

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representatives Precourt, Traviesa, Coley, and Cannon offered
2 the following:

3
4 **Amendment to Senate Amendment (202094) (with title**
5 **amendment)**

6 Remove lines 7-72 and insert:

7 Section 1. Subsection (1) of section 1005.32, Florida
8 Statutes, is amended to read:

9 1005.32 Licensure by means of accreditation.--

10 (1) An independent postsecondary educational institution
11 that meets the following criteria may apply for a license by
12 means of accreditation from the commission:

13 (a) The institution has operated legally in this state for
14 at least 5 consecutive years.

15 (b) The institution holds institutional accreditation by
16 an accrediting agency evaluated and approved by the commission

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17 as having standards substantially equivalent to the commission's
18 licensure standards.

19 (c) The institution has no unresolved complaints or
20 actions in the past 12 months.

21 (d) The institution meets minimum requirements for
22 financial responsibility as determined by the commission.

23 ~~(e) The institution is a Florida corporation.~~

24 Section 2. Subsection (7) of section 1007.24, Florida
25 Statutes, is amended to read:

26 1007.24 Statewide course numbering system.--

27 (7) Any student who transfers among postsecondary
28 institutions that are fully accredited by a regional or national
29 accrediting agency recognized by the United States Department of
30 Education and that participate in the statewide course numbering
31 system shall be awarded credit by the receiving institution for
32 courses satisfactorily completed by the student at the previous
33 institutions. Credit shall be awarded if the courses are judged
34 by the appropriate statewide course numbering system faculty
35 committees representing school districts, public postsecondary
36 educational institutions, and participating nonpublic
37 postsecondary educational institutions to be academically
38 equivalent to courses offered at the receiving institution,
39 including equivalency of faculty credentials, regardless of the
40 United States Department of Education recognized accrediting
41 agency and public or nonpublic control of the previous
42 institution. The Department of Education shall ensure that
43 credits to be accepted by a receiving institution are generated
44 in courses for which the faculty possess credentials that are

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45 comparable to those required by the accrediting association of
46 the receiving institution. The award of credit may be limited to
47 courses that are entered in the statewide course numbering
48 system. Credits awarded pursuant to this subsection shall
49 satisfy institutional requirements on the same basis as credits
50 awarded to native students.

51 Section 3. Subsection (3) of section 1009.01, Florida
52 Statutes, is amended, and subsections (4), (5), and (6) are
53 added to that section, to read:

54 1009.01 Definitions.--The term:

55 (3) "Tuition differential" means the supplemental fee
56 charged to a student for instruction provided by a public
57 university in this state pursuant to s. 1009.24 (16) ~~(15)~~.

58 (4) "Undergraduate tuition" means the basic fee charged to
59 a student for instruction provided by a state university in a
60 lower-level course or in an upper-level course.

61 (5) "Graduate tuition" means the basic fee charged to a
62 student for instruction provided by a state university in a
63 graduate-level course. Graduate-level courses do not include
64 courses in professional programs.

65 (6) "Professional program" means a program in dentistry,
66 law, medicine, pharmacy, or veterinary medicine.

67 Section 4. Section 1009.21, Florida Statutes, is amended
68 to read:

69 1009.21 Determination of resident status for tuition
70 purposes and student eligibility for state financial aid awards
71 and tuition assistance grants.-- Students shall be classified as
72 residents or nonresidents for the purpose of assessing tuition

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73 in community colleges and state universities and for the purpose
74 of determining student eligibility for state financial aid
75 awards and tuition assistance grants.

76 (1) As used in this section, the term:

77 (a) ~~The term~~ "Dependent child" means any person, whether
78 or not living with his or her parent, who is eligible to be
79 claimed by his or her parent as a dependent under the federal
80 income tax code.

81 (b) "Initial enrollment" means the first day of class at
82 an institution of higher education.

83 (c) ~~(b) The term~~ "Institution of higher education" means
84 any public community college or state university or any
85 institution eligible to participate in a program established
86 pursuant to s. 1009.50, s. 1009.505, s. 1009.51, s. 1009.52, s.
87 1009.53, s. 1009.54, s. 1009.56, s. 1009.57, s. 1009.60, s.
88 1009.62, s. 1009.63, s. 1009.68, s. 1009.72, s. 1009.73, s.
89 1009.76, s. 1009.77, s. 1009.89, or s. 1009.891.

