

HB 0119

2004

A bill to be entitled

An act relating to resident status for tuition purposes; amending s. 1009.21, F.S.; classifying as residents for tuition purposes certain active duty members of a foreign nation's military and certain employees of international multilateral organizations; 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. Paragraphs (k) and (l) are added to subsection (10) of section 1009.21, Florida Statutes, subsection (11) of said section 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.

(10) The following persons shall be classified as residents for tuition purposes:

(k) Active duty members of a foreign nation's military serving as liaison officers and residing or stationed in this state, and their spouses and dependent children, attending a community college or state university within 50 miles of the military establishment where they are stationed.

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31 (1) Full-time employees of international multilateral  
 32 organizations based in Florida that are recognized by the United  
 33 States Department of State and their spouses and dependent  
 34 children.

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

39 (a) Has resided in Florida with a parent as defined in  
 40 paragraph (1)(d) for at least 3 consecutive years immediately  
 41 preceding the date the student received a high school diploma or  
 42 its equivalent and has attended a Florida high school for at  
 43 least 3 consecutive school years during such time.

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

48 Section 2. For the purpose of incorporating the amendment  
 49 to section 1009.21, Florida Statutes, in a reference thereto,  
 50 paragraph (a) of subsection (1) of section 1009.40, Florida  
 51 Statutes, is reenacted to read:

52 1009.40 General requirements for student eligibility for  
 53 state financial aid.--

54 (1)(a) The general requirements for eligibility of  
 55 students for state financial aid awards consist of the  
 56 following:

57 1. Achievement of the academic requirements of and  
 58 acceptance at a state university or community college; a nursing  
 59 diploma school approved by the Florida Board of Nursing; a  
 60 Florida college, university, or community college which is

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61 accredited by an accrediting agency recognized by the State  
 62 Board of Education; any Florida institution the credits of which  
 63 are acceptable for transfer to state universities; any technical  
 64 center; or any private technical institution accredited by an  
 65 accrediting agency recognized by the State Board of Education.

66 2. Residency in this state for no less than 1 year  
 67 preceding the award of aid for a program established pursuant to  
 68 s. 1009.50, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.54, s.  
 69 1009.56, s. 1009.57, s. 1009.60, s. 1009.62, s. 1009.63, s.  
 70 1009.68, s. 1009.72, s. 1009.73, s. 1009.76, s. 1009.77, or s.  
 71 1009.89. Residency in this state must be for purposes other than  
 72 to obtain an education. Resident status for purposes of  
 73 receiving state financial aid awards shall be determined in the  
 74 same manner as resident status for tuition purposes pursuant to  
 75 s. 1009.21 and rules of the State Board of Education.

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

87 Section 3. This act shall take effect upon becoming a law.