

By Senator Sullivan

22-508A-01

See HB 1511

1                                   A bill to be entitled

2           An act relating to state universities; amending

3           s. 240.209, F.S.; increasing certain student

4           fees; amending s. 240.235, F.S.; requiring the

5           approval of certain student fee modifications,

6           rather than just increases, by certain

7           committees; changing language to conform with

8           other provisions of the bill; creating s.

9           240.236, F.S.; providing for the establishment

10          of student governments at each state university

11          with the authority to establish certain

12          procedures and to provide for the election or

13          removal of student government officers;

14          providing powers and duties; providing for

15          suspension or removal from office under certain

16          circumstances; amending s. 240.295, F.S.;

17          requiring the approval of projects to be funded

18          from Capital Improvement Trust Fund fees or

19          building fees by committees partially appointed

20          by the student government president; amending

21          s. 240.531, F.S.; conforming language to other

22          provisions of the act and Florida law;

23          repealing s. 240.136, F.S., relating to the

24          removal and suspension of student government

25          officers; providing an effective date.

26

27 Be It Enacted by the Legislature of the State of Florida:

28

29           Section 1. Paragraph (g) of subsection (3) of section

30 240.209, Florida Statutes, is amended to read:

31           240.209 Board of Regents; powers and duties.--

1 (3) The board shall:

2 (g) Recommend to the Legislature any proposed changes  
3 in the Capital Improvement Trust Fund and building fees. The  
4 Capital Improvement Trust Fund fee is established as \$2.94  
5 ~~\$2.44~~ per credit hour per semester. The building fee is  
6 established as \$2.82~~\$2.32~~ per credit hour per semester.

7 Section 2. Subsection (1) of section 240.235, Florida  
8 Statutes, is amended to read:

9 240.235 Fees.--

10 (1) Each university may ~~is authorized to~~ establish  
11 separate activity and service, health, and athletic fees.  
12 When duly established, these ~~the~~ fees shall be collected as  
13 component parts of the registration and tuition fees and shall  
14 be retained by the university and paid into the separate  
15 activity and service, health, and athletic funds.

16 (a)1. Each university president shall establish a  
17 student activity and service fee on the main campus of the  
18 university. The university president may also establish a  
19 student activity and service fee on any branch campus or  
20 center. Any subsequent modification ~~increase~~ in the activity  
21 and service fee must be recommended by an activity and service  
22 fee committee, at least one-half of whom are students  
23 appointed by the student body president. The remainder of the  
24 committee shall be appointed by the university president. A  
25 chairperson, appointed jointly by the university president and  
26 the student body president, may ~~shall~~ vote only in the case of  
27 a tie. The recommendations of the committee shall take effect  
28 only after approval by the university president, after  
29 consultation with the student body president, with final  
30 approval by the Board of Regents. An increase in the activity  
31 and service fee may occur only once each fiscal year and must

1 be implemented beginning with the fall term. The Board of  
2 Regents is responsible for promulgating the rules and  
3 timetables necessary to implement this fee.

4         2. The student activity and service fees shall be  
5 expended for lawful purposes to benefit the student body in  
6 general. These purposes ~~This~~ shall include, but are ~~shall~~ not  
7 ~~be~~ limited to, student publications and grants to duly  
8 recognized student organizations, the membership of which is  
9 open to all students at the university without regard to race,  
10 sex, or religion. The fund may not benefit activities for  
11 which an admission fee is charged to students, except for  
12 student-government-sponsored  
13 ~~student-government-association-sponsored~~ concerts. The  
14 allocation and expenditure of the fund shall be determined by  
15 the student government ~~association~~ of the university, except  
16 that the president of the university may veto any line item or  
17 portion thereof within the budget when submitted by the  
18 student government ~~association~~ legislative body. The  
19 university president shall have 15 school days from the date  
20 of presentation of the budget to act on the allocation and  
21 expenditure recommendations, which shall be deemed approved if  
22 no action is taken within the 15 school days. If any line item  
23 or portion thereof within the budget is vetoed, the student  
24 government ~~association~~ legislative body shall within 15 school  
25 days make new budget recommendations for expenditure of the  
26 vetoed portion of the fund. If the university president  
27 vetoes any line item or portion thereof within the new budget  
28 revisions, the university president may reallocate by line  
29 item that vetoed portion to bond obligations guaranteed by  
30 activity and service fees. Unexpended funds and undisbursed  
31 funds remaining at the end of a fiscal year shall be carried

1 over and remain in the student activity and service fund and  
2 be available for allocation and expenditure during the next  
3 fiscal year.