90 (d) ~~(e) A~~ "Legal resident" or "resident" means is a person
91 who has maintained his or her residence in this state for the
92 preceding year, has purchased a home which is occupied by him or
93 her as his or her residence, or has established a domicile in
94 this state pursuant to s. 222.17.

95 (e) "Nonresident for tuition purposes" means a person who
96 does not qualify for the in-state tuition rate.

97 (f) ~~(d) The term~~ "Parent" means the natural or adoptive
98 parent or legal guardian of a dependent child.

99 (g) ~~(e) A~~ "Resident for tuition purposes" means is a person
100 who qualifies as provided in subsection (2) for the in-state

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101 tuition rate; a "nonresident for tuition purposes" is a person
102 who does not qualify for the in-state tuition rate.

103 (2) (a) To qualify as a resident for tuition purposes:

104 1. A person or, if that person is a dependent child, his
105 or her parent or parents must have established legal residence
106 in this state and must have maintained legal residence in this
107 state for at least 12 consecutive months immediately prior to
108 his or her initial enrollment in an institution of higher
109 education qualification. Legal residence must be established by
110 written or electronic verification that includes two or more of
111 the following Florida documents that demonstrate clear and
112 convincing evidence of continuous residence in the state for at
113 least 12 consecutive months prior to the student's initial
114 enrollment in an institution of higher education: a voter
115 information card pursuant to s. 97.071; a driver's license; an
116 identification card issued by the State of Florida; a vehicle
117 registration; a declaration of domicile; proof of purchase of a
118 permanent home; a transcript from a Florida high school; a
119 Florida high school equivalency diploma and transcript; proof of
120 permanent full-time employment; proof of 12 consecutive months
121 of payment of utility bills; a domicile lease and proof of 12
122 consecutive months of payments; or other official state or court
123 documents evidencing legal ties to Florida. No single piece of
124 evidence shall be conclusive.

125 2. Every applicant for admission to an institution of
126 higher education shall be required to make a statement as to his
127 or her length of residence in the state and, further, shall
128 establish that his or her presence or, if the applicant is a

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129 dependent child, the presence of his or her parent or parents in
130 the state currently is, and during the requisite 12-month
131 qualifying period was, for the purpose of maintaining a bona
132 fide domicile, rather than for the purpose of maintaining a mere
133 temporary residence or abode incident to enrollment in an
134 institution of higher education.

135 (b) However, with respect to a dependent child living with
136 an adult relative other than the child's parent, such child may
137 qualify as a resident for tuition purposes if the adult relative
138 is a legal resident who has maintained legal residence in this
139 state for at least 12 consecutive months immediately prior to
140 the child's initial enrollment in an institution of higher
141 education qualification, provided the child has resided
142 continuously with such relative for the 5 years immediately
143 prior to the child's initial enrollment qualification, during
144 which time the adult relative has exercised day-to-day care,
145 supervision, and control of the child.

146 (c) The legal residence of a dependent child whose parents
147 are divorced, separated, or otherwise living apart will be
148 deemed to be this state if either parent is a legal resident of
149 this state, regardless of which parent is entitled to claim, and
150 does in fact claim, the minor as a dependent pursuant to federal
151 individual income tax provisions.

152 (d) A person who is classified as a nonresident for
153 tuition purposes may become eligible for reclassification as a
154 resident for tuition purposes if that person or, if that person
155 is a dependent child, his or her parent presents clear and
156 convincing evidence that supports permanent residency in this

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157 state rather than temporary residency for the purpose of
158 pursuing an education, such as documentation of full-time
159 permanent employment for the prior 12 months or the purchase of
160 a home in this state and residence therein for the prior 12
161 months. If a person who is a dependent child and his or her
162 parent move to this state while such child is a high school
163 student and the child graduates from a high school in this
164 state, the child may become eligible for reclassification as a
165 resident for tuition purposes when the parent qualifies for
166 permanent residency.

