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LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AD/3R	.	Floor: SEN1/C
05/01/2014 07:07 PM	.	05/02/2014 11:33 AM
	.	

Senators Latvala and Legg moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (10) of section 1009.98, Florida
Statutes, is amended to read:

1009.98 Stanley G. Tate Florida Prepaid College Program.—

(10) PAYMENTS ON BEHALF OF QUALIFIED BENEFICIARIES.—

(a) As used in this subsection, the term:

1. "Actuarial reserve" means the amount by which the
expected value of the assets exceeds ~~exceed~~ the expected value



12 of the liabilities of the trust fund.

13 2. "Dormitory fees" means the fees included under advance
14 payment contracts pursuant to paragraph (2)(d).

15 3. "Fiscal year" means the fiscal year of the state
16 pursuant to s. 215.01.

17 4. "Local fees" means the fees covered by an advance
18 payment contract provided pursuant to subparagraph (2)(b)2.

19 5. "Tuition differential" means the fee covered by advance
20 payment contracts sold pursuant to subparagraph (2)(b)3. The
21 base rate for the tuition differential fee for the 2012-2013
22 fiscal year is established at \$37.03 per credit hour. The base
23 rate for the tuition differential in subsequent years is the
24 amount assessed ~~paid by the board~~ for the tuition differential
25 for the preceding year adjusted pursuant to subparagraph (b)2.

26 (b) Effective with the 2009-2010 academic year and
27 thereafter, and notwithstanding ~~the provisions of~~ s. 1009.24,
28 the amount paid by the board to any state university on behalf
29 of a qualified beneficiary of an advance payment contract whose
30 contract was purchased before July 1, 2024 ~~2009~~, shall be:

31 1. As to registration fees, if the actuarial reserve is
32 less than 5 percent of the expected liabilities of the trust
33 fund, the board shall pay the state universities 5.5 percent
34 above the amount assessed for registration fees in the preceding
35 fiscal year. If the actuarial reserve is between 5 percent and 6
36 percent of the expected liabilities of the trust fund, the board
37 shall pay the state universities 6 percent above the amount
38 assessed for registration fees in the preceding fiscal year. If
39 the actuarial reserve is between 6 percent and 7.5 percent of
40 the expected liabilities of the trust fund, the board shall pay



41 the state universities 6.5 percent above the amount assessed for
42 registration fees in the preceding fiscal year. If the actuarial
43 reserve is equal to or greater than 7.5 percent of the expected
44 liabilities of the trust fund, the board shall pay the state
45 universities 7 percent above the amount assessed for
46 registration fees in the preceding fiscal year, whichever is
47 greater.

48 2. As to the tuition differential, if the actuarial reserve
49 is less than 5 percent of the expected liabilities of the trust
50 fund, the board shall pay the state universities 5.5 percent
51 above the base rate for the tuition differential fee in the
52 preceding fiscal year. If the actuarial reserve is between 5
53 percent and 6 percent of the expected liabilities of the trust
54 fund, the board shall pay the state universities 6 percent above
55 the base rate for the tuition differential fee in the preceding
56 fiscal year. If the actuarial reserve is between 6 percent and
57 7.5 percent of the expected liabilities of the trust fund, the
58 board shall pay the state universities 6.5 percent above the
59 base rate for the tuition differential fee in the preceding
60 fiscal year. If the actuarial reserve is equal to or greater
61 than 7.5 percent of the expected liabilities of the trust fund,
62 the board shall pay the state universities 7 percent above the
63 base rate for the tuition differential fee in the preceding
64 fiscal year.

65 3. As to local fees, the board shall pay the state
66 universities 5 percent above the amount assessed for local fees
67 in the preceding fiscal year.

68 4. As to dormitory fees, the board shall pay the state
69 universities 6 percent above the amount assessed for dormitory



70 fees in the preceding fiscal year.

71 5. Qualified beneficiaries of advance payment contracts
72 purchased before July 1, 2007, are exempt from paying any
73 tuition differential fee.

