

Bill No. CS for CS for SB 2388

Amendment No. ____ Barcode 910890

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 consistent with
6 law and proviso in the General Appropriations Act. However,
7 the board of trustees shall not increase tuition and
8 out-of-state fees as authorized in subsection (4).

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

24 (11)(a) Each community college board of trustees may
25 establish a separate fee for capital improvements, technology
26 enhancements, or equipping student buildings which may not
27 exceed 10 percent of tuition for resident students or 10
28 percent of the sum of tuition and out-of-state fees for
29 nonresident students. The fee for resident students shall be
30 limited to an increase of \$2 per credit hour over the prior
31 year.~~\$1 per credit hour or credit-hour equivalent for~~

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1 ~~residents and which equals or exceeds \$3 per credit hour for~~
2 ~~nonresidents.~~ Funds collected by community colleges through
3 these fees may be bonded only as provided in this subsection,
4 for the purpose of financing or refinancing new construction
5 and equipment, renovation, or remodeling of educational
6 facilities. The fee shall be collected as a component part of
7 the tuition and fees, paid into a separate account, and
8 expended only to construct and equip, maintain, improve, or
9 enhance the educational facilities of the community college.
10 Projects funded through the use of the capital improvement fee
11 shall meet the survey and construction requirements of chapter
12 1013. Pursuant to s. 216.0158, each community college shall
13 identify each project, including maintenance projects,
14 proposed to be funded in whole or in part by such fee.

15 (b) Capital improvement fee revenues may be pledged by
16 a board of trustees as a dedicated revenue source to the
17 repayment of debt, including lease-purchase agreements with an
18 overall term, including renewals, extensions, and refundings,
19 of not more than 7 years and revenue bonds, with a term not to
20 exceed 20 annual maturities ~~years~~, and not to exceed the
21 useful life of the asset being financed, only for the
22 financing or refinancing or new construction and equipment,
23 renovation, or remodeling of educational facilities. ~~Community~~
24 ~~colleges may use the services of the Division of Bond Finance~~
25 ~~of the State Board of Administration to issue any Bonds~~
26 authorized through the provisions of this subsection shall be.
27 ~~Any such bonds~~ issued by the Division of Bond Finance upon the
28 request of the community college board of trustees shall be in
29 compliance with the provisions of s. 11(d), Art. VII of the
30 State Constitution and the State Bond Act. The Division of
31 State Bond Finance may pledge fees collected by one or more

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1 community colleges to secure such bonds. Any project included
2 in the approved educational plant survey pursuant to chapter
3 1013 is approved pursuant to s. 11(d), Art. VII of the State
4 Constitution.

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

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

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

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

28 And the title is amended as follows:

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

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31 insert:

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1 revising provisions relating to financial
2 matters for community colleges;
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