167 (e) The requirement that a student maintain legal
168 residence for at least 12 consecutive months prior to initial
169 enrollment does not apply to a student who was classified as a
170 resident for tuition purposes by an institution of higher
171 education on or before July 1, 2008, and maintains continuous
172 enrollment at such institution.

173 (3)(a) An individual shall not be classified as a resident
174 for tuition purposes and, thus, shall not be eligible to receive
175 the in-state tuition rate until he or she has provided such
176 evidence related to legal residence and its duration or, if that
177 individual is a dependent child, documentation of his or her
178 parent's legal residence and its duration, as well as
179 documentation confirming his or her status as a dependent child,
180 as may be required by law and by officials of the institution of
181 higher education from which he or she seeks the in-state tuition
182 rate. The documentation shall provide clear and convincing
183 evidence that residency in this state was for a minimum of 12
184 consecutive months prior to the student's initial enrollment in

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185 an institution of higher education. No single piece of evidence
186 shall be conclusive.

187 (b) Each institution of higher learning shall:

188 1. Determine whether an applicant who has been granted
189 admission to that institution is a dependent child.

190 2. Affirmatively determine that an applicant who has been
191 granted admission to that institution as a Florida resident
192 meets the residency requirements of this section at the time of
193 initial enrollment.

194 (4) With respect to a dependent child, the legal residence
195 of such individual's parent or parents is prima facie evidence
196 of the individual's legal residence, which evidence may be
197 reinforced or rebutted, relative to the age and general
198 circumstances of the individual, by the other evidence of legal
199 residence required of or presented by the individual. However,
200 the legal residence of an individual whose parent or parents are
201 domiciled outside this state is not prima facie evidence of the
202 individual's legal residence if that individual has lived in
203 this state for 5 consecutive years prior to enrolling or
204 reregistering at the institution of higher education at which
205 resident status for tuition purposes is sought.

206 (5) In making a domiciliary determination related to the
207 classification of a person as a resident or nonresident for
208 tuition purposes, the domicile of a married person, irrespective
209 of sex, shall be determined, as in the case of an unmarried
210 person, by reference to all relevant evidence of domiciliary
211 intent. For the purposes of this section:

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212 (a) A person shall not be precluded from establishing or
213 maintaining legal residence in this state and subsequently
214 qualifying or continuing to qualify as a resident for tuition
215 purposes solely by reason of marriage to a person domiciled
216 outside this state, even when that person's spouse continues to
217 be domiciled outside of this state, provided such person
218 maintains his or her legal residence in this state.

219 (b) A person shall not be deemed to have established or
220 maintained a legal residence in this state and subsequently to
221 have qualified or continued to qualify as a resident for tuition
222 purposes solely by reason of marriage to a person domiciled in
223 this state.

224 (c) In determining the domicile of a married person,
225 irrespective of sex, the fact of the marriage and the place of
226 domicile of such person's spouse shall be deemed relevant
227 evidence to be considered in ascertaining domiciliary intent.

228 (6) Any nonresident person, irrespective of sex, who
229 marries a legal resident of this state or marries a person who
230 later becomes a legal resident may, upon becoming a legal
231 resident of this state, accede to the benefit of the spouse's
232 immediately precedent duration as a legal resident for purposes
233 of satisfying the 12-month durational requirement of this
234 section.

235 (7) A person shall not lose his or her resident status for
236 tuition purposes solely by reason of serving, or, if such person
237 is a dependent child, by reason of his or her parent's or
238 parents' serving, in the Armed Forces outside this state.

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239 (8) A person who has been properly classified as a
240 resident for tuition purposes but who, while enrolled in an
241 institution of higher education in this state, loses his or her
242 resident tuition status because the person or, if he or she is a
243 dependent child, the person's parent or parents establish
244 domicile or legal residence elsewhere shall continue to enjoy
245 the in-state tuition rate for a statutory grace period, which
246 period shall be measured from the date on which the
247 circumstances arose that culminated in the loss of resident
248 tuition status and shall continue for 12 months. However, if the
249 12-month grace period ends during a semester or academic term
250 for which such former resident is enrolled, such grace period
251 shall be extended to the end of that semester or academic term.

