

**STORAGE NAME:** h0253a.cu.doc  
**DATE:** December 4, 2001

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
COLLEGES & UNIVERSITIES  
ANALYSIS**

**BILL #:** HB 253  
**RELATING TO:** Educational benefits for children of slain law enforcement officers and firefighters  
**SPONSOR(S):** Representative(s) Gibson  
**TIED BILL(S):** None

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

- (1) COLLEGES & UNIVERSITIES YEAS 12 NAYS 0
  - (2) STATE ADMINISTRATION
  - (3) EDUCATION APPROPRIATIONS
  - (4) COUNCIL FOR LIFELONG LEARNING
  - (5)
- 

I. SUMMARY:

HB 253 expands the educational benefits currently available to the children of law enforcement, correctional, or correctional probation officers or firefighters killed in the line of duty by providing for the waiver of the student's tuition, matriculation, and other statutorily authorized fees while the student pursues a graduate or post-baccalaureate professional degree. Eligibility for these benefits continues until the child's 29<sup>th</sup> birthday. The child must also be determined to be a resident of the state for tuition purposes.

The number of eligible persons who may take advantage of the fee waivers to pursue graduate or professional degrees is unknown. Consequently, the fiscal impact on the state universities in terms of the loss of fee revenues is indeterminate. Undergraduate waivers for children of officers or firefighters killed in the line of duty totaled \$15,812 for 2000-2001. The State University System (SUS) reports that 12 waivers valued at \$9,939 were provided to 5 undergraduate students, and the Community College System reports waivers valued at \$5,873 for 2000-2001.

The effective date of the bill is July 1, 2002.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- |                                   |   |                             |   |
|-----------------------------------|---|-----------------------------|---|
| 1. <u>Less Government</u>         | Yes <input type="checkbox"/>            | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u>             | Yes <input type="checkbox"/>            | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u>      | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/>            |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/>            | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u>      | Yes <input type="checkbox"/>            | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

Sections 112.19 and 112.191, F.S., provide for certain death benefits to the beneficiaries or estate of a law enforcement, correctional, or correctional probation officer or firefighter killed in the line of duty. The officer or firefighter must have been accidentally killed on or after June 22, 1990, as a result of response to fresh pursuit or what is reasonably believed to be an emergency or the officer or firefighter must have been unlawfully or intentionally killed on or after July 1, 1980. Under the aforementioned circumstances, the state waives the cost of tuition and matriculation and registration fees at a Florida public postsecondary institution for a total of 120 credit hours for the child of a deceased officer or firefighter. The child must comply with the ordinary and minimum requirements of the institution attended, both as to discipline and scholarship. Benefits continue until a child's 25<sup>th</sup> birthday. The SUS reports that for 2000-2001, 12 waivers valued at \$9,939 were provided to 5 undergraduate students, and the Community College System reports waivers valued at \$5,873 for 2000-2001.

Data from the Florida Department of Law Enforcement indicate that 78 municipal, county, state, and university officers were killed in the line of duty from 1980-2000. Representatives with the Division of State Fire Marshall indicate that 20 firefighters were killed in the line of duty from 1990-2000. Representatives of the Department of Corrections report five correctional and correctional probation officers having been killed in the line of duty since 1980.

Section 228.041(33), F.S., defines "tuition" as the additional fee for instruction provided by a Florida public postsecondary education institution, which fee is charged to non-Florida students. Section 228.041(32), F.S., defines "matriculation fee" as the basic fee charged to a student for instruction provided by a Florida public postsecondary education institution. Section 240.551(2), F.S., defines "registration fee" for purposes of the Florida Prepaid College Program as the matriculation fee, the financial aid fee, the building fee, and the Capital Improvement Trust Fund fee. In addition to the fees described as "registration fees" for purposes of the Florida Prepaid College Program, s. 240.235, F.S, authorizes each university to establish and collect separate activity and service, health, and athletic fees as component parts of the registration and tuition fees. The Division of Colleges & Universities staff reports that tuition and required fees (building, student financial aid, and capital improvement) for a resident full-time graduate or professional school student (24 credit hours) for 2001-2002 by level and program at a state university are as follows:

**Level/Program**

Graduate	\$ 4,041.56
Law	\$ 4,416.12
Medical	\$12,375.31
Dental	\$10,901.48
Vet. Medicine	\$ 9,304.54

In addition, the SUS average local fees paid per credit hour are:

- Activity & Service Fee - \$8.96
- Athletic Fee - \$7.52
- Health Fee - \$5.06

**C. EFFECT OF PROPOSED CHANGES:**

The bill expands the educational benefits currently available to the children of officers or firefighters killed in the line of duty by providing for the waiver of tuition, matriculation, and other statutorily authorized fees for a child pursuing a graduate or post-baccalaureate professional degree. Eligibility for these benefits continues until the child's 29<sup>th</sup> birthday.

**D. SECTION-BY-SECTION ANALYSIS:**

See above.

**III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:**

**A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:

State universities will not receive revenue (tuition and fees normally paid by the student) that they otherwise might receive for these students' enrollment.

2. Expenditures:

Division of Colleges & Universities indicates that any expenditures necessary to update the data collection systems at each university and at the Division of Colleges & Universities will be minimal.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

2. Expenditures:

None.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

Children of officers or firefighters who are killed in the line of duty who choose to pursue a graduate or post-baccalaureate professional degree will not be required to pay tuition, matriculation, or other statutorily authorized fees.

**D. FISCAL COMMENTS:**

The number of eligible persons who may take advantage of the fee waivers to pursue graduate or professional degrees is unknown. Consequently, the fiscal impact on the state universities in terms of the loss of fee revenues is indeterminate. Undergraduate waivers for children of officers or firefighters killed in the line of duty totaled \$15,812 for 2000-2001. The State University System (SUS) reports that 12 waivers valued at \$9,939 were provided to 5 undergraduate students, and the Community College System reports waivers valued at \$5,873 for 2000-2001.

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

**A. APPLICABILITY OF THE MANDATES PROVISION:**

The bill does not require counties or municipalities to spend funds or 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:

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. OTHER COMMENTS:

The phrase "other statutorily authorized fees" is not a defined term. Therefore, it is not clear as to exactly what this will cover.

Division of Colleges & Universities staff indicates that several state universities offer postbaccalaureate programs that are not degree programs and do not lead to a professional degree in law, medicine, dentistry or veterinary science. Specifically, some of the state-approved initial educator preparation programs are postbaccalaureate programs that do not culminate in a master's degree. An amendment would be needed to include these programs in the eligible programs for which one of these fee waivers may be used.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON COLLEGES & UNIVERSITIES:

Prepared by:

Staff Director:

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Maria L. Eckard

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Betty H. Tilton, Ph. D.