

By the Committee on Higher Education; and Senator Constantine

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1 A bill to be entitled
2 An act relating to state universities; amending s.
3 1009.24, F.S.; authorizing university boards of
4 trustees to establish a renewable energy fee under
5 certain circumstances; providing that the fee not
6 exceed a specified amount; limiting the use of such
7 fee; establishing a renewable energy fee committee;
8 providing for membership; providing terms; providing
9 for a referendum on continuing or discontinuing the
10 fee; authorizing the university to reestablish the
11 fee; amending ss. 1009.01 and 1009.98, F.S.;
12 conforming cross-references; providing an effective
13 date.

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

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17 Section 1. Present subsections (14) through (18) of section
18 1009.24, Florida Statutes, are redesignated as subsections (15)
19 through (19), respectively, and a new subsection (14) is added
20 to that section, to read:

21 1009.24 State university student fees.—

22 (14) (a) Each university board of trustees may establish a
23 renewable energy fee to be paid by all students if the fee is
24 approved by the student body of the university that seeks to
25 establish the fee. In order to establish the fee, a referendum
26 of the university's student body must be requested by the
27 student legislative body and conducted by the student
28 government. The referendum must include the proposed amount of
29 the fee and an explanation of its purpose. A university's board

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30 of trustees may not establish the fee without the approval of a
31 majority of the students participating in the referendum.

32 (b) A renewable energy fee established under this
33 subsection may not exceed \$1 per credit hour during its first
34 year of implementation. The initial amount of the fee must be in
35 accordance with the referendum described in paragraph (a) and
36 may be changed only if approved by a referendum of the student
37 body. The fee may not be included in any award under s. 1009.53
38 or s. 1009.531.

39 (c) The renewable energy fee shall be expended only for
40 establishing or improving the use of renewable energy
41 technologies or energy efficiencies that directly lower the
42 university's greenhouse gas emissions, waste, or energy costs. A
43 renewable energy fee committee shall be established and shall
44 vote to determine how the revenue from the fee is spent. The
45 committee shall consist of no more than 12 members, to be
46 appointed as follows:

47 1. One-half of the members shall be appointed by the
48 university's student body president and confirmed by the
49 university's student legislative body. Appointees shall be
50 confirmed within 6 months after their appointment date. However,
51 an appointee who has not been confirmed or has been rejected by
52 the legislative body shall serve for no more than 45 days, at
53 which time a replacement must be appointed.

54 2. One-half of the members shall be appointed by the
55 university president or his or her designee.

56
57 Members shall be appointed to 1-year terms and shall hold office
58 until their successors are appointed and qualified. A majority

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59 of the committee members constitutes a quorum. A chairperson,
60 who is elected by the committee, shall vote only in the case of
61 a tie. The revenue from the fee which remains at the end of a
62 fiscal year shall be carried over and made available for
63 renewable energy expenditures consistent with this paragraph
64 during the next fiscal year.

65 (d) After the renewable energy fee is implemented for 3
66 years, the university's student government shall conduct a
67 referendum to assess the student body's interest in continuing
68 the fee. If a majority of students participating in the
69 referendum votes to discontinue the fee, the fee may not be
70 collected, and any remaining revenue shall be dispensed by the
71 renewable energy fee committee within 2 fiscal years after the
72 referendum. The university may reestablish the fee as provided
73 in paragraph (a) no sooner than 1 year after the referendum
74 discontinuing the fee.

75 Section 2. Subsection (3) of section 1009.01, Florida
76 Statutes, is amended to read:

77 1009.01 Definitions.—The term:

78 (3) "Tuition differential" means the supplemental fee
79 charged to a student by a public university in this state
80 pursuant to s. 1009.24(17) ~~s. 1009.24(16)~~.

81 Section 3. Paragraph (b) of subsection (2) of section
82 1009.98, Florida Statutes, is amended to read:

83 1009.98 Stanley G. Tate Florida Prepaid College Program.—

84 (2) PREPAID COLLEGE PLANS.—At a minimum, the board shall
85 make advance payment contracts available for two independent
86 plans to be known as the community college plan and the
87 university plan. The board may also make advance payment

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88 contracts available for a dormitory residence plan. The board
89 may restrict the number of participants in the community college
90 plan, university plan, and dormitory residence plan,
91 respectively. However, any person denied participation solely on
92 the basis of such restriction shall be granted priority for
93 participation during the succeeding year.

94 (b)1. Through the university plan, the advance payment
95 contract may provide prepaid registration fees for a specified
96 number of undergraduate semester credit hours not to exceed the
97 average number of hours required for the conference of a
98 baccalaureate degree. Qualified beneficiaries shall bear the
99 cost of any laboratory fees associated with enrollment in
100 specific courses. Each qualified beneficiary shall be classified
101 as a resident for tuition purposes pursuant to s. 1009.21,
102 regardless of his or her actual legal residence.

103 2. Effective July 1, 1998, the board may provide advance
104 payment contracts for additional fees delineated in s.
105 1009.24(9)-(12), for a specified number of undergraduate
106 semester credit hours not to exceed the average number of hours
107 required for the conference of a baccalaureate degree, in
108 conjunction with advance payment contracts for registration
109 fees. Such contracts shall provide prepaid coverage for the sum
110 of such fees, to a maximum of 45 percent of the cost of
111 registration fees. University plan contracts purchased prior to
112 July 1, 1998, shall be limited to the payment of registration
113 fees as defined in s. 1009.97.

114 3. Effective July 1, 2007, the board may provide advance
115 payment contracts for the tuition differential authorized in s.
116 1009.24(17) ~~s. 1009.24(16)~~ for a specified number of

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117 undergraduate semester credit hours, which may not exceed the
118 average number of hours required for the conference of a
119 baccalaureate degree, in conjunction with advance payment
120 contracts for registration fees.

121 4. Effective July 1, 2009, the board may offer an advance
122 payment contract for the university plan covering prepaid
123 registration fees, the fees authorized in s. 1009.24(9)-(12),
124 and the tuition differential authorized in s. 1009.24(17) ~~s.~~
125 ~~1009.24(16)~~. Such a contract may be offered in specific
126 increments for use toward a baccalaureate degree. The total
127 number of hours purchased for a qualified beneficiary may not
128 exceed the average number of hours required for the conference
129 of a baccalaureate degree.

130 Section 4. This act shall take effect upon becoming a law.