

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Business & Professions
2 Subcommittee

3 Representative Duran offered the following:

4
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:
7 Section 1. Section 120.82, Florida Statutes, is created to
8 read:

9 120.82 Keep Our Graduates Working Act.-

10 (1) SHORT TITLE.-This section may be cited as the "Keep
11 Our Graduates Working Act of 2020."

12 (2) PURPOSE.-The purpose of this act is to ensure that
13 Floridians who graduate from an accredited college or university
14 can maintain their occupational licenses, as defined in
15 subsection (3), and remain in the workforce while they attempt
16 to pay off their student loan debt.

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17 (3) DEFINITIONS.—As used in this section, the term:

18 (a) "Default" means the failure to repay a student loan
19 according to the terms agreed to in the promissory note.

20 (b) "Delinquency" means the failure to make a student loan
21 payment when it is due.

22 (c) "License" means any professional license, certificate,
23 registration, or permit granted by the applicable state
24 authority.

25 (d) "State authority" means any department, board, or
26 agency with the authority to grant a license to any person in
27 this state.

28 (e) "Student loan" means a federal-guaranteed or state-
29 guaranteed loan for the purposes of postsecondary education.

30 (4) STUDENT LOAN DEFAULT; DELINQUENCY.—A state authority
31 may not suspend or revoke a license that it has issued to a
32 person who is in default on or delinquent in the payment of his
33 or her student loans solely on the basis of such default or
34 delinquency.

35 Section 2. Paragraph (k) of subsection (1) of section
36 456.072, Florida Statutes, is amended to read:

37 456.072 Grounds for discipline; penalties; enforcement.—

38 (1) The following acts shall constitute grounds for which
39 the disciplinary actions specified in subsection (2) may be
40 taken:

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41 (k) Failing to perform any statutory or legal obligation
42 placed upon a licensee. For purposes of this section, failing to
43 repay a student loan issued or guaranteed by the state or the
44 Federal Government in accordance with the terms of the loan is
45 not ~~or failing to comply with service scholarship obligations~~
46 ~~shall be~~ considered a failure to perform a statutory or legal
47 obligation, ~~and the minimum disciplinary action imposed shall be~~
48 ~~a suspension of the license until new payment terms are agreed~~
49 ~~upon or the scholarship obligation is resumed, followed by~~
50 ~~probation for the duration of the student loan or remaining~~
51 ~~scholarship obligation period, and a fine equal to 10 percent of~~
52 ~~the defaulted loan amount.~~ Fines collected shall be deposited
53 into the Medical Quality Assurance Trust Fund.

54 Section 3. Section 456.0721, Florida Statutes, is
55 repealed.

56 Section 4. Subsection (4) of section 456.074, Florida
57 Statutes, is amended to read:

58 456.074 Certain health care practitioners; immediate
59 suspension of license.-

60 ~~(4) Upon receipt of information that a Florida-licensed~~
61 ~~health care practitioner has defaulted on a student loan issued~~
62 ~~or guaranteed by the state or the Federal Government, the~~
63 ~~department shall notify the licensee by certified mail that he~~
64 ~~or she shall be subject to immediate suspension of license~~
65 ~~unless, within 45 days after the date of mailing, the licensee~~

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66 ~~provides proof that new payment terms have been agreed upon by~~
67 ~~all parties to the loan. The department shall issue an emergency~~
68 ~~order suspending the license of any licensee who, after 45 days~~
69 ~~following the date of mailing from the department, has failed to~~
70 ~~provide such proof. Production of such proof shall not prohibit~~
71 ~~the department from proceeding with disciplinary action against~~
72 ~~the licensee pursuant to s. 456.073.~~

73 Section 5. Subsection (1) of s. 1009.95, Florida Statutes,
74 is amended to read:

75 1009.95 Delinquent accounts.—

76 (1) The Department of Education is directed to exert every
77 lawful and reasonable effort to collect all delinquent unpaid
78 and uncanceled scholarship loan notes, student loan notes, and
79 defaulted guaranteed loan notes; however, in all such efforts,
80 the department shall comply with s. 120.82.

81 Section 6. This act shall take effect July 1, 2020.

82

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84 **T I T L E A M E N D M E N T**

85 Remove line 3 and insert:

86 creating s. 120.82, F.S.; providing a short title;