74 (c) Notwithstanding the amount assessed for registration
75 fees, the tuition differential, or local fees, the amount paid
76 by the board to any state university on behalf of a qualified
77 beneficiary of an advance payment contract purchased before July
78 1, 2024, may not exceed 100 percent of the amount charged by the
79 state university for the aggregate sum of those fees.

80 (d) Notwithstanding the amount assessed for dormitory fees,
81 the amount paid by the board to any state university on behalf
82 of a qualified beneficiary of an advance payment contract
83 purchased before July 1, 2024, may not exceed 100 percent of the
84 amount charged by the state university for dormitory fees.

85 (e) ~~(e)~~ The board shall pay state universities the actual
86 amount assessed in accordance with law for registration fees,
87 the tuition differential, local fees, and dormitory fees for
88 advance payment contracts purchased on or after July 1, 2024
89 2009.

90 (f) ~~(d)~~ The board shall annually evaluate or cause to be
91 evaluated the actuarial soundness of the trust fund.

92 Section 2. Paragraphs (c) through (g) of subsection (3) of
93 section 1009.22, Florida Statutes, are amended to read:

94 1009.22 Workforce education postsecondary student fees.—

95 (3)

96 (c) Effective July 1, 2014 ~~2011~~, for programs leading to a
97 career certificate or an applied technology diploma, the
98 standard tuition shall be \$2.33 ~~\$2.22~~ per contact hour for



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99 residents and nonresidents and the out-of-state fee shall be
100 \$6.99 ~~\$6.66~~ per contact hour. For adult general education
101 programs, a block tuition of \$45 per half year or \$30 per term
102 shall be assessed ~~for residents and nonresidents, and the out-~~
103 ~~of-state fee shall be \$135 per half year or \$90 per term.~~ Each
104 district school board and Florida College System institution
105 board of trustees shall adopt policies and procedures for the
106 collection of and accounting for the expenditure of the block
107 tuition. All funds received from the block tuition shall be used
108 only for adult general education programs. Students enrolled in
109 adult general education programs may not be assessed the fees
110 authorized in subsection (5), subsection (6), or subsection (7).

111 ~~(d) Beginning with the 2008-2009 fiscal year and each year~~
112 ~~thereafter, the tuition and the out of state fee per contact~~
113 ~~hour shall increase at the beginning of each fall semester at a~~
114 ~~rate equal to inflation, unless otherwise provided in the~~
115 ~~General Appropriations Act. The Office of Economic and~~
116 ~~Demographic Research shall report the rate of inflation to the~~
117 ~~President of the Senate, the Speaker of the House of~~
118 ~~Representatives, the Governor, and the State Board of Education~~
119 ~~each year prior to March 1. For purposes of this paragraph, the~~
120 ~~rate of inflation shall be defined as the rate of the 12-month~~
121 ~~percentage change in the Consumer Price Index for All Urban~~
122 ~~Consumers, U.S. City Average, All Items, or successor reports as~~
123 ~~reported by the United States Department of Labor, Bureau of~~
124 ~~Labor Statistics, or its successor for December of the previous~~
125 ~~year. In the event the percentage change is negative, the~~
126 ~~tuition and out-of-state fee shall remain at the same level as~~
127 ~~the prior fiscal year.~~



128 (d) ~~(e)~~ Each district school board and each Florida College
129 System institution board of trustees may adopt tuition and out-
130 of-state fees that may vary no more than 5 percent below and 5
131 percent above the combined total of the standard tuition and
132 out-of-state fees established in paragraph (c).

133 (e) ~~(f)~~ The maximum increase in resident tuition for any
134 school district or Florida College System institution during the
135 2007-2008 fiscal year shall be 5 percent over the tuition
136 charged during the 2006-2007 fiscal year.

137 (f) ~~(g)~~ The State Board of Education may adopt, by rule, the
138 definitions and procedures that district school boards and
139 Florida College System institution boards of trustees shall use
140 in the calculation of cost borne by students.

