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CS/CS/HB 723, Engrossed 1

2010 Legislature

1 A bill to be entitled
2 An act relating to postsecondary education; amending s.
3 1009.26, F.S.; authorizing state universities and
4 community colleges to waive tuition and fees for certain
5 public school classroom teachers for undergraduate courses
6 approved by the Department of Education; requiring State
7 Board of Education rulemaking; amending s. 1004.26, F.S.;
8 prohibiting a cause of action against a state university
9 for the actions or decisions of a state university student
10 government; amending s. 501.0117, F.S.; providing that a
11 convenience fee imposed on a student or family making
12 payment by credit card to certain postsecondary
13 institutions is not considered a surcharge for purposes of
14 certain restrictions; amending s. 1009.23, F.S.;
15 authorizing a community college to assess a convenience
16 fee for the processing of automated or online credit card
17 payments; providing a restriction on the amount of the
18 convenience fee and requiring approval by the community
19 college board of trustees; providing an effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

22
23 Section 1. Subsection (10) is added to section 1009.26,
24 Florida Statutes, to read:

25 1009.26 Fee waivers.—

26 (10) A state university or community college may waive
27 tuition and fees for a classroom teacher, as defined in s.
28 1012.01(2)(a), who is employed full-time by a school district

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29 and who meets the academic requirements established by the
30 community college or state university for up to 6 credit hours
31 per term on a space-available basis in undergraduate courses
32 approved by the Department of Education. Such courses shall be
33 limited to undergraduate courses related to special education,
34 mathematics, or science. The waiver may not be used for courses
35 scheduled during the school district's regular school day. The
36 State Board of Education shall adopt a rule that prescribes the
37 process for the approval of courses by the department.

38 Section 2. Subsection (5) is added to section 1004.26,
39 Florida Statutes, to read:

40 1004.26 University student governments.—

41 (5) There shall be no cause of action against a state
42 university for the actions or decisions of the student
43 government of that state university unless the action or
44 decision is made final by the state university and constitutes a
45 violation of state or federal law.

46 Section 3. Subsection (1) of section 501.0117, Florida
47 Statutes, is amended to read:

48 501.0117 Credit cards; transactions in which seller or
49 lessor prohibited from imposing surcharge; penalty.—

50 (1) A seller or lessor in a sales or lease transaction may
51 not impose a surcharge on the buyer or lessee for electing to
52 use a credit card in lieu of payment by cash, check, or similar
53 means, if the seller or lessor accepts payment by credit card. A
54 surcharge is any additional amount imposed at the time of a sale
55 or lease transaction by the seller or lessor that increases the
56 charge to the buyer or lessee for the privilege of using a

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57 credit card to make payment. Charges imposed pursuant to
58 approved state or federal tariffs are not considered to be a
59 surcharge, and charges made under such tariffs are exempt from
60 this section. A convenience fee imposed upon a student or family
61 paying tuition, fees, or other student account charges by credit
62 card to a William L. Boyd, IV, Florida resident access grant
63 eligible institution, as defined in s. 1009.89, is not
64 considered to be a surcharge and is exempt from this section if
65 the amount of the convenience fee does not exceed the total cost
66 charged by the credit card company to the institution. The term
67 "credit card" includes those cards for which unpaid balances are
68 payable on demand. This section does not apply to the offering
69 of a discount for the purpose of inducing payment by cash,
70 check, or other means not involving the use of a credit card, if
71 the discount is offered to all prospective customers.

72 Section 4. Subsection (15) of section 1009.23, Florida
73 Statutes, is amended to read:

74 1009.23 Community college student fees.—

75 (15) Each community college may assess a service charge
76 for the payment of tuition and fees in installments and a
77 convenience fee for the processing of automated or online credit
78 card payments. However, the amount of the convenience fee may
79 not exceed the total cost charged by the credit card company to
80 the community college. Such service charge or convenience fee
81 must be approved by the community college board of trustees.

82 Section 5. This act shall take effect July 1, 2010.