

1 A bill to be entitled
 2 An act relating to student loans; creating s. 43.45, F.S.;
 3 providing for a financial assistance program administered
 4 by the Justice Administrative Commission and the Office of
 5 the Attorney General to assist a career assistant state
 6 attorney, assistant public defender, assistant attorney
 7 general, or assistant statewide prosecutor in the
 8 repayment of eligible student loans; providing
 9 definitions; providing elements of the program; requiring
 10 the administering body to make a payment of a certain
 11 amount; providing for funding; requiring rulemaking;
 12 providing an effective date.

13

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

15

16 Section 1. Section 43.45, Florida Statutes, is created to
 17 read:

18 43.45 Student loan assistance program; administration.--

19 (1) The administering body shall implement a student loan
 20 assistance program for eligible career attorneys. The purpose of
 21 the program is to provide financial assistance to eligible
 22 career attorneys for the repayment of eligible student loans.

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

24 (a) "Administering body" means the Justice Administrative
 25 Commission when the eligible career attorney is employed as an
 26 assistant state attorney or assistant public defender or the
 27 Office of the Attorney General when the eligible career attorney
 28 is employed as an assistant attorney general or assistant

HB 47

2007

29 statewide prosecutor.

30 (b) "Eligible attorney" means an assistant state attorney,
31 assistant public defender, assistant attorney general, or
32 assistant statewide prosecutor.

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

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

44 (e) "Maximum available amount" means, in the event that
45 the amount of an appropriation from the General Revenue Fund to
46 an administering body is less than the amount necessary to fund
47 total payments by the administering body, the amount that
48 results from multiplying the percentage of total funding
49 appropriated by the payment amount of \$3,000 or \$5,000 as
50 provided in paragraph (3) (b). The percentage of total funding
51 appropriated is the amount that results from dividing the amount
52 of the appropriation by the amount necessary to fund total
53 payments under paragraph (3) (b).

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

56 (a) Within 30 days after the employment anniversary date

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

67 (b) The administering body that receives a certification
68 affidavit for an eligible career attorney having:

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

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

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

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

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

84 3. For the eligible student loan that has the highest

HB 47

2007

85 current interest rate if the eligible career attorney holds more
86 than one eligible student loan.

87 (d) Payments under paragraph (b) shall cease upon totaling
88 \$44,000 per eligible career attorney or upon full satisfaction
89 of the eligible student loan, whichever occurs first.

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

93 (5) The administering body shall adopt rules to administer
94 this section.

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