141 Section 3. Subsection (3) of section 1009.23, Florida
142 Statutes, is amended to read:

143 1009.23 Florida College System institution student fees.—

144 (3) (a) Effective July 1, 2014 ~~2011~~, for advanced and
145 professional, postsecondary vocational, developmental education,
146 and educator preparation institute programs, the standard
147 tuition shall be \$71.98 ~~\$68.56~~ per credit hour for residents and
148 nonresidents, and the out-of-state fee shall be \$215.94 ~~\$205.82~~
149 per credit hour.

150 (b) Effective July 1, 2014 ~~2011~~, for baccalaureate degree
151 programs, the following tuition and fee rates shall apply:

152 1. The tuition shall be \$91.79 ~~\$87.42~~ per credit hour for
153 students who are residents for tuition purposes.

154 2. The sum of the tuition and the out-of-state fee per
155 credit hour for students who are nonresidents for tuition
156 purposes shall be no more than 85 percent of the sum of the



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157 tuition and the out-of-state fee at the state university nearest
158 the Florida College System institution.

159 ~~(c) Beginning with the 2008-2009 fiscal year and each year~~
160 ~~thereafter, the tuition and the out-of-state fee shall increase~~
161 ~~at the beginning of each fall semester at a rate equal to~~
162 ~~inflation, unless otherwise provided in the General~~
163 ~~Appropriations Act. The Office of Economic and Demographic~~
164 ~~Research shall report the rate of inflation to the President of~~
165 ~~the Senate, the Speaker of the House of Representatives, the~~
166 ~~Governor, and the State Board of Education each year prior to~~
167 ~~March 1. For purposes of this paragraph, the rate of inflation~~
168 ~~shall be defined as the rate of the 12-month percentage change~~
169 ~~in the Consumer Price Index for All Urban Consumers, U.S. City~~
170 ~~Average, All Items, or successor reports as reported by the~~
171 ~~United States Department of Labor, Bureau of Labor Statistics,~~
172 ~~or its successor for December of the previous year. In the event~~
173 ~~the percentage change is negative, the tuition and the out-of-~~
174 ~~state fee per credit hour shall remain at the same levels as the~~
175 ~~prior fiscal year.~~

176 Section 4. Subsections (4) and (16) of section 1009.24,
177 Florida Statutes, are amended to read:

178 1009.24 State university student fees.-

179 (4) (a) Effective July 1, 2014 ~~2011~~, the resident
180 undergraduate tuition for lower-level and upper-level coursework
181 shall be \$105.07 ~~\$103.32~~ per credit hour.

182 ~~(b) Beginning with the 2008-2009 fiscal year and each year~~
183 ~~thereafter, the resident undergraduate tuition per credit hour~~
184 ~~shall increase at the beginning of each fall semester at a rate~~
185 ~~equal to inflation, unless otherwise provided in the General~~



186 ~~Appropriations Act. The Office of Economic and Demographic~~
187 ~~Research shall report the rate of inflation to the President of~~
188 ~~the Senate, the Speaker of the House of Representatives, the~~
189 ~~Governor, and the Board of Governors each year prior to March 1.~~
190 ~~For purposes of this paragraph, the rate of inflation shall be~~
191 ~~defined as the rate of the 12-month percentage change in the~~
192 ~~Consumer Price Index for All Urban Consumers, U.S. City Average,~~
193 ~~All Items, or successor reports as reported by the United States~~
194 ~~Department of Labor, Bureau of Labor Statistics, or its~~
195 ~~successor for December of the previous year. In the event the~~
196 ~~percentage change is negative, the resident undergraduate~~
197 ~~tuition shall remain at the same level as the prior fiscal year.~~

198 **(b)** ~~(e)~~ The Board of Governors, or the board's designee, may
199 establish tuition for graduate and professional programs, and
200 out-of-state fees for all programs. Except as otherwise provided
201 in this section, the sum of tuition and out-of-state fees
202 assessed to nonresident students must be sufficient to offset
203 the full instructional cost of serving such students. However,
204 adjustments to out-of-state fees or tuition for graduate
205 programs and professional programs may not exceed 15 percent in
206 any year.

