

By the Committees on Appropriations; and Education; and Senators Flores and Montford

576-04190-19

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1 A bill to be entitled
2 An act relating to prepaid college plans; amending s.
3 1009.98, F.S.; authorizing the transfer of fees
4 associated with dormitory residency to approved
5 qualified nonprofit organizations under certain
6 circumstances; prohibiting transferred fees from
7 exceeding a specified amount; defining the term
8 "qualified nonprofit organization"; amending s.
9 1009.983, F.S.; revising the governance of the Florida
10 Prepaid College Board's direct-support organization;
11 providing an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Paragraph (d) of subsection (2) of section
16 1009.98, Florida Statutes, is amended to read:

17 1009.98 Stanley G. Tate Florida Prepaid College Program.—

18 (2) PREPAID COLLEGE PLANS.—At a minimum, the board shall
19 make advance payment contracts available for two independent
20 plans to be known as the Florida College System institution plan
21 and the university plan. The board may also make advance payment
22 contracts available for a dormitory residence plan. The board
23 may restrict the number of participants in the Florida College
24 System institution plan, university plan, and dormitory
25 residence plan, respectively. However, any person denied
26 participation solely on the basis of such restriction shall be
27 granted priority for participation during the succeeding year.

28 (d)1. Through the dormitory residence plan, the advance
29 payment contract may provide prepaid housing fees for a maximum

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30 of 10 semesters of full-time undergraduate enrollment in a state
31 university. Dormitory residence plans must ~~shall~~ be purchased in
32 increments of 2 semesters. The cost of participation in the
33 dormitory residence plan shall be based primarily on the average
34 current and projected housing fees within the State University
35 System and the number of years expected to elapse between the
36 purchase of the plan on behalf of a qualified beneficiary and
37 the exercise of the benefits provided in the plan by such
38 beneficiary. Qualified beneficiaries shall have the highest
39 priority in the assignment of housing within university
40 residence halls. Qualified beneficiaries shall bear the cost of
41 any additional elective charges such as laundry service or long-
42 distance telephone service. Each state university may specify
43 the residence halls or other university-held residences eligible
44 for inclusion in the plan. In addition, any state university may
45 request immediate termination of a dormitory residence contract
46 based on a violation or multiple violations of rules of the
47 residence hall or other university-held residences. In the event
48 that sufficient housing is not available for all qualified
49 beneficiaries, the board shall refund the purchaser or qualified
50 beneficiary an amount equal to the fees charged for dormitory
51 residence during that semester. If a qualified beneficiary is
52 admitted to the state university and finds housing with a
53 qualified nonprofit organization, as defined in subparagraph 2.,
54 that is approved by the state university, the state university
55 may transfer or cause to have transferred to the qualified
56 nonprofit organization the fees associated with dormitory
57 residence. If a qualified beneficiary fails to be admitted to a
58 state university or chooses to attend a Florida College System

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59 institution that operates one or more dormitories or residency
60 opportunities, or has one or more dormitories or residency
61 opportunities operated by the Florida College System institution
62 direct-support organization, the qualified beneficiary may
63 transfer or cause to have transferred to the Florida College
64 System institution, or Florida College System institution
65 direct-support organization, the fees associated with dormitory
66 residence. If a qualified beneficiary attends a Florida College
67 System institution and finds housing with a qualified nonprofit
68 organization, as defined in subparagraph 2., that is approved by
69 the Florida College System institution, the Florida College
70 System institution may transfer or cause to have transferred to
71 the qualified nonprofit organization the fees associated with
72 dormitory residence. Dormitory fees transferred to a the Florida
73 College System institution, ~~or~~ Florida College System
74 institution direct-support organization, or qualified nonprofit
75 organization may not exceed the average ~~maximum~~ fees charged for
76 state university dormitory residence for the purposes of this
77 section, or the fees charged for Florida College System
78 institution or Florida College System institution direct-support
79 organization dormitories or residency opportunities, whichever
80 is less.

81 2. For purposes of this paragraph, the term "qualified
82 nonprofit organization" means a nonprofit organization under s.
83 501(c)(3) of the United States Internal Revenue Code which
84 provides one or more dormitories or residency opportunities to
85 students enrolled full-time in a state university or Florida
86 College System institution, primarily supports students that
87 lack financial resources, and has been approved by the board for

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88 inclusion in the plan.

89 Section 2. Subsection (5) of section 1009.983, Florida
90 Statutes, is amended to read:

91 1009.983 Direct-support organization; authority.—

92 (5) The chair ~~and the executive director~~ of the board shall
93 be a director ~~directors~~ of the direct-support organization. The
94 chair and the executive director of the board ~~and~~ shall jointly
95 name, at a minimum, four ~~three~~ other individuals to serve as
96 directors of the organization.

97 Section 3. This act shall take effect July 1, 2019.