

Bill No. SB 1710

Barcode 610008

CHAMBER ACTION

Senate

House

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The Committee on Higher Education Appropriations (Lynn)
recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Section 1009.01, Florida Statutes, is
amended to read:

1009.01 Definitions.--The term:

(1) "Tuition" means the basic fee charged to a student
for instruction provided by a public postsecondary educational
institution in this state. A charge for any other purpose
shall not be included within this fee.

(2) "Out-of-state fee" means the additional fee for
instruction provided by a public postsecondary educational
institution in this state, which fee is charged to a
non-Florida student as defined in rules of the State Board of
Education. A charge for any other purpose shall not be
included within this fee.

(3) "Tuition differential" means the supplemental fee

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1 charged to a student for instruction provided by a public
2 university in this state pursuant to s. 1009.24(15).

3 Section 2. Subsection (8) of section 1009.24, Florida
4 Statutes, is amended, and subsection (15) is added to that
5 section, to read:

6 1009.24 State university student fees.--

7 (8) Each university board of trustees is authorized to
8 establish separate activity and service, health, and athletic
9 fees. When duly established, the fees shall be collected as
10 component parts of tuition and fees and shall be retained by
11 the university and paid into the separate activity and
12 service, health, and athletic funds. Notwithstanding any other
13 provision of law to the contrary, a university may transfer
14 revenues derived from the fees authorized pursuant to this
15 subsection to a university direct-support organization of the
16 university to be used only for the purpose of paying and
17 securing debt on projects approved pursuant to s. 1010.62 and
18 pursuant to a written agreement approved by the Board of
19 Governors. The amount transferred may not exceed the amount
20 authorized for annual debt service pursuant to s. 1010.62.

21 (15) The Board of Governors may establish a uniform
22 maximum undergraduate tuition differential that does not
23 exceed 40 percent of tuition for all universities that meet
24 the criteria for Funding Level 1 under s. 1004.635(3), and may
25 establish a uniform maximum undergraduate tuition differential
26 that does not exceed 30 percent of tuition for all
27 universities that meet the criteria for Funding Level 2 under
28 s. 1004.635(3). However, the board shall ensure that the
29 maximum tuition differential it establishes for universities
30 meeting the Funding Level 1 criteria is at least 30 percent
31 greater than the maximum tuition differential the board

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1 establishes for universities that meet Funding Level 2
2 criteria. The tuition differentials is subject to the
3 following conditions:

4 (a) The sum of tuition and the tuition differential
5 may not be increased by more than 15 percent of the total
6 charged for these fees in the preceding fiscal year.

7 (b) The tuition differential may not be calculated as
8 a part of the scholarship programs established in ss.
9 1009.53-1009.537.

10 (c) Students having prepaid tuition contracts pursuant
11 to s. 1009.98(2)(b) which were in effect on July 1, 2007, and
12 which remain in effect, are exempt from the payment of the
13 tuition differential.

14 (d) The tuition differential may not be charged to any
15 student who was in attendance at the university before July 1,
16 2007, and who maintains continuous enrollment.

17 (e) The tuition differential may be waived by the
18 university for students who meet the eligibility requirements
19 for the Florida public student assistance grant established in
20 s. 1009.50.

21 (f) A university board of trustees that has been
22 authorized by the Board of Governors to establish a tuition
23 differential pursuant to this subsection may establish the
24 tuition differential at a rate lower than the maximum tuition
25 differential established by the board, but may not exceed the
26 maximum tuition differential established by the board.

27 (g) The revenue generated from the tuition
28 differential must be spent solely for improving the quality of
29 direct undergraduate instruction and support services.

30 (h) Information relating to the annual receipt and
31 expenditure of the proceeds from the assessment of the tuition

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1 differential shall be reported by the university in accordance
2 with guidelines established by the Board of Governors.

3 Section 3. Paragraph (b) of subsection (2) of section
4 1009.98, Florida Statutes, is amended to read:

5 1009.98 Stanley G. Tate Florida Prepaid College
6 Program.--

7 (2) PREPAID COLLEGE PLANS.--At a minimum, the board
8 shall make advance payment contracts available for two
9 independent plans to be known as the community college plan
10 and the university plan. The board may also make advance
11 payment contracts available for a dormitory residence plan.
12 The board may restrict the number of participants in the
13 community college plan, university plan, and dormitory
14 residence plan, respectively. However, any person denied
15 participation solely on the basis of such restriction shall be
16 granted priority for participation during the succeeding year.

17 (b)1. Through the university plan, the advance payment
18 contract shall provide prepaid registration fees for a
19 specified number of undergraduate semester credit hours not to
20 exceed the average number of hours required for the conference
21 of a baccalaureate degree. Qualified beneficiaries shall bear
22 the cost of any laboratory fees associated with enrollment in
23 specific courses. Each qualified beneficiary shall be
24 classified as a resident for tuition purposes pursuant to s.
25 1009.21, regardless of his or her actual legal residence.

26 2. Effective July 1, 1998, the board may provide
27 advance payment contracts for additional fees delineated in s.
28 1009.24(8)-(11), for a specified number of undergraduate
29 semester credit hours not to exceed the average number of
30 hours required for the conference of a baccalaureate degree,
31 in conjunction with advance payment contracts for registration

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1 fees. Such contracts shall provide prepaid coverage for the
 2 sum of such fees, to a maximum of 45 percent of the cost of
 3 registration fees. University plan contracts purchased prior
 4 to July 1, 1998, shall be limited to the payment of
 5 registration fees as defined in s. 1009.97.

6 3. Effective July 1, 2007, the board may provide
 7 advance payment contracts for the tuition differential
 8 authorized in s. 1009.24(15) for a specified number of
 9 undergraduate semester credit hours, which may not exceed the
 10 average number of hours required for the conference of a
 11 baccalaureate degree, in conjunction with advance payment
 12 contracts for registration fees.

13 Section 4. This act shall take effect July 1, 2007.
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16 ===== T I T L E A M E N D M E N T =====

17 And the title is amended as follows:

18 Delete everything before the enacting clause
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20 and insert:

21 A bill to be entitled
 22 An act relating to academic fees; amending s.
 23 1009.01, F.S.; defining the term "tuition
 24 differential"; amending s. 1009.24, F.S.;
 25 authorizing a university to transfer revenues
 26 from certain fees to a university
 27 direct-support organization; limiting the
 28 purposes for which such revenues may be used;
 29 limiting the amount that may be transferred;
 30 authorizing the Board of Governors of the State
 31 University System to establish uniform

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1 undergraduate tuition differentials; providing
2 certain conditions for the tuition
3 differentials; amending s. 1009.98, F.S.;
4 authorizing the Florida Prepaid College Board
5 to provide advance payment contracts for
6 tuition differentials for a specified number of
7 undergraduate semester hours; providing an
8 effective date.

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