4 (b) Each university president shall establish a  
5 student health fee on the main campus of the university. The  
6 university president may also establish a student health fee  
7 on any branch campus or center. Any subsequent modification  
8 ~~increase~~ in the health fee must be recommended by a health  
9 committee, at least one-half of whom are students appointed by  
10 the student body president. The remainder of the committee  
11 shall be appointed by the university president. A  
12 chairperson, appointed jointly by the university president and  
13 the student body president, may ~~shall~~ vote only in the case of  
14 a tie. The recommendations of the committee shall take effect  
15 only after approval by the university president, after  
16 consultation with the student body president, with final  
17 approval by the Board of Regents. An increase in the health  
18 fee may occur only once each fiscal year and must be  
19 implemented beginning with the fall term. The Board of Regents  
20 is responsible for promulgating the rules and timetables  
21 necessary to implement this fee.

22 (c) Each university president shall establish a  
23 separate athletic fee on the main campus of the university.  
24 The university president may also establish a separate  
25 athletic fee on any branch campus or center. The initial  
26 aggregate athletic fee at each university shall be equal to,  
27 but may be no greater than, the 1982-1983 per-credit-hour  
28 activity and service fee contributed to intercollegiate  
29 athletics, including women's athletics, as provided by s.  
30 240.533. Concurrently with the establishment of the athletic  
31 fee, the activity and service fee shall experience a one-time

1 reduction equal to the initial aggregate athletic fee. Any  
2 subsequent modification ~~increase~~ in the athletic fee must be  
3 recommended by an athletic fee committee, at least one-half of  
4 whom are students appointed by the student body president.  
5 The remainder of the committee shall be appointed by the  
6 university president. A chairperson, appointed jointly by the  
7 university president and the student body president, may ~~shall~~  
8 vote only in the case of a tie. The recommendations of the  
9 committee shall take effect only after approval by the  
10 university president, after consultation with the student body  
11 president, with final approval by the Board of Regents. An  
12 increase in the athletic fee may occur only once each fiscal  
13 year and must be implemented beginning with the fall term. The  
14 Board of Regents is responsible for promulgating the rules and  
15 timetables necessary to implement this fee.

16 Section 3. Section 240.236, Florida Statutes, is  
17 created to read:

18 240.236 University student governments.--

19 (1) There is created within each state university a  
20 student government that shall be organized and maintained by  
21 students as the official representatives of the student body.  
22 Each student government shall be composed of at least a  
23 student body president and a student legislative body. Interim  
24 vacancies may be filled in a manner other than election as  
25 prescribed by the student government. Each student government  
26 may adopt internal procedures governing:

27 (a) The operation and administration of the student  
28 government.

29 (b) The election, appointment, removal, and discipline  
30 of officers of the student government.

31

1           (c) The execution of all other duties as prescribed to  
2 the student government by law.

3           (2) Any elected officer of the student government of a  
4 state university may be removed from office by the majority  
5 vote of students participating in a referendum held pursuant  
6 to the provisions of this section. The student government  
7 shall develop a procedure for students to petition for a  
8 referendum to remove an elected officer of the student  
9 government from office. The grounds for removal of a student  
10 government officer by petition must be expressly contained in  
11 the petition and are limited to the following: malfeasance,  
12 misfeasance, neglect of duty, incompetence, permanent  
13 inability to perform official duties, or conviction of a  
14 felony. The referendum must be held no more than 60 days after  
15 the filing of the petition.

16           (3) The student government shall develop procedures  
17 providing for the suspension and removal of an elected student  
18 government officer following the conviction of that officer of  
19 a felony.

20           (4) Each student government is a part of the  
21 university at which it is established. The internal procedures  
22 adopted by the student government under this section are  
23 subject to final approval by the university president.

