



HB 0119

2003
CS

CHAMBER ACTION

The Committee on Education K-20 recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to resident status for tuition purposes; amending s. 1009.21, F.S.; providing an exemption from payment of nonresident tuition at community colleges and state universities for certain students meeting eligibility criteria; reenacting s. 1009.40(1)(a), F.S., relating to general requirements for eligibility for state financial aid, to incorporate the amendment to s. 1009.21, F.S., in a reference; providing an effective date.

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

Section 1. Subsection (11) of section 1009.21, Florida Statutes, is renumbered as subsection (12) and a new subsection (11) is added to said section to read:

1009.21 Determination of resident status for tuition purposes; exemption.--Students shall be classified as residents or nonresidents for the purpose of assessing tuition in community colleges and state universities.



HB 0119

2003
CS

29 | (11) A student, other than a nonimmigrant alien within the
30 | meaning of Title 8 U.S.C. s. 1101(a)(15), who meets all of the
31 | following requirements shall be exempt from paying nonresident
32 | tuition at community colleges and state universities:

33 | (a) Has resided in Florida for at least 3 consecutive
34 | years immediately preceding the date the student received a high
35 | school diploma or its equivalent and has attended a Florida high
36 | school for at least 3 consecutive school years during such time.

37 | (b) Has provided to a community college or a state
38 | university an affidavit stating that the student will file an
39 | application to become a permanent resident of the United States
40 | at the earliest opportunity he or she is eligible to do so.

41 | Section 2. For the purpose of incorporating the amendment
42 | to section 1009.21, Florida Statutes, in a reference thereto,
43 | paragraph (a) of subsection (1) of section 1009.40, Florida
44 | Statutes, is reenacted to read:

45 | 1009.40 General requirements for student eligibility for
46 | state financial aid.--

47 | (1)(a) The general requirements for eligibility of
48 | students for state financial aid awards consist of the
49 | following:

50 | 1. Achievement of the academic requirements of and
51 | acceptance at a state university or community college; a nursing
52 | diploma school approved by the Florida Board of Nursing; a
53 | Florida college, university, or community college which is
54 | accredited by an accrediting agency recognized by the State
55 | Board of Education; any Florida institution the credits of which
56 | are acceptable for transfer to state universities; any technical



HB 0119

2003
CS

57 center; or any private technical institution accredited by an
58 accrediting agency recognized by the State Board of Education.

59 2. Residency in this state for no less than 1 year
60 preceding the award of aid for a program established pursuant to
61 s. 1009.50, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.54, s.
62 1009.56, s. 1009.57, s. 1009.60, s. 1009.62, s. 1009.63, s.
63 1009.68, s. 1009.72, s. 1009.73, s. 1009.76, s. 1009.77, or s.
64 1009.89. Residency in this state must be for purposes other than
65 to obtain an education. Resident status for purposes of
66 receiving state financial aid awards shall be determined in the
67 same manner as resident status for tuition purposes pursuant to
68 s. 1009.21 and rules of the State Board of Education.

69 3. Submission of certification attesting to the accuracy,
70 completeness, and correctness of information provided to
71 demonstrate a student's eligibility to receive state financial
72 aid awards. Falsification of such information shall result in
73 the denial of any pending application and revocation of any
74 award currently held to the extent that no further payments
75 shall be made. Additionally, students who knowingly make false
76 statements in order to receive state financial aid awards shall
77 be guilty of a misdemeanor of the second degree subject to the
78 provisions of s. 837.06 and shall be required to return all
79 state financial aid awards wrongfully obtained.

80 Section 3. This act shall take effect July 1, 2003.