252 (9) Any person who ceases to be enrolled at or who
253 graduates from an institution of higher education while
254 classified as a resident for tuition purposes and who
255 subsequently abandons his or her domicile in this state shall be
256 permitted to reenroll at an institution of higher education in
257 this state as a resident for tuition purposes without the
258 necessity of meeting the 12-month durational requirement of this
259 section if that person has reestablished his or her domicile in
260 this state within 12 months of such abandonment and continuously
261 maintains the reestablished domicile during the period of
262 enrollment. The benefit of this subsection shall not be accorded
263 more than once to any one person.

264 (10) The following persons shall be classified as
265 residents for tuition purposes:

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266 (a) Active duty members of the Armed Services of the
267 United States residing or stationed in this state, their
268 spouses, and dependent children, and active members of the
269 Florida National Guard who qualify under s. 250.10(7) and (8)
270 for the tuition assistance program.

271 (b) Active duty members of the Armed Services of the
272 United States and their spouses and dependents attending a
273 public community college or state university within 50 miles of
274 the military establishment where they are stationed, if such
275 military establishment is within a county contiguous to Florida.

276 (c) United States citizens living on the Isthmus of
277 Panama, who have completed 12 consecutive months of college work
278 at the Florida State University Panama Canal Branch, and their
279 spouses and dependent children.

280 (d) Full-time instructional and administrative personnel
281 employed by state public schools, community colleges, and
282 institutions of higher education, as defined in s. 1000.04, and
283 their spouses and dependent children.

284 (e) Students from Latin America and the Caribbean who
285 receive scholarships from the federal or state government. Any
286 student classified pursuant to this paragraph shall attend, on a
287 full-time basis, a Florida institution of higher education.

288 (f) Southern Regional Education Board's Academic Common
289 Market graduate students attending Florida's state universities.

290 (g) Full-time employees of state agencies or political
291 subdivisions of the state when the student fees are paid by the
292 state agency or political subdivision for the purpose of job-
293 related law enforcement or corrections training.

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294 (h) McKnight Doctoral Fellows and Finalists who are United
295 States citizens.

296 (i) United States citizens living outside the United
297 States who are teaching at a Department of Defense Dependent
298 School or in an American International School and who enroll in
299 a graduate level education program which leads to a Florida
300 teaching certificate.

301 (j) Active duty members of the Canadian military residing
302 or stationed in this state under the North American Air Defense
303 (NORAD) agreement, and their spouses and dependent children,
304 attending a community college or state university within 50
305 miles of the military establishment where they are stationed.

306 (k) Active duty members of a foreign nation's military who
307 are serving as liaison officers and are residing or stationed in
308 this state, and their spouses and dependent children, attending
309 a community college or state university within 50 miles of the
310 military establishment where the foreign liaison officer is
311 stationed.

312 (11) The State Board of Education and the Board of
313 Governors shall adopt rules to implement this section.

314 Section 5. Subsections (4) and (16) of section 1009.24,
315 Florida Statutes, as amended by chapter 2007-329, Laws of
316 Florida, are amended to read:

317 1009.24 State university student fees.--

318 (4)(a)1. Effective January 1, 2008, ~~the resident~~
319 undergraduate tuition ~~for lower level and upper level coursework~~
320 shall be \$77.39 per credit hour.

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321 ~~2.(b)~~ Beginning with the 2008-2009 fiscal year and each
322 year thereafter, the ~~resident~~ undergraduate tuition per credit
323 hour shall increase at the beginning of each fall semester at a
324 rate equal to inflation, unless otherwise provided in the
325 General Appropriations Act. The Office of Economic and
326 Demographic Research shall report the rate of inflation to the
327 President of the Senate, the Speaker of the House of
328 Representatives, the Governor, and the Board of Governors each
329 year prior to March 1. For purposes of this subparagraph
330 ~~paragraph~~, the rate of inflation shall be defined as the rate of
331 the 12-month percentage change in the Consumer Price Index for
332 All Urban Consumers, U.S. City Average, All Items, or successor
333 reports as reported by the United States Department of Labor,
334 Bureau of Labor Statistics, or its successor for December of the
335 previous year. In the event the percentage change is negative,
336 the ~~resident~~ undergraduate tuition shall remain at the same
337 level as the prior fiscal year.

