

Bill No. SB 130

Amendment No. 1

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Governmental Oversight and Productivity recommended the following amendment:

Senate Amendment (with title amendment)

On page 7, between lines 6 and 7,

insert:

Section 2. Section 240.553(20), Florida Statutes, is amended to read:

240.553 Florida College Savings Program.--

(20) PROGRAM IMPLEMENTATION

RESTRICTIONS.--Implementation of the program may not begin until the board has received the following:

(a) A ~~favorable~~ written ~~and unqualified~~ opinion from counsel specializing in federal tax matters indicating that the program constitutes a qualified state tuition program under s. 529 of the Internal Revenue Code;

(b) A written ~~and unqualified~~ opinion from a qualified member of the United States Patent Bar indicating that the implementation of the program or the operation of the program will not knowingly infringe upon any patent or copyright

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1 specifically related to the financing of higher education
2 expenses;

3 (c) A written ~~and unqualified~~ opinion of qualified
4 counsel specializing in federal securities law that the
5 program and the offering of participation in the program does
6 ~~are not violate subject to~~ federal securities law; and

7 (d) A written ~~and unqualified~~ opinion from the board's
8 litigation counsel indicating that the implementation or
9 operation of the program will not adversely impact any pending
10 litigation against the board.

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12 (Redesignate subsequent sections.)

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15 ===== T I T L E A M E N D M E N T =====

16 And the title is amended as follows:

17 On page 1, line 17, after the semicolon

18
19 insert:

20 amending s. 240.553(20), F.S.; modifying the
21 type of legal counsel required prior to
22 implementing the program;

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