

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.

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 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
 24 career 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

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29 Office of the Attorney General when the eligible career attorney
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
47 the amount of an appropriation from the General Revenue Fund to
48 an administering body is less than the amount necessary to fund
49 total payments by the administering body, the amount that
50 results from multiplying the percentage of total funding
51 appropriated by the payment amount of \$3,000 or \$5,000 as
52 provided in paragraph (3) (b). The percentage of total funding
53 appropriated is the amount that results from dividing the amount
54 of the appropriation by the amount necessary to fund total
55 payments under paragraph (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
59 of an individual, the individual may submit to his or her
60 employer a certification affidavit on a form authorized by the
61 administering body, which certifies that he or she, as of his or
62 her last employment anniversary date, is an eligible career
63 attorney with one or more eligible student loans. Upon approval
64 by the employing state attorney, public defender, Attorney
65 General, or statewide prosecutor, the certification affidavit
66 shall be submitted to the administering body within 60 days
67 following the last employment anniversary date of the eligible
68 career attorney.

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

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

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

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

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

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

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85 body.

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

89 (d) Payments under paragraph (b) shall cease upon totaling
90 \$44,000 per eligible career attorney or upon full satisfaction
91 of the eligible student loan, whichever occurs first.

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

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

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