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2 An act relating to academic fees; amending s.
3 1009.01, F.S.; defining the term "tuition
4 differential"; amending s. 1009.24, F.S.;
5 authorizing a university to transfer revenues
6 from certain fees to a university
7 direct-support organization; limiting the
8 purposes for which such revenues may be used;
9 limiting the amount that may be transferred;
10 authorizing the Board of Governors of the State
11 University System to establish uniform
12 undergraduate tuition differentials; providing
13 certain conditions for the tuition
14 differentials; amending s. 1009.98, F.S.;
15 authorizing the Florida Prepaid College Board
16 to provide advance payment contracts for
17 tuition differentials for a specified number of
18 undergraduate semester hours; providing an
19 effective date.
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21 Be It Enacted by the Legislature of the State of Florida:
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23 Section 1. Section 1009.01, Florida Statutes, is
24 amended to read:

25 1009.01 Definitions.--The term:

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

30 (2) "Out-of-state fee" means the additional fee for
31 instruction provided by a public postsecondary educational

1 institution in this state, which fee is charged to a
2 non-Florida student as defined in rules of the State Board of
3 Education. A charge for any other purpose shall not be
4 included within this fee.

5 (3) "Tuition differential" means the supplemental fee
6 charged to a student for instruction provided by a public
7 university in this state pursuant to s. 1009.24(15).

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

11 1009.24 State university student fees.--

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

26 (15) The Board of Governors may establish a uniform
27 maximum undergraduate tuition differential that does not
28 exceed 40 percent of tuition for all universities that meet
29 the criteria for Funding Level 1 under s. 1004.635(3), and may
30 establish a uniform maximum undergraduate tuition differential
31 that does not exceed 30 percent of tuition for all

1 universities that meet the criteria for Funding Level 2 under
2 s. 1004.635(3). However, the board shall ensure that the
3 maximum tuition differential it establishes for universities
4 meeting the Funding Level 1 criteria is at least 30 percent
5 greater than the maximum tuition differential the board
6 establishes for universities that meet Funding Level 2
7 criteria. The tuition differential is subject to the following
8 conditions:

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

12 (b) The tuition differential may not be calculated as
13 a part of the scholarship programs established in ss.
14 1009.53-1009.537.

15 (c) Beneficiaries having prepaid tuition contracts
16 pursuant to s. 1009.98(2)(b) which were in effect on July 1,
17 2007, and which remain in effect, are exempt from the payment
18 of the tuition differential.

19 (d) The tuition differential may not be charged to any
20 student who was in attendance at the university before July 1,
21 2007, and who maintains continuous enrollment.

22 (e) The tuition differential may be waived by the
23 university for students who meet the eligibility requirements
24 for the Florida public student assistance grant established in
25 s. 1009.50.

26 (f) A university board of trustees that has been
27 authorized by the Board of Governors to establish a tuition
28 differential pursuant to this subsection may establish the
29 tuition differential at a rate lower than the maximum tuition
30 differential established by the board, but may not exceed the
31 maximum tuition differential established by the board.

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

4 (h) Information relating to the annual receipt and
5 expenditure of the proceeds from the assessment of the tuition
6 differential shall be reported by the university in accordance
7 with guidelines established by the Board of Governors.

8 Section 3. Paragraph (b) of subsection (2) of section
9 1009.98, Florida Statutes, is amended to read:

10 1009.98 Stanley G. Tate Florida Prepaid College
11 Program.--

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

22 (b)1. Through the university plan, the advance payment
23 contract shall provide prepaid registration fees for a
24 specified number of undergraduate semester credit hours not to
25 exceed the average number of hours required for the conference
26 of a baccalaureate degree. Qualified beneficiaries shall bear
27 the cost of any laboratory fees associated with enrollment in
28 specific courses. Each qualified beneficiary shall be
29 classified as a resident for tuition purposes pursuant to s.
30 1009.21, regardless of his or her actual legal residence.

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1 2. Effective July 1, 1998, the board may provide
2 advance payment contracts for additional fees delineated in s.
3 1009.24(8)-(11), for a specified number of undergraduate
4 semester credit hours not to exceed the average number of
5 hours required for the conference of a baccalaureate degree,
6 in conjunction with advance payment contracts for registration
7 fees. Such contracts shall provide prepaid coverage for the
8 sum of such fees, to a maximum of 45 percent of the cost of
9 registration fees. University plan contracts purchased prior
10 to July 1, 1998, shall be limited to the payment of
11 registration fees as defined in s. 1009.97.

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

19 Section 4. This act shall take effect July 1, 2007.
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