

By Senator Aronberg

27-03501-08

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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 the Justice

12 Administrative Commission to develop procedures; requiring

13 the Office of the Attorney General to adopt rules;

14 providing an effective date.

15

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

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18 Section 1. Section 43.45, Florida Statutes, is created to

19 read:

20 43.45 Student loan assistance program; administration.--

21 (1) The administering body shall implement a student loan

22 assistance program for eligible career attorneys. The purpose of

23 the program is to provide financial assistance to eligible career

24 attorneys for the repayment of eligible student loans.

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

26 (a) "Administering body" means the Justice Administrative

27 Commission when the eligible career attorney is employed as an

28 assistant state attorney or assistant public defender or the

29 Office of the Attorney General when the eligible career attorney

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30 is employed as an assistant attorney general or assistant  
31 statewide prosecutor.

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

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

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

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

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

58 (a) Within 30 days after the employment anniversary date of

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

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

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

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

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

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

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

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

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88 \$44,000 per eligible career attorney or upon full satisfaction of  
89 the eligible student loan, whichever occurs first.

90 (4) The student loan assistance program may be funded  
91 annually contingent upon a specific appropriation in the General  
92 Appropriations Act for student loan repayment assistance to  
93 eligible assistant state attorneys, assistant public defenders,  
94 assistant attorneys general, and assistant statewide prosecutors.

95 (5) The Justice Administrative Commission shall develop  
96 procedures to administer this section. The Office of the Attorney  
97 General shall adopt rules pursuant to ss. 120.536(1) and 120.54  
98 to administer this section.

99 Section 2. This act shall take effect July 1, 2008.