

Bill No. HB 319, 1st Enq.

Amendment No. \_\_\_\_ Barcode 753974

CHAMBER ACTION

Senate

House

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Senator Diaz de la Portilla moved the following **amendment to amendment** (234806):

**Senate Amendment (with title amendment)**

On page 26, between lines 26 and 27,

insert:

Section 20. Present subsection (11) of section 1009.21, Florida Statutes, is renumbered as subsection (12) and a new subsection (11) is added to that section to read:

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

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

(a) Has resided in Florida with a parent as defined in paragraph (1)(d) for at least 3 consecutive years immediately

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1 preceding the date the student received a high school diploma  
2 or its equivalent and has attended a Florida high school for  
3 at least 3 consecutive school years during such time.

4 (b) Has provided to a community college or a state  
5 university an affidavit stating that the student will file an  
6 application to become a permanent resident of the United  
7 States at the earliest opportunity he or she is eligible to do  
8 so.

9 Section 21. For the purpose of incorporating the  
10 amendment to section 1009.21, Florida Statutes, in a reference  
11 thereto, paragraph (a) of subsection (1) of section 1009.40,  
12 Florida Statutes, is reenacted to read:

13 1009.40 General requirements for student eligibility  
14 for state financial aid.--

15 (1)(a) The general requirements for eligibility of  
16 students for state financial aid awards consist of the  
17 following:

18 1. Achievement of the academic requirements of and  
19 acceptance at a state university or community college; a  
20 nursing diploma school approved by the Florida Board of  
21 Nursing; a Florida college, university, or community college  
22 which is accredited by an accrediting agency recognized by the  
23 State Board of Education; any Florida institution the credits  
24 of which are acceptable for transfer to state universities;  
25 any technical center; or any private technical institution  
26 accredited by an accrediting agency recognized by the State  
27 Board of Education.

28 2. Residency in this state for no less than 1 year  
29 preceding the award of aid for a program established pursuant  
30 to s. 1009.50, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.54,  
31 s. 1009.56, s. 1009.57, s. 1009.60, s. 1009.62, s. 1009.63, s.

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1 | 1009.68, s. 1009.72, s. 1009.73, s. 1009.76, s. 1009.77, or s.  
 2 | 1009.89. Residency in this state must be for purposes other  
 3 | than to obtain an education. Resident status for purposes of  
 4 | receiving state financial aid awards shall be determined in  
 5 | the same manner as resident status for tuition purposes  
 6 | pursuant to s. 1009.21 and rules of the State Board of  
 7 | Education.

8 |           3. Submission of certification attesting to the  
 9 | accuracy, completeness, and correctness of information  
 10 | provided to demonstrate a student's eligibility to receive  
 11 | state financial aid awards. Falsification of such information  
 12 | shall result in the denial of any pending application and  
 13 | revocation of any award currently held to the extent that no  
 14 | further payments shall be made. Additionally, students who  
 15 | knowingly make false statements in order to receive state  
 16 | financial aid awards shall be guilty of a misdemeanor of the  
 17 | second degree subject to the provisions of s. 837.06 and shall  
 18 | be required to return all state financial aid awards  
 19 | wrongfully obtained.

20 |  
 21 | (Redesignate subsequent sections.)

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 23 |  
 24 | ===== T I T L E   A M E N D M E N T =====

25 | And the title is amended as follows:

26 |           On page 29, line 21, after the semicolon,  
 27 |  
 28 | insert:

29 |           amending s. 1009.21, F.S.; providing an  
 30 |           exemption from payment of nonresident tuition  
 31 |           at community colleges and state universities

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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;