338 3. The Board of Governors, or the board's designee, may
339 establish the out-of-state fee for undergraduate courses. The
340 sum of the undergraduate tuition and the out-of-state fee
341 assessed to nonresident students for undergraduate courses must
342 be sufficient to offset the full instructional cost of serving
343 such students. However, adjustments to the out-of-state fee
344 pursuant to this subparagraph may not exceed 10 percent in any
345 year.

346 ~~(b)(e)~~ The Board of Governors, or the board's designee,
347 may establish ~~tuition for graduate tuition and professional~~
348 ~~programs~~, and the out-of-state fee fees for graduate-level

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349 courses ~~all programs~~. The sum of graduate tuition and the out-
350 of-state fee fees assessed to nonresident students for graduate-
351 level courses must be sufficient to offset the full
352 instructional cost of serving such students. However,
353 adjustments to the out-of-state fee fees or graduate tuition ~~for~~
354 ~~graduate and professional programs~~ pursuant to this paragraph
355 ~~section~~ may not exceed 10 percent in any year.

356 (c) Each university board of trustees may establish
357 tuition and the out-of-state fee for each professional program
358 offered by the university. The sum of tuition and the out-of-
359 state fee assessed to nonresident students in professional
360 programs must be sufficient to offset the full instructional
361 cost of serving such students. Adjustments to tuition or the
362 out-of-state fee for any student who was enrolled in a
363 professional program prior to the Fall 2008 term and maintains
364 continuous enrollment in good academic standing in such program
365 as determined by the university may not exceed 10 percent in any
366 year.

367 (d) The sum of the activity and service, health, and
368 athletic fees a student is required to pay to register for a
369 course shall not exceed 40 percent of the tuition established in
370 law or in the General Appropriations Act. No university shall be
371 required to lower any fee in effect on the effective date of
372 this act in order to comply with this paragraph ~~subsection~~.
373 Within the 40 percent cap, universities may not increase the
374 aggregate sum of activity and service, health, and athletic fees
375 more than 5 percent per year unless specifically authorized in
376 law or in the General Appropriations Act. A university may

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377 increase its athletic fee to defray the costs associated with
378 changing National Collegiate Athletic Association divisions. Any
379 such increase in the athletic fee may exceed both the 40 percent
380 cap and the 5 percent cap imposed by this paragraph ~~subsection~~.
381 Any such increase must be approved by the athletic fee committee
382 in the process outlined in subsection (12) and cannot exceed \$2
383 per credit hour. Notwithstanding the provisions of ss. 1009.534,
384 1009.535, and 1009.536, that portion of any increase in an
385 athletic fee pursuant to this paragraph ~~subsection~~ that causes
386 the sum of the activity and service, health, and athletic fees
387 to exceed the 40 percent cap or the annual increase in such fees
388 to exceed the 5 percent cap shall not be included in calculating
389 the amount a student receives for a Florida Academic Scholars
390 award, a Florida Medallion Scholars award, or a Florida Gold
391 Seal Vocational Scholars award.

392 (e) This subsection does not prohibit a university from
393 increasing or assessing optional fees related to specific
394 activities if payment of such fees is not required as a part of
395 registration for courses.

396 (16) The Board of Governors may establish a uniform
397 maximum undergraduate tuition differential that does not exceed
398 40 percent of tuition for all universities that meet the
399 criteria for Funding Level 1 under s. 1004.635(3), and may
400 establish a uniform maximum undergraduate tuition differential
401 that does not exceed 30 percent of tuition for all universities
402 that have total research and development expenditures for all
403 fields of at least \$100 million per year as reported annually to
404 the National Science Foundation ~~meet the criteria for Funding~~

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405 ~~Level 2 under s. 1004.635(3)~~. Once these criteria have been met
406 and the differential established by the Board of Governors, the
407 board of trustees of a qualified university may maintain the
408 differential unless otherwise directed by the Board of
409 Governors. However, the board shall ensure that the maximum
410 tuition differential it establishes for universities meeting the
411 Funding Level 1 criteria is at least 30 percent greater than the
412 maximum tuition differential the board establishes for
413 universities that meet the required Funding Level 2 criteria for
414 research and development expenditures. The tuition differential
415 is subject to the following conditions:

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

419 (b) The tuition differential may not be calculated as a
420 part of the scholarship programs established in ss. 1009.53-
421 1009.537.

