

By the Committee on Judiciary; and Senator Campbell

590-866-06

1 A bill to be entitled
2 An act relating to student loans; creating s.
3 43.45, F.S.; providing for a financial
4 assistance program administered by the Justice
5 Administrative Commission and the Office of the
6 Attorney General to provide assistance to
7 career assistant state attorneys, assistant
8 public defenders, assistant attorneys general,
9 and assistant statewide prosecutors for the
10 repayment of eligible student loans; defining
11 terms; providing elements of the program;
12 providing loan assistance payment amounts;
13 providing for funding; requiring rulemaking;
14 providing an effective date.
15
16 Be It Enacted by the Legislature of the State of Florida:
17
18 Section 1. Section 43.45, Florida Statutes, is created
19 to read:
20 43.45 Student loan assistance program;
21 administration.--
22 (1) The administering body shall implement a student
23 loan assistance program for eligible career attorneys. The
24 purpose of the program is to provide financial assistance to
25 eligible career attorneys for the repayment of eligible
26 student loans.
27 (2) As used in this section, the term:
28 (a) "Administering body" means the Justice
29 Administrative Commission when the eligible career attorney is
30 employed as an assistant state attorney or assistant public
31 defender or the Office of the Attorney General when the

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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

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.

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

2

3 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
4 COMMITTEE SUBSTITUTE FOR
5 SB 362

6

The committee substitute makes the following changes to the
underlying bill:

7

-- Creates definitions of "administering body," "eligible
career attorney," and "maximum available amount;"

8

-- Revises the definition of the term "eligible student
loan;"

9

10

-- Provides for pro rata funding of loan repayment
assistance in the event that the loan repayment
assistance program is not fully funded;

11

12

-- Creates procedures for processing applications for loan
repayment assistance;

13

14

-- Directs that loan repayment assistance be paid to the
lender servicing the student loan with the highest
interest rate;

15

16

-- Provides that the Office of the Attorney General shall
administer the program for assistant attorneys general
and assistant statewide prosecutors; and

17

18

-- Provides rulemaking authority to the Justice
Administrative Commission and the Office of the Attorney
General to implement the program.

19

20

21

22

23

24

25

26

27

28

29

30

31