207 **(c)** ~~(d)~~ The Board of Governors may consider and approve
208 flexible tuition policies as requested by a university board of
209 trustees in accordance with ~~the provisions of~~ subsection (15)
210 only to the extent such policies are in alignment with the
211 mission of the university and do not increase the state's fiscal
212 liability or obligations, including, but not limited to, any
213 fiscal liability or obligation for programs authorized under ss.
214 1009.53-1009.538 and ss. 1009.97-1009.984.



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215 ~~(e)~~ (d) The sum of the activity and service, health, and
216 athletic fees a student is required to pay to register for a
217 course may ~~shall~~ not exceed 40 percent of the tuition
218 established in law or in the General Appropriations Act. No
219 university shall be required to lower any fee in effect on the
220 effective date of this act in order to comply with this
221 subsection. Within the 40 percent cap, universities may not
222 increase the aggregate sum of activity and service, health, and
223 athletic fees more than 5 percent per year, ~~or the same~~
224 ~~percentage increase in tuition authorized under paragraph (b),~~
225 ~~whichever is greater,~~ unless specifically authorized in law or
226 in the General Appropriations Act. A university may increase its
227 athletic fee to defray the costs associated with changing
228 National Collegiate Athletic Association divisions. Any such
229 increase in the athletic fee may exceed both the 40 percent cap
230 and the 5 percent cap imposed by this subsection. Any such
231 increase must be approved by the athletic fee committee in the
232 process outlined in subsection (12) and may not ~~cannot~~ exceed \$2
233 per credit hour. Notwithstanding ~~the provisions of~~ ss. 1009.534,
234 1009.535, and 1009.536, that portion of any increase in an
235 athletic fee pursuant to this subsection which ~~that~~ causes the
236 sum of the activity and service, health, and athletic fees to
237 exceed the 40 percent cap or the annual increase in such fees to
238 exceed the 5 percent cap may ~~shall~~ not be included in
239 calculating the amount a student receives for a Florida Academic
240 Scholars award, a Florida Medallion Scholars award, or a Florida
241 Gold Seal Vocational Scholars award. Notwithstanding this
242 paragraph and subject to approval by the board of trustees, each
243 state university may ~~is authorized to~~ exceed the 5-percent cap



244 on the annual increase to the aggregate sum of activity and
245 service, health, and athletic fees for the 2010-2011 fiscal
246 year. Any such increase may ~~shall~~ not exceed 15 percent or the
247 amount required to reach the 2009-2010 fiscal year statewide
248 average for the aggregate sum of activity and service, health,
249 and athletic fees at the main campuses, whichever is greater.
250 The aggregate sum of the activity and service, health, and
251 athletic fees may ~~shall~~ not exceed 40 percent of tuition. Any
252 increase in the activity and service fee, health fee, or
253 athletic fee must be approved by the appropriate fee committee
254 pursuant to subsection (10), subsection (11), or subsection
255 (12).

256 (e) ~~(f)~~ This subsection does not prohibit a university from
257 increasing or assessing optional fees related to specific
258 activities if payment of such fees is not required as a part of
259 registration for courses.

260 (16) Each university board of trustees may establish a
261 tuition differential for undergraduate courses upon receipt of
262 approval from the Board of Governors. However, beginning July 1,
263 2014, the Board of Governors may only approve the establishment
264 of or an increase in tuition differential for a state research
265 university designated as a preeminent state research university
266 pursuant to s. 1001.7065(3). The tuition differential shall
267 promote improvements in the quality of undergraduate education
268 and shall provide financial aid to undergraduate students who
269 exhibit financial need.