24           Section 4. Subsection (3) of section 240.295, Florida  
25 Statutes, is amended to read:

26           240.295 State University System; authorization for  
27 fixed capital outlay projects.--

28           (3) Any projects funded from Capital Improvement Trust  
29 Fund fees or building fees must be recommended by a university  
30 wide committee, at least one-half of the membership of which  
31 are students appointed by the student body president. The

1 remainder of the committee shall be appointed by the  
2 university president. A chairperson, appointed jointly by the  
3 university president and the student body president, may vote  
4 only in the case of a tie. The recommendations of the  
5 committee shall be submitted to the Board of Regents for  
6 approval only upon approval by the university president, after  
7 consultation with the student body president.~~Other than those~~  
8 ~~projects currently authorized, no project proposed by a~~  
9 ~~university which is to be funded from Capital Improvement~~  
10 ~~Trust Fund fees or building fees shall be submitted to the~~  
11 ~~Board of Regents for approval without prior consultation with~~  
12 ~~the student government association of that university. The~~  
13 ~~Board of Regents shall promulgate rules which are consistent~~  
14 ~~with this requirement.~~

15 Section 5. Subsections (1), (2), and (4) of section  
16 240.531, Florida Statutes, are amended to read:

17 240.531 Establishment of educational research centers  
18 for child development.--

19 (1) Upon approval of the university president, the  
20 student government ~~association~~ of any university within the  
21 State University System may establish an educational research  
22 center for child development in accordance with the provisions  
23 of this section. Each such center shall be a child day care  
24 center established to provide care for the children of  
25 students, both graduate and undergraduate, faculty, and other  
26 staff and employees of the university and to provide an  
27 opportunity for interested schools or departments of the  
28 university to conduct educational research programs and  
29 establish internship programs within such centers. Whenever  
30 possible, such center shall be located on the campus of the

31

1 university. There shall be a director of each center,  
2 selected by the board of directors of the center.

3 (2) There shall be a board of directors for each  
4 educational research center for child development, consisting  
5 of the president of the university or his or her designee, the  
6 student body ~~government~~ president or his or her designee, the  
7 chair of each department participating in the center or his or  
8 her designee, and one parent for each 50 children enrolled in  
9 the center, elected by the parents of children enrolled in the  
10 center. The director of the center shall be an ex officio,  
11 nonvoting member of the board. The board shall establish  
12 local policies and perform local oversight and operational  
13 guidance for the center.

14 (4) The Board of Regents shall adopt ~~is authorized and~~  
15 ~~directed to promulgate~~ rules for the establishment, operation,  
16 and supervision of educational research centers for child  
17 development. These ~~Such~~ rules shall include, but are ~~need~~ not  
18 ~~be~~ limited to, + a defined method of establishment of and  
19 participation in the operation of centers by the appropriate  
20 student governments, ~~government associations~~, + guidelines for  
21 the establishment of an intern program in each center, + and  
22 guidelines for the receipt and monitoring of funds from grants  
23 and other sources of funds consistent with existing laws.

24 Section 6. Section 240.136, Florida Statutes, is  
25 repealed.

26 Section 7. This act shall take effect July 1, 2001.  
27  
28  
29  
30  
31



\*\*\*\*\*

HOUSE SUMMARY

Increases the amount of Capital Improvement Trust Fund fees and building fees to be paid by students at state universities. Requires the approval of any modification of student service, activity, health, or athletic fees, regardless of whether the modification is an increase in the fee.

Requires the creation of a student government at each state university with an elected legislative body, an elected student body president, and such other elected officers as may be provided by the student government. Permits the filling of vacancies by methods other than election. Authorizes each student government, subject to final approval by the university president, to establish its own procedures and provide for the duties of its officers. Requires each student government to provide for a method of removing officers by petition and referendum on specific grounds and for the suspension and removal of a student government officer convicted of a felony.

Requires that each project to be funded at a state university from Capital Improvement Trust Fund fees or building fees must be recommended by a committee comprised of both appointees of the student body president and the university president, with the student body president appointing at least half of the members and the student body president and the university president jointly appointing the chairperson. Requires the university president to consult with the student body president prior to approving the committee's recommendations.

Repeals existing law governing the removal of student government officers by petition and referendum, which is replaced by other provisions of the act.