422 (c) Beneficiaries having prepaid tuition contracts
423 pursuant to s. 1009.98(2)(b) which were in effect on July 1,
424 2007, and which remain in effect, are exempt from the payment of
425 the tuition differential.

426 (d) The tuition differential may not be charged to any
427 student who was in attendance at the university before July 1,
428 2008 ~~2007~~, and who maintains continuous enrollment.

429 (e) The tuition differential may be waived by the
430 university for students who meet the eligibility requirements
431 for the Florida public student assistance grant established in
432 s. 1009.50.

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433 (f) A university board of trustees that has been
434 authorized by the Board of Governors to establish a tuition
435 differential pursuant to this subsection may establish the
436 tuition differential at a rate lower than the maximum tuition
437 differential established by the board, but may not exceed the
438 maximum tuition differential established by the board.

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

442 (h) Information relating to the annual receipt and
443 expenditure of the proceeds from the assessment of the tuition
444 differential shall be reported by the university in accordance
445 with guidelines established by the Board of Governors.

446 Section 6. Subsection (1) of section 1009.265, Florida
447 Statutes, is amended to read:

448 1009.265 State employee fee waivers.--

449 (1) As a benefit to the employer and employees of the
450 state, ~~subject to approval by an employee's agency head or the~~
451 ~~equivalent~~, each state university and community college shall
452 waive tuition and fees for state employees to enroll for up to 6
453 credit hours of courses, including distance learning or online
454 courses, per term on a space-available basis. The employee must
455 have the approval of his or her supervisor to use the waiver to
456 take a course or courses during normal work hours. For purposes
457 of implementing this section, the space available in a course is
458 to be determined based on the number of seats or capacity
459 remaining in the course at the end of the drop-add period. State
460 employee fee waivers may not be used for dissertation, thesis,

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461 directed individual study (DIS), or other one-to-one
462 instruction.

463 Section 7. Paragraph (b) of subsection (2) of section
464 1009.98, Florida Statutes, is amended to read:

465 1009.98 Stanley G. Tate Florida Prepaid College Program.--

466 (2) PREPAID COLLEGE PLANS.--At a minimum, the board shall
467 make advance payment contracts available for two independent
468 plans to be known as the community college plan and the
469 university plan. The board may also make advance payment
470 contracts available for a dormitory residence plan. The board
471 may restrict the number of participants in the community college
472 plan, university plan, and dormitory residence plan,
473 respectively. However, any person denied participation solely on
474 the basis of such restriction shall be granted priority for
475 participation during the succeeding year.

476 (b)1. Through the university plan, the advance payment
477 contract shall provide prepaid registration fees for a specified
478 number of undergraduate semester credit hours not to exceed the
479 average number of hours required for the conference of a
480 baccalaureate degree. Qualified beneficiaries shall bear the
481 cost of any laboratory fees associated with enrollment in
482 specific courses. Each qualified beneficiary shall be classified
483 as a resident for tuition purposes pursuant to s. 1009.21,
484 regardless of his or her actual legal residence.

485 2. Effective July 1, 1998, the board may provide advance
486 payment contracts for additional fees delineated in s.
487 1009.24 (9) - (12) ~~(8) - (11)~~, for a specified number of undergraduate
488 semester credit hours not to exceed the average number of hours
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489 required for the conference of a baccalaureate degree, in
490 conjunction with advance payment contracts for registration
491 fees. Such contracts shall provide prepaid coverage for the sum
492 of such fees, to a maximum of 45 percent of the cost of
493 registration fees. University plan contracts purchased prior to
494 July 1, 1998, shall be limited to the payment of registration
495 fees as defined in s. 1009.97.

