

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 2008 ~~2007~~, and which remain in effect, are exempt from the  
425 payment of 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 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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**T I T L E A M E N D M E N T**

552

Remove lines 78-89 and insert:

553

A bill to be entitled

554

An act relating to postsecondary education; amending s. 1005.32,

555

F.S.; revising requirements for application for licensure by

556

accreditation by an independent postsecondary educational

557

institution; amending s. 1007.24, F.S.; revising provisions

558

regarding determination of equivalency of courses; amending s.

559

1009.01, F.S.; providing definitions relating to postsecondary

560

education; amending s. 1009.21, F.S.; providing that

561

determination of resident status applies to eligibility for

562

state financial aid awards and tuition assistance grants;

563

revising definitions; revising provisions relating to

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qualification as a resident for tuition purposes; providing for

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reclassification of status; providing duties of institutions of

566

higher education; amending s. 1009.24, F.S.; revising provisions

567

relating to state university student fees; providing for the

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establishment of tuition and fees at the undergraduate and

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graduate levels and for professional programs; revising

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provisions relating to establishment and conditions of the

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undergraduate tuition differential; amending s. 1009.265, F.S.;

572

revising conditions for the use of state employee fee waivers;

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HOUSE AMENDMENT  
Bill No. CS/CS/HB 745

Amendment No.

573 amending ss. 1009.98 and 1011.48, F.S.; correcting cross-  
574 references; amending s. 196.192, F.S.; specifying educational  
575 institutions as exempt entities for purposes of exemptions from  
576 ad valorem taxation for property owned by exempt entities;  
577 providing an effective date.