

Amendment No.

CHAMBER ACTION

Senate

House

.
. .
. .

1 Representative(s) Pickens offered the following:

2
3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

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

7 1009.01 Definitions.--The term:

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

12 (2) "Out-of-state fee" means the additional fee for
13 instruction provided by a public postsecondary educational
14 institution in this state, which fee is charged to a non-Florida
15 student as defined in rules of the State Board of Education. A

901403

4/26/2007 5:22:36 PM

Amendment No.

16 charge for any other purpose shall not be included within this
17 fee.

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

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

24 1009.24 State university student fees.--

25 (8) Each university board of trustees is authorized to
26 establish separate activity and service, health, and athletic
27 fees. When duly established, the fees shall be collected as
28 component parts of tuition and fees and shall be retained by the
29 university and paid into the separate activity and service,
30 health, and athletic funds. Notwithstanding any other provision
31 of law to the contrary, a university may transfer revenues
32 derived from the fees authorized pursuant to this subsection to
33 a university direct-support organization of the university to be
34 used only for the purpose of paying and securing debt on
35 projects approved pursuant to s. 1010.62 and pursuant to a
36 written agreement approved by the Board of Governors. The amount
37 transferred may not exceed the amount authorized for annual debt
38 service pursuant to s. 1010.62.

39 (15) The Board of Governors may establish a uniform
40 maximum undergraduate tuition differential that does not exceed
41 40 percent of tuition for all universities that meet the
42 criteria for Funding Level 1 under s. 1004.635(3), and may
43 establish a uniform maximum undergraduate tuition differential
901403

4/26/2007 5:22:36 PM

Amendment No.

44 that does not exceed 30 percent of tuition for all universities
45 that meet the criteria for Funding Level 2 under s. 1004.635(3).
46 However, the board shall ensure that the maximum tuition
47 differential it establishes for universities meeting the Funding
48 Level 1 criteria is at least 30 percent greater than the maximum
49 tuition differential the board establishes for universities that
50 meet Funding Level 2 criteria. The tuition differential is
51 subject to the following conditions:

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

55 (b) The tuition differential may not be calculated as a
56 part of the scholarship programs established in ss. 1009.53-
57 1009.537.

58 (c) Beneficiaries having prepaid tuition contracts
59 pursuant to s. 1009.98(2)(b) which were in effect on July 1,
60 2007, and which remain in effect, are exempt from the payment of
61 the tuition differential.

62 (d) The tuition differential may not be charged to any
63 student who was in attendance at the university before July 1,
64 2007, and who maintains continuous enrollment.

65 (e) The tuition differential may be waived by the
66 university for students who meet the eligibility requirements
67 for the Florida public student assistance grant established in
68 s. 1009.50.

69 (f) A university board of trustees that has been
70 authorized by the Board of Governors to establish a tuition
71 differential pursuant to this subsection may establish the

901403

4/26/2007 5:22:36 PM

Amendment No.

72 tuition differential at a rate lower than the maximum tuition
73 differential established by the board, but may not exceed the
74 maximum tuition differential established by the board.

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

78 (h) Information relating to the annual receipt and
79 expenditure of the proceeds from the assessment of the tuition
80 differential shall be reported by the university in accordance
81 with guidelines established by the Board of Governors.

82 Section 3. Paragraph (b) of subsection (2) of section
83 1009.98, Florida Statutes, is amended to read:

84 1009.98 Stanley G. Tate Florida Prepaid College Program.--

85 (2) PREPAID COLLEGE PLANS.--At a minimum, the board shall
86 make advance payment contracts available for two independent
87 plans to be known as the community college plan and the
88 university plan. The board may also make advance payment
89 contracts available for a dormitory residence plan. The board
90 may restrict the number of participants in the community college
91 plan, university plan, and dormitory residence plan,
92 respectively. However, any person denied participation solely on
93 the basis of such restriction shall be granted priority for
94 participation during the succeeding year.

95 (b)1. Through the university plan, the advance payment
96 contract shall provide prepaid registration fees for a specified
97 number of undergraduate semester credit hours not to exceed the
98 average number of hours required for the conference of a
99 baccalaureate degree. Qualified beneficiaries shall bear the

901403

4/26/2007 5:22:36 PM

Amendment No.

100 cost of any laboratory fees associated with enrollment in
101 specific courses. Each qualified beneficiary shall be classified
102 as a resident for tuition purposes pursuant to s. 1009.21,
103 regardless of his or her actual legal residence.

104 2. Effective July 1, 1998, the board may provide advance
105 payment contracts for additional fees delineated in s.
106 1009.24(8)-(11), for a specified number of undergraduate
107 semester credit hours not to exceed the average number of hours
108 required for the conference of a baccalaureate degree, in
109 conjunction with advance payment contracts for registration
110 fees. Such contracts shall provide prepaid coverage for the sum
111 of such fees, to a maximum of 45 percent of the cost of
112 registration fees. University plan contracts purchased prior to
113 July 1, 1998, shall be limited to the payment of registration
114 fees as defined in s. 1009.97.

115 3. Effective July 1, 2007, the board may provide advance
116 payment contracts for the tuition differential authorized in s.
117 1009.24(15) for a specified number of undergraduate semester
118 credit hours, which may not exceed the average number of hours
119 required for the conference of a baccalaureate degree, in
120 conjunction with advance payment contracts for registration
121 fees.

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

123

124 ===== T I T L E A M E N D M E N T =====

125 Remove the entire title and insert:

126 A bill to be entitled

901403

4/26/2007 5:22:36 PM

HOUSE AMENDMENT

Bill No. CS/HB 905

Amendment No.

127 An act relating to academic fees; amending s. 1009.01,
128 F.S.; defining the term "tuition differential"; amending
129 s. 1009.24, F.S.; authorizing a university to transfer
130 revenues from certain fees to a university direct-support
131 organization; limiting the purposes for which such
132 revenues may be used; limiting the amount that may be
133 transferred; authorizing the Board of Governors of the
134 State University System to establish uniform undergraduate
135 tuition differentials; providing certain conditions for
136 the tuition differentials; amending s. 1009.98, F.S.;
137 authorizing the Florida Prepaid College Board to provide
138 advance payment contracts for tuition differentials for a
139 specified number of undergraduate semester hours;
140 providing an effective date.

901403

4/26/2007 5:22:36 PM