496 3. Effective July 1, 2007, the board may provide advance
497 payment contracts for the tuition differential authorized in s.
498 1009.24(16)~~(15)~~ for a specified number of undergraduate semester
499 credit hours, which may not exceed the average number of hours
500 required for the conference of a baccalaureate degree, in
501 conjunction with advance payment contracts for registration
502 fees.

503 Section 8. Subsection (5) of section 1011.48, Florida
504 Statutes, is amended to read:

505 1011.48 Establishment of educational research centers for
506 child development.--

507 (5) Each educational research center for child development
508 shall be funded by a portion of the Capital Improvement Trust
509 Fund fee established by the Board of Governors pursuant to s.
510 1009.24(8)~~(7)~~. Each university that establishes a center shall
511 receive a portion of such fees collected from the students
512 enrolled at that university, usable only at that university,
513 equal to 22.5 cents per student per credit hour taken per term,
514 based on the summer term and fall and spring semesters. This
515 allocation shall be used by the university only for the
516 establishment and operation of a center as provided by this
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517 section and rules adopted hereunder. Said allocation may be made
518 only after all bond obligations required to be paid from such
519 fees have been met.

520 Section 9. Section 196.192, Florida Statutes, is amended
521 to read:

522 196.192 Exemptions from ad valorem taxation.--Subject to
523 the provisions of this chapter:

524 (1) All property owned by an exempt entity, including
525 educational institutions, and used exclusively for exempt
526 purposes shall be totally exempt from ad valorem taxation.

527 (2) All property owned by an exempt entity, including
528 educational institutions, and used predominantly for exempt
529 purposes shall be exempted from ad valorem taxation to the
530 extent of the ratio that such predominant use bears to the
531 nonexempt use.

532 (3) All tangible personal property loaned or leased by a
533 natural person, by a trust holding property for a natural
534 person, or by an exempt entity to an exempt entity for public
535 display or exhibition on a recurrent schedule is exempt from ad
536 valorem taxation if the property is loaned or leased for no
537 consideration or for nominal consideration.

538
539 For purposes of this section, each use to which the property is
540 being put must be considered in granting an exemption from ad
541 valorem taxation, including any economic use in addition to any
542 physical use. For purposes of this section, property owned by a
543 limited liability company, the sole member of which is an exempt
544 entity, shall be treated as if the property were owned directly

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545 by the exempt entity. This section does not apply in determining
546 the exemption for property owned by governmental units pursuant
547 to s. 196.199.

548 Section 10. This act shall take effect July 1, 2008.
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552 **T I T L E A M E N D M E N T**

553 Remove lines 78-89 and insert:

554 A bill to be entitled

555 An act relating to postsecondary education; amending s.
556 1005.32, F.S.; revising requirements for application for
557 licensure by accreditation by an independent postsecondary
558 educational institution; amending s. 1007.24, F.S.;
559 revising provisions regarding determination of equivalency
560 of courses; amending s. 1009.01, F.S.; providing
561 definitions relating to postsecondary education; amending
562 s. 1009.21, F.S.; providing that determination of resident
563 status applies to eligibility for state financial aid
564 awards and tuition assistance grants; revising
565 definitions; revising provisions relating to qualification
566 as a resident for tuition purposes; providing for
567 reclassification of status; providing duties of
568 institutions of higher education; amending s. 1009.24,
569 F.S.; revising provisions relating to state university
570 student fees; providing for the establishment of tuition
571 and fees at the undergraduate and graduate levels and for
572 professional programs; revising provisions relating to

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HOUSE AMENDMENT
Bill No. CS/CS/HB 745

Amendment No.

573 establishment and conditions of the undergraduate tuition
574 differential; amending s. 1009.265, F.S.; revising
575 conditions for the use of state employee fee waivers;
576 amending ss. 1009.98 and 1011.48, F.S.; correcting cross-
577 references; amending s. 196.192, F.S.; specifying
578 educational institutions as exempt entities for purposes
579 of exemptions from ad valorem taxation for property owned
580 by exempt entities; providing an effective date.