

Bill No. CS for CS for SB 2388

Amendment No. \_\_\_\_ Barcode 404470

CHAMBER ACTION

Senate

House

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Senator Jones moved the following amendment:

**Senate Amendment (with title amendment)**

On page 9, line 5, through  
page 10, line 13, delete section 5

and insert:

Section 5. Subsections (1), (2), (3), and (11) of  
section 1009.23, Florida Statutes, are amended to read:

1009.23 Community college student fees.--

(1) Unless otherwise provided, the provisions of this  
section apply only to fees charged for college credit  
instruction leading to an associate in arts degree, an  
associate in applied science degree, ~~or~~ an associate in  
science degree, or a baccalaureate degree authorized by the  
State Board of Education pursuant to s. 1007.33, and for  
noncollege credit college-preparatory courses defined in s.  
1004.02.

(2)(a) All students shall be charged fees except  
students who are exempt from fees or students whose fees are  
waived.

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1           (b) Tuition and out-of-state fees for upper-division  
2 courses must reflect the fact that the college has a less  
3 expensive cost structure than that of a state university.  
4 Therefore, the board of trustees shall establish tuition and  
5 out-of-state fees for upper-division courses within a range  
6 between fees for lower-division credit courses and the local  
7 state university tuition and out-of-state fees. A community  
8 college board of trustees may not establish any fee for an  
9 upper-division course or student unless specifically  
10 authorized by this section or the rules of the State Board of  
11 Education.

12           (3) The State Board of Education shall adopt by  
13 December 31 of each year a resident fee schedule for the  
14 following fall for advanced and professional, associate in  
15 science degree, baccalaureate degree programs authorized by  
16 the State Board of Education pursuant to s. 1007.33, and  
17 college-preparatory programs that produce revenues in the  
18 amount of 25 percent of the full prior year's cost of these  
19 programs. Fees for courses in college-preparatory programs and  
20 associate in arts and associate in science degree programs may  
21 be established at the same level. In the absence of a  
22 provision to the contrary in an appropriations act, the fee  
23 schedule shall take effect and the colleges shall expend the  
24 funds on instruction. If the Legislature provides for an  
25 alternative fee schedule in an appropriations act, the fee  
26 schedule shall take effect the subsequent fall semester.

27           (11) Each community college board of trustees may  
28 establish a separate fee for capital improvements, technology  
29 enhancements, or equipping student buildings which may not  
30 exceed 10 percent of tuition for resident students or 10  
31 percent of the sum of tuition and out-of-state fees for

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1 nonresident students. The fee for resident students shall be  
2 limited to an increase of \$2 per credit hour over the prior  
3 year \$1 per credit hour or credit-hour equivalent for  
4 residents and which equals or exceeds \$3 per credit hour for  
5 nonresidents. Funds collected by community colleges through  
6 these fees may be bonded only for the purpose of financing or  
7 refinancing new construction and equipment, renovation, or  
8 remodeling of educational facilities. The fee shall be  
9 collected as a component part of the tuition and fees, paid  
10 into a separate account, and expended only to construct and  
11 equip, maintain, improve, or enhance the educational  
12 facilities of the community college. Projects funded through  
13 the use of the capital improvement fee shall meet the survey  
14 and construction requirements of chapter 1013. Pursuant to s.  
15 216.0158, each community college shall identify each project,  
16 including maintenance projects, proposed to be funded in whole  
17 or in part by such fee. Capital improvement fee revenues may  
18 be pledged by a board of trustees as a dedicated revenue  
19 source to the repayment of debt, including lease-purchase  
20 agreements and revenue bonds, with a term not to exceed 20  
21 years, and not to exceed the useful life of the asset being  
22 financed, only for the new construction and equipment,  
23 renovation, or remodeling of educational facilities. Community  
24 colleges shall ~~may~~ use the services of the Division of Bond  
25 Finance of the State Board of Administration to issue any  
26 bonds authorized through the provisions of this subsection.  
27 Any such bonds issued by the Division of Bond Finance shall be  
28 in compliance with the provisions of the State Bond Act. Bonds  
29 issued pursuant to the State Bond Act shall be validated in  
30 the manner provided by chapter 75. The complaint for such  
31 validation shall be filed in the circuit court of the county

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1 where the seat of state government is situated, the notice  
 2 required to be published by s. 75.06 shall be published only  
 3 in the county where the complaint is filed, and the complaint  
 4 and order of the circuit court shall be served only on the  
 5 state attorney of the circuit in which the action is pending.  
 6 A maximum of 15 percent ~~cents per credit hour~~ may be allocated  
 7 from the capital improvement fee for child care centers  
 8 conducted by the community college.

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11 ===== T I T L E A M E N D M E N T =====

12 And the title is amended as follows:

13 On page 2, line 2, after the first semicolon,

14

15 insert:

16 revising the amount of the community college  
 17 student fee for capital improvements,  
 18 technology enhancements, or equipping student  
 19 buildings; revising the allocation for certain  
 20 child care centers;

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