

By the Committee on Judiciary; and Senators Campbell and Fasano

308-900-04

1 A bill to be entitled
2 An act relating to student loans; creating s.
3 43.201, F.S.; providing for a financial
4 assistance program administered by the Justice
5 Administrative Commission to provide assistance
6 to qualified assistant state attorneys and
7 assistant public defenders for the repayment of
8 eligible student loans; defining the term
9 "eligible student loan"; providing the elements
10 of the program; providing for funding;
11 providing an effective date.

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13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Section 43.201, Florida Statutes, is
16 created to read:

17 43.201 Justice Administrative Commission; student loan
18 program administration.--

19 (1) The commission shall administer a student loan
20 program for career assistant state attorneys and assistant
21 public defenders as described in chapter 27. The purpose of
22 the program shall be to provide financial assistance to
23 assistant state attorneys and assistant public defenders with
24 eligible student loans.

25 (2) As used in this section, the term "eligible
26 student loan" means a loan that was issued pursuant to the
27 Higher Education Act of 1965, as amended, to an assistant
28 state attorney or an assistant public defender to fund his or
29 her law school education.

30 (3) The program shall be administered in the following
31 manner:

1 (a) An assistant state attorney or an assistant public
2 defender is not eligible for assistance under the program
3 until the assistant state attorney or assistant public
4 defender has been employed as an assistant state attorney or
5 an assistant public defender for 3 years of continuous service
6 on his or her employment anniversary date.

7 (b) After an individual has completed 3 years of
8 continuous service, an affidavit of certification on a form
9 approved by the commission shall be submitted to the state
10 attorney's office or the public defender's office as
11 appropriate. The affidavit of certification shall, upon
12 approval of the state attorney or the public defender, be
13 submitted to the commission.

14 (c) Upon receipt of the certificate, the commission
15 may begin yearly payments in the amount of \$3,000 to the
16 lender that services the eligible student loan. These payments
17 shall be made for the benefit of the qualified assistant state
18 attorney or assistant public defender named in the certificate
19 and for the purpose of satisfying the eligible student loan
20 obligation.

21 (d) Upon an individual's completion of 6 years of
22 continuous service, the loan assistance payment amount shall
23 increase to \$5,000. After 12 years of continuous service or
24 upon completion of the payment of the eligible student loan,
25 whichever occurs first, loan assistance shall cease. The total
26 amount of loan assistance permitted under the program for any
27 one assistant state attorney or assistant public defender may
28 not exceed \$44,000.

29 Section 2. This act shall take effect July 1, 2004.
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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
SB 250

Deletes trial court staff attorneys from this bill. Only assistant state attorneys and assistant public defenders would be eligible for financial assistance in the repayment of student loans under the program created by the bill.