

By Senator Hutson

7-00627-20

2020356__

1 A bill to be entitled
2 An act relating to the Keep Our Graduates Working Act;
3 creating s. 1009.951, F.S.; providing a short title;
4 providing a purpose; providing definitions;
5 prohibiting a state authority from suspending or
6 revoking a person's professional license, certificate,
7 registration, or permit solely on the basis of a
8 delinquency or default in the payment of his or her
9 student loan; amending s. 456.072, F.S.; conforming
10 provisions to changes made by the act; repealing s.
11 456.0721, F.S., relating to health care practitioners
12 in default on student loan or scholarship obligations;
13 amending ss. 456.074 and 1009.95, F.S.; conforming
14 provisions to changes made by the act; providing an
15 effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

18
19 Section 1. Section 1009.951, Florida Statutes, is created
20 to read:

21 1009.951 Keep Our Graduates Working Act.-

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

24 (2) PURPOSE.-The purpose of this act is to ensure that
25 Floridians who graduate from an accredited college or university
26 can maintain their occupational licenses, as defined in
27 subsection (3), and remain in the workforce while they struggle
28 to pay off their student loan debt, thereby helping them avoid
29 falling into poverty, which might necessitate seeking public

7-00627-20

2020356__

30 assistance.

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

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

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

36 (c) "License" means any professional license, certificate,
37 registration, or permit granted by the applicable state
38 authority.

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

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

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

49 Section 2. Paragraph (k) of subsection (1) of section
50 456.072, Florida Statutes, is amended to read:

51 456.072 Grounds for discipline; penalties; enforcement.—

52 (1) The following acts shall constitute grounds for which
53 the disciplinary actions specified in subsection (2) may be
54 taken:

55 (k) Failing to perform any statutory or legal obligation
56 placed upon a licensee. For purposes of this section, failing to
57 repay a student loan issued or guaranteed by the state or the
58 Federal Government in accordance with the terms of the loan is

7-00627-20

2020356__

59 ~~not or failing to comply with service scholarship obligations~~
60 ~~shall be considered a failure to perform a statutory or legal~~
61 ~~obligation, and the minimum disciplinary action imposed shall be~~
62 ~~a suspension of the license until new payment terms are agreed~~
63 ~~upon or the scholarship obligation is resumed, followed by~~
64 ~~probation for the duration of the student loan or remaining~~
65 ~~scholarship obligation period, and a fine equal to 10 percent of~~
66 ~~the defaulted loan amount. Fines collected shall be deposited~~
67 ~~into the Medical Quality Assurance Trust Fund.~~

68 Section 3. Section 456.0721, Florida Statutes, is repealed.

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

71 456.074 Certain health care practitioners; immediate
72 suspension of license.-

73 ~~(4) Upon receipt of information that a Florida-licensed~~
74 ~~health care practitioner has defaulted on a student loan issued~~
75 ~~or guaranteed by the state or the Federal Government, the~~
76 ~~department shall notify the licensee by certified mail that he~~
77 ~~or she shall be subject to immediate suspension of license~~
78 ~~unless, within 45 days after the date of mailing, the licensee~~
79 ~~provides proof that new payment terms have been agreed upon by~~
80 ~~all parties to the loan. The department shall issue an emergency~~
81 ~~order suspending the license of any licensee who, after 45 days~~
82 ~~following the date of mailing from the department, has failed to~~
83 ~~provide such proof. Production of such proof shall not prohibit~~
84 ~~the department from proceeding with disciplinary action against~~
85 ~~the licensee pursuant to s. 456.073.~~

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

7-00627-20

2020356__

88 1009.95 Delinquent accounts.-

89 (1) The Department of Education is directed to exert every
90 lawful and reasonable effort to collect all delinquent unpaid
91 and uncanceled scholarship loan notes, student loan notes, and
92 defaulted guaranteed loan notes; however, in all such efforts,
93 the department shall comply with s. 1009.951.

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