

Bill No. CS for CS for SB 2388

Amendment No. \_\_\_\_ Barcode 585396

CHAMBER ACTION

Senate

House

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Senator Pruitt moved the following amendment:

**Senate Amendment (with title amendment)**

On page 9, line 5, through  
page 10, line 13, delete those lines

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)(a) 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 as provided in this subsection,  
7 for the purpose of financing or refinancing new construction  
8 and equipment, renovation, or remodeling of educational  
9 facilities. The fee shall be collected as a component part of  
10 the tuition and fees, paid into a separate account, and  
11 expended only to construct and equip, maintain, improve, or  
12 enhance the educational facilities of the community college.  
13 Projects funded through the use of the capital improvement fee  
14 shall meet the survey and construction requirements of chapter  
15 1013. Pursuant to s. 216.0158, each community college shall  
16 identify each project, including maintenance projects,  
17 proposed to be funded in whole or in part by such fee.

18 (b) Capital improvement fee revenues may be pledged by  
19 a board of trustees as a dedicated revenue source to the  
20 repayment of debt, including lease-purchase agreements with an  
21 overall term, including renewals, extensions, and refundings,  
22 of not more than 7 years and revenue bonds, with a term not to  
23 exceed 20 annual maturities years, and not to exceed the  
24 useful life of the asset being financed, only for the  
25 financing or refinancing or new construction and equipment,  
26 renovation, or remodeling of educational facilities. ~~Community~~  
27 ~~colleges may use the services of the Division of Bond Finance~~  
28 ~~of the State Board of Administration to issue any~~ Bonds  
29 authorized through the provisions of this subsection shall be-  
30 ~~Any such bonds~~ issued by the Division of Bond Finance upon the  
31 request of the community college board of trustees shall be in

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1 compliance with the provisions of s. 11(d), Art. VII of the  
2 State Constitution and the State Bond Act. The Division of  
3 State Bond Finance may pledge fees collected by one or more  
4 community colleges to secure such bonds. Any project included  
5 in the approved educational plant survey pursuant to chapter  
6 1013 is approved pursuant to s. 11(d), Art. VII of the State  
7 Constitution.

8       (c) The state does hereby covenant with the holders of  
9 the bonds issued under this subsection that it will not take  
10 any action that will materially and adversely affect the  
11 rights of such holders so long as the bonds authorized by this  
12 subsection are outstanding.

13       (d) Any validation of the bonds ~~Bonds issued pursuant~~  
14 ~~to the State Bond Act~~ shall be ~~validated~~ in the manner  
15 provided by chapter 75. Only the initial series of bonds is  
16 required to be validated. The complaint for such validation  
17 shall be filed in the circuit court of the county where the  
18 seat of state government is situated, the notice required to  
19 be published by s. 75.06 shall be published only in the county  
20 where the complaint is filed, and the complaint and order of  
21 the circuit court shall be served only on the state attorney  
22 of the circuit in which the action is pending.

23       (e) A maximum of 15 percent ~~cents per credit hour~~ may  
24 be allocated from the capital improvement fee for child care  
25 centers conducted by the community college. The use of capital  
26 improvement fees for such purpose shall be subordinate to the  
27 payment of any bonds secured by the fees.

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

31 And the title is amended as follows:

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

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3 insert:

4           revising provisions relating to financial

5           matters for community colleges;

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