



HB 0127A

2003

1 A bill to be entitled

2 An act relating to resident status for tuition purposes;  
3 amending s. 1009.21, F.S.; providing an exemption from  
4 payment of nonresident tuition at community colleges and  
5 state universities for certain students meeting  
6 eligibility criteria; reenacting s. 1009.40(1)(a), F.S.,  
7 relating to general requirements for eligibility for state  
8 financial aid, to incorporate the amendment to s. 1009.21,  
9 F.S., in a reference; providing for construction of the  
10 act in pari materia with laws enacted during the 2003  
11 Regular Session of the Legislature; providing an effective  
12 date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

15  
16 Section 1. Subsection (11) of section 1009.21, Florida  
17 Statutes, is renumbered as subsection (12) and a new subsection  
18 (11) is added to said section to read:

19 1009.21 Determination of resident status for tuition  
20 purposes; exemption.--Students shall be classified as residents  
21 or nonresidents for the purpose of assessing tuition in  
22 community colleges and state universities.

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

27 (a) Has resided in Florida with a parent as defined in  
28 paragraph (1)(d) for at least 3 consecutive years immediately  
29 preceding the date the student received a high school diploma or  
30 its equivalent and has attended a Florida high school for at



HB 0127A

2003

31 least 3 consecutive school years during such time.

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

36 Section 2. For the purpose of incorporating the amendment  
 37 to section 1009.21, Florida Statutes, in a reference thereto,  
 38 paragraph (a) of subsection (1) of section 1009.40, Florida  
 39 Statutes, is reenacted to read:

40 1009.40 General requirements for student eligibility for  
 41 state financial aid.--

42 (1)(a) The general requirements for eligibility of  
 43 students for state financial aid awards consist of the  
 44 following:

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

54 2. Residency in this state for no less than 1 year  
 55 preceding the award of aid for a program established pursuant to  
 56 s. 1009.50, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.54, s.  
 57 1009.56, s. 1009.57, s. 1009.60, s. 1009.62, s. 1009.63, s.  
 58 1009.68, s. 1009.72, s. 1009.73, s. 1009.76, s. 1009.77, or s.  
 59 1009.89. Residency in this state must be for purposes other than  
 60 to obtain an education. Resident status for purposes of



HB 0127A

2003

61 receiving state financial aid awards shall be determined in the  
62 same manner as resident status for tuition purposes pursuant to  
63 s. 1009.21 and rules of the State Board of Education.

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

75 Section 3. If any law amended by this act was also amended  
76 by a law enacted at the 2003 Regular Session of the Legislature,  
77 such laws shall be construed as if they had been enacted at the  
78 same session of the Legislature, and full effect shall be given  
79 to each if possible.

80 Section 4. This act shall take effect July 1, 2003.