



HB 0013C

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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 for construction of the  
 act in pari materia with laws enacted during the 2003  
 Regular Session, the 2003 Special Session A, or the 2003  
 Special Session B of the Legislature; 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.

(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  
 preceding the date the student received a high school diploma or



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31 its equivalent and has attended a Florida high school for at  
32 least 3 consecutive school years during such time.

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

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

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

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

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

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



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

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

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

82 Section 4. This act shall take effect upon becoming a law.