270 (a) Seventy percent of the revenues from the tuition
271 differential shall be expended for purposes of undergraduate
272 education. Such expenditures may include, but are not limited



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273 to, increasing course offerings, improving graduation rates,
274 increasing the percentage of undergraduate students who are
275 taught by faculty, decreasing student-faculty ratios, providing
276 salary increases for faculty who have a history of excellent
277 teaching in undergraduate courses, improving the efficiency of
278 the delivery of undergraduate education through academic
279 advisement and counseling, and reducing the percentage of
280 students who graduate with excess hours. This expenditure for
281 undergraduate education may not be used to pay the salaries of
282 graduate teaching assistants. Except as otherwise provided in
283 this subsection, the remaining 30 percent of the revenues from
284 the tuition differential, or the equivalent amount of revenue
285 from private sources, shall be expended to provide financial aid
286 to undergraduate students who exhibit financial need, including
287 students who are scholarship recipients under s. 1009.984, to
288 meet the cost of university attendance. This expenditure for
289 need-based financial aid shall not supplant the amount of need-
290 based aid provided to undergraduate students in the preceding
291 fiscal year from financial aid fee revenues, the direct
292 appropriation for financial assistance provided to state
293 universities in the General Appropriations Act, or from private
294 sources. The total amount of tuition differential waived under
295 subparagraph (b)8. may be included in calculating the
296 expenditures for need-based financial aid to undergraduate
297 students required by this subsection. If the entire tuition and
298 fee costs of resident students who have applied for and received
299 Pell Grant funds have been met and the university has excess
300 funds remaining from the 30 percent of the revenues from the
301 tuition differential required to be used to assist students who



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302 exhibit financial need, the university may expend the excess
303 portion in the same manner as required for the other 70 percent
304 of the tuition differential revenues.

305 (b) Each tuition differential is subject to the following
306 conditions:

307 1. The tuition differential may be assessed on one or more
308 undergraduate courses or on all undergraduate courses at a state
309 university.

310 2. The tuition differential may vary by course or courses,
311 by campus or center location, and by institution. Each
312 university board of trustees shall strive to maintain and
313 increase enrollment in degree programs related to math, science,
314 high technology, and other state or regional high-need fields
315 when establishing tuition differentials by course.

316 3. For each state university that is designated as a
317 preeminent state research university by the Board of Governors,
318 pursuant to s. 1001.7065 ~~has total research and development~~
319 ~~expenditures for all fields of at least \$100 million per year as~~
320 ~~reported annually to the National Science Foundation,~~ the
321 aggregate sum of tuition and the tuition differential may ~~not~~ be
322 increased by no more than 6 ~~15~~ percent of the total charged for
323 the aggregate sum of these fees in the preceding fiscal year.
324 The tuition differential may be increased if the university
325 meets or exceeds performance standard targets for that
326 university established annually by the Board of Governors for
327 the following performance standards, amounting to no more than a
328 2-percent increase in the tuition differential for each
329 performance standard:

330 a. An increase in the 6-year graduation rate for full-time,



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331 first-time-in-college students, as reported annually to the
332 Integrated Postsecondary Education Data System.

333 b. An increase in the total annual research expenditures.

334 c. An increase in the total patents awarded by the United
335 States Patent and Trademark Office for the most recent years.

336 ~~For each state university that has total research and~~
337 ~~development expenditures for all fields of less than \$100~~
338 ~~million per year as reported annually to the National Science~~
339 ~~Foundation, the aggregate sum of tuition and the tuition~~
340 ~~differential may not be increased by more than 15 percent of the~~
341 ~~total charged for the aggregate sum of these fees in the~~
342 ~~preceding fiscal year.~~

343 4. The aggregate sum of undergraduate tuition and fees per
344 credit hour, including the tuition differential, may not exceed
345 the national average of undergraduate tuition and fees at 4-year
346 degree-granting public postsecondary educational institutions.

347 5. The tuition differential shall not be included in any
348 award under the Florida Bright Futures Scholarship Program
349 established pursuant to ss. 1009.53-1009.538.

350 6. Beneficiaries having prepaid tuition contracts pursuant
351 to s. 1009.98(2)(b) which were in effect on July 1, 2007, and
352 which remain in effect, are exempt from the payment of the
353 tuition differential.

354 7. The tuition differential may not be charged to any
355 student who was in attendance at the university before July 1,
356 2007, and who maintains continuous enrollment.

