  
16 PERCENTAGE THAT ARE IN GOOD STANDING AND PAST DUE;

17 (IV) NUMBER OF ENROLLED STUDENTS AND FORMER STUDENTS  
18 WHO MADE VOLUNTARY PAYMENTS TO THE INSTITUTION DURING THAT FISCAL YEAR  
19 AND THE TOTAL AMOUNT PAID;

20 (V) PERCENTAGE AND TOTAL AMOUNT OF INSTITUTIONAL  
21 DEBT CHARGED OFF DURING THAT FISCAL YEAR;

22 (VI) NUMBER OF STUDENT ACCOUNTS REPORTED TO A CREDIT  
23 REPORTING AGENCY DURING THAT FISCAL YEAR;

24 (VII) PERCENTAGE AND NUMBER OF STUDENT ACCOUNTS  
25 REFERRED TO A THIRD PARTY FOR DEBT COLLECTION OR SALE DURING THAT  
26 FISCAL YEAR, INCLUDING DEBT COLLECTION AGENCIES, DEBT COLLECTORS, AND  
27 DEBT BUYERS, AND TOTAL AMOUNT COLLECTED;

28 (VIII) PERCENTAGE AND NUMBER OF STUDENT ACCOUNTS  
29 SUBJECT TO LITIGATION BY THE INSTITUTION DURING THAT FISCAL YEAR AND THE  
30 TOTAL AMOUNT COLLECTED; AND

1 (IX) FOR PUBLIC INSTITUTIONS ONLY, PERCENTAGE AND  
2 NUMBER OF STUDENT ACCOUNTS REFERRED TO NONJUDICIAL COLLECTION DURING  
3 THAT FISCAL YEAR AND THE TOTAL AMOUNT COLLECTED;

4 (4) ADMINISTRATIVE HOLD ACTIONS BY THE INSTITUTION,  
5 INCLUDING:

6 (I) NUMBER OF ENROLLED STUDENTS OR FORMER STUDENTS  
7 WITH AN ADMINISTRATIVE HOLD DUE TO INSTITUTIONAL DEBT; AND

8 (II) NUMBER OF ENROLLED STUDENTS OR FORMER STUDENTS  
9 WHO HAVE COMPLETED ALL REQUIRED COURSES BUT ON WHOM A DEGREE HAS NOT  
10 BEEN CONFERRED DUE TO INSTITUTIONAL DEBT;

11 (5) A LIST OF PERSONS USED BY THE INSTITUTION FOR  
12 INSTITUTIONAL DEBT-RELATED ACTIVITIES, INCLUDING ORIGINATING LOANS,  
13 ESTABLISHING AND FACILITATING INSTALLMENT PLANS OR DEBT PAYMENT, AND  
14 INITIATING LAWSUITS;

15 (6) A COPY OF ANY MODEL INSTRUMENT USED BY THE INSTITUTION  
16 TO ESTABLISH AN INSTITUTIONAL DEBT, INCLUDING A PROMISSORY NOTE, AN  
17 ENROLLMENT AGREEMENT, A TUITION PAYMENT PLAN, OR A CONTRACT;

18 (7) A SUMMARY OF AND CITATION TO THE INSTITUTION'S POLICIES  
19 RELATING TO AN ENROLLED STUDENT'S FINANCIAL OBLIGATIONS, INCLUDING:

20 (I) TUITION PAYMENT PLANS;

21 (II) STUDENT LOANS OWED TO THE INSTITUTION;

22 (III) ADMINISTRATIVE HOLDS;

23 (IV) DEBT COLLECTION; AND

24 (V) REPORTS TO CREDIT REPORTING AGENCIES; AND

25 (8) ANY OTHER INFORMATION THE COMMISSION DETERMINES IS  
26 RELEVANT TO EVALUATING INSTITUTIONAL DEBTS.

27 (D) NOTHING IN THIS SECTION MAY BE CONSTRUED TO REQUIRE AN  
28 INSTITUTION OF POSTSECONDARY EDUCATION TO REPORT PERSONAL IDENTIFYING  
29 INFORMATION OF AN ENROLLED STUDENT OR A FORMER STUDENT.

1           **(E) (1) THE COMMISSION MAY ASSESS A PENALTY AGAINST AN**  
2 **INSTITUTION OF POSTSECONDARY EDUCATION IF THE INSTITUTION FAILS TO**  
3 **SUBMIT A REPORT REQUIRED UNDER SUBSECTION (B) OF THIS SECTION OR**  
4 **KNOWINGLY INCLUDES INACCURATE INFORMATION IN THE REPORT AS**  
5 **DETERMINED BY THE COMMISSION.**

6           **(2) (I) BEFORE ASSESSING A PENALTY, THE COMMISSION SHALL**  
7 **SEND THE INSTITUTION OF POSTSECONDARY EDUCATION A NOTICE OF THE**  
8 **CHARGES AGAINST THE INSTITUTION AND GIVE THE INSTITUTION AN OPPORTUNITY**  
9 **WITHIN 20 DAYS AFTER THE DATE OF RECEIPT OF THE NOTICE TO REQUEST A**  
10 **HEARING.**

11                       **(II) A NOTICE OF CHARGES UNDER SUBPARAGRAPH (I) OF THIS**  
12 **PARAGRAPH SHALL:**

13                               **1. DESCRIBE THE DEFICIENCIES IN THE REPORT; AND**

14                               **2. DIRECT THE INSTITUTION TO CORRECT THE**  
15 **DEFICIENCIES WITHIN 30 DAYS AFTER THE DAY THE INSTITUTION RECEIVED THE**  
16 **NOTICE FROM THE COMMISSION.**

17           **(3) IF THE INSTITUTION OF POSTSECONDARY EDUCATION REQUESTS**  
18 **A HEARING WITHIN THE 20-DAY PERIOD:**

19                       **(I) THE COMMISSION SHALL PROMPTLY HOLD A HEARING, BUT**  
20 **NOT LATER THAN 60 DAYS AFTER RECEIPT OF THE REQUEST FOR A HEARING; AND**

21                       **(II) THE INSTITUTION SHALL HAVE THE OPPORTUNITY TO BE**  
22 **HEARD PUBLICLY BEFORE THE COMMISSION IN THE INSTITUTION'S OWN DEFENSE,**  
23 **IN PERSON, AND BY COUNSEL.**

24           **(4) IF THE COMMISSION DETERMINES THAT AN INSTITUTION OF**  
25 **POSTSECONDARY EDUCATION FAILS TO SUBMIT THE REPORT REQUIRED UNDER**  
26 **SUBSECTION (B) OF THIS SECTION OR KNOWINGLY INCLUDES INACCURATE**  
27 **INFORMATION IN THE REPORT, THE COMMISSION MAY IMPOSE A CIVIL PENALTY,**  
28 **NOT EXCEEDING \$10,000, FOR EACH VIOLATION.**

29           **(F) THE COMMISSION SHALL ADOPT REGULATIONS TO CARRY OUT THIS**  
30 **SECTION.**

31           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
32 1, 2024.