

Bill No. SB 362

Barcode 401824

CHAMBER ACTION

Senate

House

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The Committee on Judiciary (Campbell) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Section 43.45, Florida Statutes, is created to read:

43.45 Student loan assistance program;

administration.--

(1) The administering body shall implement a student loan assistance program for eligible career attorneys. The purpose of the program is to provide financial assistance to eligible career attorneys for the repayment of eligible student loans.

(2) As used in this section, the term:

(a) "Administering body" means the Justice Administrative Commission when the eligible career attorney is employed as an assistant state attorney or assistant public defender or the Office of the Attorney General when the

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1 eligible career attorney is employed as an assistant attorney
2 general or assistant statewide prosecutor.

3 (b) "Eligible career attorney" means an assistant
4 state attorney, assistant public defender, assistant attorney
5 general, or assistant statewide prosecutor who has been
6 employed in that capacity for 3 to 12 years of continuous
7 service on his or her employment anniversary date.

8 (c) "Eligible student loan" means a loan that was
9 issued pursuant to the Higher Education Act of 1965, as
10 amended, to an eligible career attorney to fund his or her law
11 school education and that is not in default.

12 (d) "Maximum available amount" means, in the event an
13 appropriation is less than the amount necessary to fund total
14 payments by the administering body under paragraph (3)(b), the
15 amount that results from multiplication of the percentage of
16 total funding appropriated by the payment amount of \$3,000 or
17 \$5,000, as appropriate under paragraph (3)(b). The percentage
18 of total funding appropriated is the amount that results from
19 division of the amount of the appropriation by the amount
20 necessary to fund total payments under paragraph (3)(b).

21 (3) The student loan assistance program shall be
22 administered in the following manner:

23 (a) Within 30 days after an individual's employment
24 anniversary date, the individual may submit to his or her
25 employer a certification affidavit on a form authorized by the
26 administering body, which certifies that he or she, as of his
27 or her last employment anniversary date, is an eligible career
28 attorney with one or more eligible student loans. Upon
29 approval by the employing state attorney, public defender,
30 Attorney General, or statewide prosecutor, the certification
31 affidavit shall be submitted to the administering body within

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1 60 days following the eligible career attorney's last
2 employment anniversary date.

3 (b) The administering body that receives a
4 certification affidavit for an eligible career attorney with:

5 1. Three to five years of continuous service shall
6 make a payment in the amount of \$3,000 or in the maximum
7 available amount, whichever is less.

8 2. Six to twelve years of continuous service shall
9 make a payment in the amount of \$5,000 or in the maximum
10 available amount, whichever is less.

11 (c) A payment under paragraph (b) shall be made by the
12 administering body:

13 1. For the benefit of the eligible career attorney
14 named in the certification affidavit and for the purpose of
15 satisfying his or her eligible student loan obligation.

16 2. To the lender that services the eligible student
17 loan between July 1 and July 31 of the next fiscal year
18 following receipt of the certification affidavit by the
19 administering body.

20 3. For the eligible student loan with the highest
21 current interest rate if the eligible career attorney has more
22 than one eligible student loan.

23 (d) Payments under paragraph (b) shall cease upon
24 totaling \$44,000 per eligible career attorney or upon full
25 satisfaction of the eligible student loan, whichever occurs
26 first.

27 (4) The student loan assistance program shall be
28 funded annually by an appropriation from the General Revenue
29 Fund to the administering body.

30 (5) The administering body shall adopt rules to
31 implement this section.

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1 Section 2. This act shall take effect July 1, 2006.

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

5 And the title is amended as follows:

6 Delete everything before the enacting clause

7

8 and insert:

9 A bill to be entitled

10 An act relating to student loans; creating s.
11 43.45, F.S.; providing for a financial
12 assistance program administered by the Justice
13 Administrative Commission and the Office of the
14 Attorney General to provide assistance to
15 career assistant state attorneys, assistant
16 public defenders, assistant attorneys general,
17 and assistant statewide prosecutors for the
18 repayment of eligible student loans; defining
19 terms; providing elements of the program;
20 providing loan assistance payment amounts;
21 providing for funding; requiring rulemaking;
22 providing an effective date.

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