357 8. The tuition differential may be waived by the university
358 for students who meet the eligibility requirements for the
359 Florida public student assistance grant established in s.



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360 1009.50.

361 9. Subject to approval by the Board of Governors, the
362 tuition differential authorized pursuant to this subsection may
363 take effect with the 2009 fall term.

364 (c) A university board of trustees may submit a proposal to
365 the Board of Governors to implement a tuition differential for
366 one or more undergraduate courses. At a minimum, the proposal
367 shall:

368 1. Identify the course or courses for which the tuition
369 differential will be assessed.

370 2. Indicate the amount that will be assessed for each
371 tuition differential proposed.

372 3. Indicate the purpose of the tuition differential.

373 4. Indicate how the revenues from the tuition differential
374 will be used.

375 5. Indicate how the university will monitor the success of
376 the tuition differential in achieving the purpose for which the
377 tuition differential is being assessed.

378 (d) The Board of Governors shall review each proposal and
379 advise the university board of trustees of approval of the
380 proposal, the need for additional information or revision to the
381 proposal, or denial of the proposal. The Board of Governors
382 shall establish a process for any university to revise a
383 proposal or appeal a decision of the board.

384 (e) The Board of Governors shall submit a report to the
385 President of the Senate, the Speaker of the House of
386 Representatives, and the Governor describing the implementation
387 of the provisions of this subsection no later than February 1 of
388 each year. The report shall summarize proposals received by the



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389 board during the preceding fiscal year and actions taken by the
390 board in response to such proposals. In addition, the report
391 shall provide the following information for each university that
392 has been approved by the board to assess a tuition differential:

393 1. The course or courses for which the tuition differential
394 was assessed and the amount assessed.

395 2. The total revenues generated by the tuition
396 differential.

397 3. With respect to waivers authorized under subparagraph
398 (b)8., the number of students eligible for a waiver, the number
399 of students receiving a waiver, and the value of waivers
400 provided.

401 4. Detailed expenditures of the revenues generated by the
402 tuition differential.

403 5. Changes in retention rates, graduation rates, the
404 percentage of students graduating with more than 110 percent of
405 the hours required for graduation, pass rates on licensure
406 examinations, the number of undergraduate course offerings, the
407 percentage of undergraduate students who are taught by faculty,
408 student-faculty ratios, and the average salaries of faculty who
409 teach undergraduate courses.

410 (f) No state university shall be required to lower any
411 tuition differential that was approved by the Board of Governors
412 and in effect prior to January 1, 2009, in order to comply with
413 the provisions of this subsection.

414 Section 5. Subsection (8) of section 1009.26, Florida
415 Statutes, is amended, and subsection (12) is added to that
416 section, to read:

417 1009.26 Fee waivers.—



418 (8) A state university, a ~~or~~ Florida College System
419 institution, a career center operated by a school district under
420 s. 1001.44, or a charter technical career center shall waive
421 tuition for undergraduate college credit programs and career
422 certificate programs ~~tuition~~ for each recipient of a Purple
423 Heart or another combat decoration superior in precedence who:

424 (a) Is enrolled as a full-time, part-time, or summer-school
425 student in a ~~an undergraduate~~ program that terminates in an
426 associate or a baccalaureate degree, a college credit ~~or~~
427 certificate, or a career certificate;

428 (b) Is currently, and was at the time of the military
429 action that resulted in the awarding of the Purple Heart or
430 other combat decoration superior in precedence, a resident of
431 this state; and

432 (c) Submits to the state university, ~~or~~ the Florida College
433 System institution, the career center operated by a school
434 district under s. 1001.44, or the charter technical career
435 center the DD-214 form issued at the time of separation from
436 service as documentation that the student has received a Purple
437 Heart or another combat decoration superior in precedence. If
438 the DD-214 is not available, other documentation may be
439 acceptable if recognized by the United States Department of
440 Defense or the United States Department of Veterans Affairs as
441 documenting the award.

