

STORAGE NAME: h1233a.ccc

DATE: April 18, 1997

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
COMMUNITY COLLEGES & CAREER PREP
BILL ANALYSIS & ECONOMIC IMPACT STATEMENT**

BILL #: HB 1233

RELATING TO: Residency for tuition purposes

SPONSOR(S): Representatives Boyd, Albright, and others

STATUTE(S) AFFECTED: s. 240.1201, F.S.

COMPANION BILL(S): SB 1318 by Senator Williams

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

(1) COMMUNITY COLLEGES & CAREER PREP YEAS 6 NAYS 1

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I. SUMMARY:

This bill would allow out-of-state students enrolled at the Florida Emergency Training Facility in courses leading to the Associate in Science degree in Airport Rescue and Firefighting or related supplemental vocational certificate to be classified as residents for tuition purposes.

The facility is operated in conjunction with Central Florida Community College, but was built with money provided by the federal government.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Florida Emergency Training Facility

The Florida Emergency Training Facility is being built in Ocala Florida in conjunction with the City of Ocala and the Central Florida Community College. Federal funds are being used to construct the facility to be used to train people employed by airports and fire departments. The center is one of three located in the South (the others are in Dallas, Texas, and Columbia, South Carolina).

No students have been enrolled in the program as yet, but the college hopes to start enrolling students in July. The program is very specialized, and it is anticipated that out-of-state students will be needed to maintain the academic program. It is likely that the students' employers will be responsible for paying the cost of the students' tuition and fees.

Residency requirements

Section 240.1201, F.S., defines the residency requirements, for tuition purposes, for students attending public postsecondary institutions in the State of Florida. In most cases, students pay in-state matriculation fees if they have lived in Florida for at least 12 months for reasons other than education. The statutes also make other provisions that can qualify a student for in-state fees. These include being an active duty member of the Armed Services stationed in the state or within 50 miles of the Florida college or university they are attending, certain personnel employed by public education systems, certain foreign students who have scholarships, graduate students designated by the Southern Regional Education Board as Academic Common Market students, certain employees of state agencies or political subdivisions, McKnight Doctoral Fellows and Finalists, and certain citizens who live abroad and teach at a school for children of members of the Armed Forces.

B. EFFECT OF PROPOSED CHANGES:

Out-of-state students enrolling in courses leading to the Associate in Science degree in Airport Rescue and Firefighting or related supplemental vocational certificate at the Florida Emergency Training Facility would be classified as residents for tuition purposes. By enrolling additional students from out of state, the overall cost of the program may be reduced by the increased participation and the economic development of the area may be improved.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

No.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

No.

(3) any entitlement to a government service or benefit?

No.

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

NA.

(2) what is the cost of such responsibility at the new level/agency?

NA.

(3) how is the new agency accountable to the people governed?

NA.

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

Under the conditions of this bill, the state would be required to pay the cost for non-resident students, who would be considered in-state residents, to attend the Florida Emergency Training Facility. Non-resident students normally pay the full cost of instruction.

b. Does the bill require or authorize an increase in any fees?

No.

c. Does the bill reduce total taxes, both rates and revenues?

No.

d. Does the bill reduce total fees, both rates and revenues?

No.

e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No.

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

No, to the contrary, beneficiaries of the legislation would incur a financial benefit from not being required to pay increased fees because of being non-residents of the State of Florida.

4. Individual Freedom:

a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

This bill would allow non-residents to attend a Florida public postsecondary institution for the same cost to the student as a resident. Students may be more likely to attend the Florida institution if the cost to the students is lower.

b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No.

5. Family Empowerment:

a. If the bill purports to provide services to families or children:

(1) Who evaluates the family's needs?

NA.

(2) Who makes the decisions?

NA.

(3) Are private alternatives permitted?

NA.

(4) Are families required to participate in a program?

NA.

(5) Are families penalized for not participating in a program?

NA.

b. Does the bill directly affect the legal rights and obligations between family members?

No.

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

NA.

(2) service providers?

NA.

(3) government employees/agencies?

NA.

D. SECTION-BY-SECTION ANALYSIS:

Section 1. Provides for the classification of students taking certain courses at the Florida Emergency Training Facility as residents for tuition purposes.

Section 2. Provides that the act will take effect on July 1, 1997.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

None.

2. Recurring Effects:

Indeterminate. The amount of additional funding required by the state would depend upon the number of out-of-state students that decide to enroll at the Florida Emergency Training Facility and the number of courses they enroll in. Currently, Central Florida Community College estimates that 600 Florida residents and 75 out-of-state students will enroll in their program, initially. The additional cost to the state for those 75 out-of-state students would be over \$270 per student for each three credit course in which they enroll, or over \$20,250 if each student enrolled in a three credit course. It is likely that the cost to the state will be much greater as students will probably take more than one course and additional out-of-state students will enroll over time.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

The community college and the local community hope that the lower tuition cost for the non-residents will increase the amount of participation in the program. The increased participation may contribute favorably to the economic development of the community.

3. Effects on Competition, Private Enterprise and Employment Markets:

None.

D. FISCAL COMMENTS:

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

According to the Division of Community Colleges, an Associate in Science degree in Airport Rescue and Firefighting currently does not exist.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

The bill was amended in the Community Colleges and Career Prep committee on April 17, 1997. The amendment was technical and simply removed a reference to an associate in science degree in airport rescue and firefighting and replaced it with college

STORAGE NAME: h1233a.ccc

DATE: April 18, 1997

PAGE 8

credit in airport rescue and firefighting. The amendment conforms the language to the companion (CS/SB 1318) in the Senate.

VII. SIGNATURES:

COMMITTEE ON COMMUNITY COLLEGES & CAREER PREP:

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