

CHAMBER ACTION

1 The Criminal Justice Committee recommends the following:

2  
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

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

17  
18 Be It Enacted by the Legislature of the State of Florida:

19  
20 Section 1. Section 43.45, Florida Statutes, is created to  
21 read:

22 43.45 Student loan assistance program; administration.--

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

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

28       (a) "Administering body" means the Justice Administrative  
 29 Commission when the eligible career attorney is employed as an  
 30 assistant state attorney or assistant public defender or the  
 31 Office of the Attorney General when the eligible career attorney  
 32 is employed as an assistant attorney general or assistant  
 33 statewide prosecutor.

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

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

43       (d) "Maximum available amount" means, in the event an  
 44 appropriation is less than the amount necessary to fund total  
 45 payments by the administering body under paragraph (3)(b), the  
 46 amount that results from multiplication of the percentage of  
 47 total funding appropriated by the payment amount of \$3,000 or  
 48 \$5,000, as appropriate under paragraph (3)(b). The percentage of  
 49 total funding appropriated is the amount that results from

HB81

2006  
CS

50 division of the amount of the appropriation by the amount  
 51 necessary to fund total payments under paragraph (3)(b).

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

54 (a) Within 30 days after an individual's employment  
 55 anniversary date, the individual may submit to his or her  
 56 employer a certification affidavit on a form authorized by the  
 57 administering body, which certifies that he or she, as of his or  
 58 her last employment anniversary date, is an eligible career  
 59 attorney with one or more eligible student loans. Upon approval  
 60 by the employing state attorney, public defender, Attorney  
 61 General, or statewide prosecutor, the certification affidavit  
 62 shall be submitted to the administering body within 60 days  
 63 following the eligible career attorney's last employment  
 64 anniversary date.

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

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

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

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

75 1. For the benefit of the eligible career attorney named  
 76 in the certification affidavit and for the purpose of satisfying  
 77 his or her eligible student loan obligation.

HB81

2006  
CS

78        2. To the lender that services the eligible student loan  
79 between July 1 and July 31 of the next fiscal year following  
80 receipt of the certification affidavit by the administering  
81 body.

82        3. For the eligible student loan with the highest current  
83 interest rate if the eligible career attorney has more than one  
84 eligible student loan.

85        (d) Payments under paragraph (b) shall cease upon totaling  
86 \$44,000 per eligible career attorney or upon full satisfaction  
87 of the eligible student loan, whichever occurs first.

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

91        (5) The administering body shall adopt rules to implement  
92 this section.

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