442
443 Such a waiver for a Purple Heart recipient or recipient of
444 another combat decoration superior in precedence shall be
445 applicable for 110 percent of the number of required credit
446 hours of the degree or certificate program for which the student



447 is enrolled.

448 (12) (a) A state university, a Florida College System
449 institution, a career center operated by a school district under
450 s. 1001.44, or a charter technical career center shall waive
451 out-of-state fees for students, including, but not limited to,
452 students who are undocumented for federal immigration purposes,
453 who meet the following conditions:

454 1. Attended a secondary school in this state for 3
455 consecutive years immediately before graduating from a high
456 school in this state;

457 2. Apply for enrollment in an institution of higher
458 education within 24 months after high school graduation; and

459 3. Submit an official Florida high school transcript as
460 evidence of attendance and graduation.

461 (b) Tuition and fees charged to a student who qualifies for
462 the out-of-state fee waiver under this subsection may not exceed
463 the tuition and fees charged to a resident student. The waiver
464 is applicable for 110 percent of the required credit hours of
465 the degree or certificate program for which the student is
466 enrolled. Each state university, Florida College System
467 institution, career center operated by a school district under
468 s. 1001.44, and charter technical career center shall report to
469 the Board of Governors and the State Board of Education,
470 respectively, the number and value of all fee waivers granted
471 annually under this subsection. By October 1 of each year, the
472 Board of Governors for the state universities and the State
473 Board of Education for Florida College System institutions,
474 career centers operated by a school district under s. 1001.44,
475 and charter technical career centers shall annually report for



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476 the previous academic year the percentage of resident and
477 nonresident students enrolled systemwide.

478 (c) A state university student granted an out-of-state fee
479 waiver under this subsection must be considered a nonresident
480 student for purposes of calculating the systemwide total
481 enrollment of nonresident students as limited by regulation of
482 the Board of Governors. In addition, a student who is granted an
483 out-of-state fee waiver under this subsection is not eligible
484 for state financial aid under part III of this chapter and must
485 not be reported as a resident for tuition purposes.

486 (d) A state university, a Florida College System
487 institution, a career center operated by a school district under
488 s. 1001.44, or a charter technical career center shall, within
489 the nonresident student enrollment systemwide, prioritize the
490 enrollment of a veteran who is granted an out-of-state fee
491 waiver pursuant to the Congressman C.W. Bill Young Tuition
492 Waiver Act over a student who is granted an out-of-state fee
493 waiver under this subsection.

494 Section 6. Paragraph (f) of subsection (1), paragraph (b)
495 of subsection (2), and subsection (5) of section 1009.21,
496 Florida Statutes, are amended, and paragraph (d) is added to
497 subsection (2) of that section, to read:

498 1009.21 Determination of resident status for tuition
499 purposes.—Students shall be classified as residents or
500 nonresidents for the purpose of assessing tuition in
501 postsecondary educational programs offered by charter technical
502 career centers or career centers operated by school districts,
503 in Florida College System institutions, and in state
504 universities.



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

506 (f) "Parent" means either or both parents of a student, any
507 guardian of a student, or any person in a parental relationship
508 to a student ~~the natural or adoptive parent or legal guardian of~~
509 ~~a dependent child.~~

510 (2)

511 (b) However, with respect to a dependent child living with
512 an adult relative other than the child's parent, such child may
513 qualify as a resident for tuition purposes if the adult relative
514 is a legal resident who has maintained legal residence in this
515 state for at least 12 consecutive months immediately before
516 ~~prior to~~ the child's initial enrollment in an institution of
517 higher education, provided the child has resided continuously
518 with such relative for the 3 5 years immediately before ~~prior to~~
519 the child's initial enrollment in an institution of higher
520 education, during which time the adult relative has exercised
521 day-to-day care, supervision, and control of the child.

522 (d) A dependent child who is a United States citizen may
523 not be denied classification as a resident for tuition purposes
524 based solely upon the immigration status of his or her parent.

