

By the Committee on Innovation, Industry, and Technology; and
Senator Hutson

580-01997-20

2020356c1

1 A bill to be entitled
2 An act relating to the Keep Our Graduates Working Act;
3 creating s. 120.82, F.S.; providing a short title;
4 providing a purpose; defining terms; prohibiting a
5 state authority from suspending or revoking a person's
6 professional license, certificate, registration, or
7 permit solely on the basis of a delinquency or default
8 in the payment of his or her student loan; amending s.
9 456.072, F.S.; conforming provisions to changes made
10 by the act; repealing s. 456.0721, F.S., relating to
11 health care practitioners in default on student loan
12 or scholarship obligations; amending ss. 456.074 and
13 1009.95, F.S.; conforming provisions to changes made
14 by the act; providing an effective date.

15
16 Be It Enacted by the Legislature of the State of Florida:

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18 Section 1. Section 120.82, Florida Statutes, is created to
19 read:

20 120.82 Keep Our Graduates Working Act.-

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

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

28 (3) DEFINITIONS.-As used in this section, the term:

29 (a) "Default" means the failure to repay a student loan

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30 according to the terms agreed to in the promissory note.

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

33 (c) "License" means any professional license, certificate,
34 registration, or permit granted by the applicable state
35 authority.

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

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

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

46 Section 2. Paragraph (k) of subsection (1) of section
47 456.072, Florida Statutes, is amended to read:

48 456.072 Grounds for discipline; penalties; enforcement.—

49 (1) The following acts shall constitute grounds for which
50 the disciplinary actions specified in subsection (2) may be
51 taken:

52 (k) Failing to perform any statutory or legal obligation
53 placed upon a licensee. For purposes of this section, failing to
54 repay a student loan issued or guaranteed by the state or the
55 Federal Government in accordance with the terms of the loan is
56 not or failing to comply with service scholarship obligations
57 shall be considered a failure to perform a statutory or legal
58 obligation, and the minimum disciplinary action imposed shall be

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59 ~~a suspension of the license until new payment terms are agreed~~
60 ~~upon or the scholarship obligation is resumed, followed by~~
61 ~~probation for the duration of the student loan or remaining~~
62 ~~scholarship obligation period, and a fine equal to 10 percent of~~
63 ~~the defaulted loan amount. Fines collected must ~~shall~~ be~~
64 deposited into the Medical Quality Assurance Trust Fund.

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

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

68 456.074 Certain health care practitioners; immediate
69 suspension of license.-

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

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

85 1009.95 Delinquent accounts.-

86 (1) The Department of Education is directed to exert every
87 lawful and reasonable effort to collect all delinquent unpaid

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88 and uncanceled scholarship loan notes, student loan notes, and
89 defaulted guaranteed loan notes; however, in all such efforts,
90 the department shall comply with s. 120.82.

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