

1 A bill to be entitled
 2 An act relating to student loans; creating s. 43.45,
 3 F.S.; providing definitions; providing for a financial
 4 assistance program administered by the Justice
 5 Administrative Commission and the Office of the
 6 Attorney General to assist a career assistant state
 7 attorney, assistant public defender, capital
 8 collateral attorney, legal aid attorney, assistant
 9 attorney general, or assistant statewide prosecutor in
 10 the repayment of eligible student loans; establishing
 11 provisions for program administration; requiring the
 12 administering body to make a payment of a certain
 13 amount based on the length of employment as an
 14 eligible career attorney; providing for funding;
 15 requiring the Justice Administrative Commission and
 16 the Office of the Attorney General to develop
 17 procedures to administer the program; providing an
 18 effective date.

19
 20 Be It Enacted by the Legislature of the State of Florida:

21
 22 Section 1. Section 43.45, Florida Statutes, is created to
 23 read:

24 43.45 Student loan assistance program; administration.-

25 (1) As used in this section, the term:

26 (a) "Administering body" means the:

27 1. Justice Administrative Commission if the eligible
 28 career attorney is employed as an assistant state attorney,

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29 assistant public defender, capital collateral attorney, or legal
30 aid attorney.

31 2. Office of the Attorney General if the eligible career
32 attorney is employed as an assistant attorney general or
33 assistant statewide prosecutor.

34 (b) "Eligible attorney" means an assistant state attorney,
35 assistant public defender, capital collateral attorney, legal
36 aid attorney, assistant attorney general, or assistant statewide
37 prosecutor.

38 (c) "Eligible career attorney" means an eligible attorney
39 who has completed at least 3 years but not more than 12 years of
40 continuous service as an eligible attorney, regardless of
41 whether the eligible attorney had a break in employment of less
42 than 2 weeks while transferring to another employer of eligible
43 attorneys.

44 (d) "Eligible student loan" means a loan that is not in
45 default and that was issued pursuant to the Higher Education Act
46 of 1965, 20 U.S.C. ss. 1001 et seq., as amended, to an eligible
47 career attorney to fund his or her law school education.

48 (e) "Employment anniversary" means the anniversary of the
49 date that an eligible career attorney commenced employment as an
50 eligible attorney.

51 (f) "Maximum available amount" means a number that shall
52 be determined if the amount of the appropriation from the
53 General Revenue Fund to the administering body is less than the
54 amount necessary to fund total payments owed by the
55 administering body. The maximum available amount is calculated
56 by dividing the amount of the appropriation to the administering

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57 | body by the amount necessary to fund total payments that the
58 | administering body owes under paragraph (3)(b) and multiplying
59 | the result by the appropriate payment amount in subparagraph
60 | (3)(b)1. or 2.

61 | (2) The administering body shall implement a student loan
62 | assistance program for eligible career attorneys. The purpose of
63 | the program is to provide financial assistance to eligible
64 | career attorneys for the repayment of eligible student loans.

65 | (3) The student loan assistance program is administered in
66 | the following manner:

67 | (a) Within 30 days after the employment anniversary of an
68 | eligible career attorney, the eligible career attorney must
69 | submit to his or her employer a certification affidavit on a
70 | form authorized by the administering body, which certifies that
71 | the eligible career attorney, as of his or her last employment
72 | anniversary, is an eligible career attorney with one or more
73 | eligible student loans. If the employer signs the certification
74 | affidavit, the employer shall submit the affidavit to the
75 | administering body within 60 days after the most recent
76 | employment anniversary of the eligible career attorney.

77 | (b) Upon receipt of a certification affidavit, the
78 | administering body shall make a payment of:

79 | 1. Three thousand dollars or the maximum available amount,
80 | whichever is less, if the eligible career attorney has at least
81 | 3 years, but not more than 6 years, of continuous service.

82 | 2. Five thousand dollars or the maximum available amount,
83 | whichever is less, if the eligible career attorney has more than
84 | 6 years, but not more than 12 years, of continuous service.

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85 (c) A payment under paragraph (b) shall be made by the
86 administering body:

87 1. To the lender of the eligible student loan.

88 2. Between July 1 and July 31 of the next fiscal year
89 following receipt of the certification affidavit by the
90 administering body.

91 3. For the benefit of the eligible career attorney named
92 in the certification affidavit and for the purpose of satisfying
93 his or her eligible student loan obligation.

94 4. For the eligible student loan that has the highest
95 current interest rate if the eligible career attorney holds more
96 than one eligible student loan.

97 (d) Payments under paragraph (b) cease upon totaling
98 \$44,000 per eligible career attorney or upon full satisfaction
99 of the eligible student loan, whichever occurs first.

100 (4) The student loan assistance program may be funded
101 annually contingent upon a specific appropriation in the General
102 Appropriations Act for student loan repayment assistance to
103 eligible assistant state attorneys, assistant public defenders,
104 capital collateral attorneys, legal aid attorneys, assistant
105 attorneys general, and assistant statewide prosecutors.

106 (5) The Justice Administrative Commission and the Office
107 of the Attorney General shall develop procedures to administer
108 this section.

109 Section 2. This act shall take effect July 1, 2013.