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CS/CS/HB 547

2019 Legislature

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2 An act relating to the Stanley G. Tate Florida Prepaid
3 College Program; amending s. 1009.98, F.S.;
4 authorizing the transfer of fees associated with
5 dormitory residency to approved qualified nonprofit
6 organizations under certain circumstances; prohibiting
7 transferred fees from exceeding a specified amount;
8 providing a definition; amending s. 1009.983, F.S.;
9 revising the composition of a certain direct-support
10 organization's board of directors; providing an
11 effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:
14

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

ENROLLED

CS/CS/HB 547

2019 Legislature

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
30 | of 10 semesters of full-time undergraduate enrollment in a state
31 | university. Dormitory residence plans 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

ENROLLED

CS/CS/HB 547

2019 Legislature

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
 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

ENROLLED

CS/CS/HB 547

2019 Legislature

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

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