

By the Committee on Governmental Operations; and Senators Aronberg, Joyner, Fasano and Ring

585-2426-07

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 assist a career assistant  
 7           state attorney, assistant public defender,  
 8           assistant attorney general, or assistant  
 9           statewide prosecutor in the repayment of  
 10          eligible student loans; providing definitions;  
 11          providing elements of the program; requiring  
 12          the administering body to make a payment of a  
 13          certain amount; providing for funding;  
 14          requiring the Justice Administrative Commission  
 15          to develop procedures; requiring the Office of  
 16          the Attorney General to adopt rules; providing  
 17          an effective date.

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 19 Be It Enacted by the Legislature of the State of Florida:

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

23           43.45 Student loan assistance program;  
 24 administration.--

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

30           (2) As used in this section, the term:  
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1           (a) "Administering body" means the Justice  
2 Administrative Commission when the eligible career attorney is  
3 employed as an assistant state attorney or assistant public  
4 defender or the Office of the Attorney General when the  
5 eligible career attorney is employed as an assistant attorney  
6 general or assistant statewide prosecutor.

7           (b) "Eligible attorney" means an assistant state  
8 attorney, assistant public defender, assistant attorney  
9 general, or assistant statewide prosecutor.

10           (c) "Eligible career attorney" means an eligible  
11 attorney who has completed at least 3 years but not more than  
12 12 years of continuous service on his or her employment  
13 anniversary date. However, eligibility for student loan  
14 repayment assistance may not be lost due to a break in  
15 employment of less than 2 weeks while an eligible attorney  
16 transfers to another employer of eligible attorneys.

17           (d) "Eligible student loan" means a loan that was  
18 issued pursuant to the Higher Education Act of 1965, as  
19 amended, to an eligible career attorney to fund his or her law  
20 school education and which is not in default.

21           (e) "Maximum available amount" means, in the event  
22 that the amount of an appropriation from the General Revenue  
23 Fund to an administering body is less than the amount  
24 necessary to fund total payments by the administering body,  
25 the amount that results from multiplying the percentage of  
26 total funding appropriated by the payment amount of \$3,000 or  
27 \$5,000 as provided in paragraph (3)(b). The percentage of  
28 total funding appropriated is the amount that results from  
29 dividing the amount of the appropriation by the amount  
30 necessary to fund total payments under paragraph (3)(b).

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

3           (a) Within 30 days after the employment anniversary  
4 date of an individual, the individual may submit to his or her  
5 employer a certification affidavit on a form authorized by the  
6 administering body, which certifies that he or she, as of his  
7 or her last employment anniversary date, is an eligible career  
8 attorney with one or more eligible student loans. Upon  
9 approval by the employing state attorney, public defender,  
10 Attorney General, or statewide prosecutor, the certification  
11 affidavit shall be submitted to the administering body within  
12 60 days following the last employment anniversary date of the  
13 eligible career attorney.

14           (b) The administering body that receives a  
15 certification affidavit for an eligible career attorney  
16 having:

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

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

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

25           1. For the benefit of the eligible career attorney  
26 named in the certification affidavit and for the purpose of  
27 satisfying his or her eligible student loan obligation.

28           2. To the lender that services the eligible student  
29 loan between July 1 and July 31 of the next fiscal year  
30 following receipt of the certification affidavit by the  
31 administering body.

1           3. For the eligible student loan that has the highest  
2 current interest rate if the eligible career attorney holds  
3 more than one eligible student loan.

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

8           (4) The student loan assistance program may be funded  
9 annually contingent upon a specific appropriation in the  
10 General Appropriations Act for student loan repayment  
11 assistance to eligible assistant state attorneys, assistant  
12 public defenders, assistant attorney generals, and assistant  
13 statewide prosecutors.

14           (5) The Justice Administrative Commission shall  
15 develop procedures to administer this section. The Office of  
16 the Attorney General shall adopt rules pursuant to ss.  
17 120.536(1) and 120.54 to administer this section.

18           Section 2. This act shall take effect July 1, 2007.

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20                               STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
21   COMMITTEE SUBSTITUTE FOR  
22    Senate Bill 196

23           Provides that the Justice Administrative Commission will  
24           develop procedures, not rules, to administer the program.

25           Provides that the student loan assistance program may be  
26           funded annually contingent upon a specific appropriation in  
27           the General Appropriations Act.