525 (5) A person who physically resides in this state may be
526 classified as a resident for tuition purposes if he or she
527 marries a person who meets the 12-month residency requirement
528 under subsection (2) and who is a legal resident of this state
529 ~~In making a domiciliary determination related to the~~
530 ~~classification of a person as a resident or nonresident for~~
531 ~~tuition purposes, the domicile of a married person, irrespective~~
532 ~~of sex, shall be determined, as in the case of an unmarried~~
533 ~~person, by reference to all relevant evidence of domiciliary~~



534 ~~intent. For the purposes of this section:~~

535 ~~(a) A person shall not be precluded from establishing or~~
536 ~~maintaining legal residence in this state and subsequently~~
537 ~~qualifying or continuing to qualify as a resident for tuition~~
538 ~~purposes solely by reason of marriage to a person domiciled~~
539 ~~outside this state, even when that person's spouse continues to~~
540 ~~be domiciled outside of this state, provided such person~~
541 ~~maintains his or her legal residence in this state.~~

542 ~~(b) A person shall not be deemed to have established or~~
543 ~~maintained a legal residence in this state and subsequently to~~
544 ~~have qualified or continued to qualify as a resident for tuition~~
545 ~~purposes solely by reason of marriage to a person domiciled in~~
546 ~~this state.~~

547 ~~(c) In determining the domicile of a married person,~~
548 ~~irrespective of sex, the fact of the marriage and the place of~~
549 ~~domicile of such person's spouse shall be deemed relevant~~
550 ~~evidence to be considered in ascertaining domiciliary intent.~~

551 Section 7. This act shall take effect July 1, 2014.

552
553 ===== T I T L E A M E N D M E N T =====

554 And the title is amended as follows:

555 Delete everything before the enacting clause
556 and insert:

557 A bill to be entitled
558 An act relating to postsecondary education tuition and
559 fees; amending s. 1009.98, F.S.; revising the
560 definition of the term "tuition differential";
561 revising the purchase date of an advance payment
562 contract as it relates to the amount paid by the



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563 Florida Prepaid College Board to a state university on
564 behalf of a qualified beneficiary; limiting the amount
565 paid by the board to a state university on behalf of a
566 qualified beneficiary; amending ss. 1009.22 and
567 1009.23, F.S.; revising the standard tuition and out-
568 of-state fee for certain workforce education
569 postsecondary programs and certain programs at Florida
570 College System institutions; deleting a provision
571 relating to an increase in tuition and the out-of-
572 state fee at a rate equal to inflation; amending s.
573 1009.24, F.S.; revising state university resident
574 undergraduate tuition; deleting a provision relating
575 to an increase in resident undergraduate tuition at a
576 rate equal to inflation; authorizing the Board of
577 Governors to approve the establishment of or an
578 increase in tuition differential for a state research
579 university designated as a preeminent state research
580 university; revising the annual percentage increase
581 allowed in the aggregate sum of tuition and the
582 tuition differential; providing requirements for an
583 increase in the tuition differential for certain
584 universities; amending s. 1009.26, F.S.; requiring a
585 state university, Florida College System institution,
586 career center operated by a school district, or
587 charter technical career center to waive undergraduate
588 tuition for a recipient of a Purple Heart or another
589 combat decoration superior in precedence under certain
590 conditions; providing for the waiver of out-of-state
591 fees for students based on certain attendance,



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592 graduation, and enrollment requirements; requiring
593 reporting to the Board of Governors and the State
594 Board of Education relating to the number and value of
595 the fee waivers; providing requirements for
596 calculating the state university systemwide enrollment
597 of nonresident students; restricting eligibility for
598 state financial aid; requiring a state university, a
599 Florida College System institution, a career center
600 operated by a school district, or a charter technical
601 career center to prioritize enrollment of certain
602 veterans; amending s. 1009.21, F.S., relating to the
603 determination of resident status for tuition purposes;
604 revising the definition of the term "parent"; revising
605 a residency requirement for a dependent child;
606 prohibiting denial of classification as a resident for
607 tuition purposes based on certain immigration status;
608 revising requirements relating to classification as a
609 resident for tuition purposes based on marriage;
610 providing an effective date.