

1                   A bill to be entitled  
 2           An act relating to student eligibility requirements  
 3           for state financial aid awards and tuition assistance  
 4           grants; amending s. 1009.26, F.S.; deleting a  
 5           requirement that certain students be ineligible for  
 6           state financial aid; amending s. 1009.40, F.S.;  
 7           providing that certain individuals may not be denied  
 8           classification as residents for purposes of receiving  
 9           state financial aid awards based on his or her  
 10          immigration status if certain criteria are met;  
 11          providing an effective date.

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

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 15           Section 1. Paragraph (c) of subsection (12) of section  
 16   1009.26, Florida Statutes, is amended to read:

17           1009.26 Fee waivers.—  
 18           (12)

19           (c) A state university student granted an out-of-state fee  
 20   waiver under this subsection must be considered a nonresident  
 21   student for purposes of calculating the systemwide total  
 22   enrollment of nonresident students as limited by regulation of  
 23   the Board of Governors. In addition, a student who is granted an  
 24   out-of-state fee waiver under this subsection may ~~is not~~  
 25   ~~eligible for state financial aid under part III of this chapter~~

26 | ~~and must~~ not be reported as a resident for tuition purposes.

27 | Section 2. Paragraph (a) of subsection (1) of section  
 28 | 1009.40, Florida Statutes, is amended to read:

29 | 1009.40 General requirements for student eligibility for  
 30 | state financial aid awards and tuition assistance grants.—

31 | (1) (a) The general requirements for eligibility of  
 32 | students for state financial aid awards and tuition assistance  
 33 | grants consist of the following:

34 | 1. Achievement of the academic requirements of and  
 35 | acceptance at a state university or Florida College System  
 36 | institution; a nursing diploma school approved by the Florida  
 37 | Board of Nursing; a Florida college or university which is  
 38 | accredited by an accrediting agency recognized by the State  
 39 | Board of Education; a Florida institution the credits of which  
 40 | are acceptable for transfer to state universities; a career  
 41 | center; or a private career institution accredited by an  
 42 | accrediting agency recognized by the State Board of Education.

43 | 2. Residency in this state for no less than 1 year  
 44 | preceding the award of aid or a tuition assistance grant for a  
 45 | program established pursuant to s. 1009.50, s. 1009.505, s.  
 46 | 1009.51, s. 1009.52, s. 1009.53, s. 1009.60, s. 1009.62, s.  
 47 | 1009.72, s. 1009.73, s. 1009.77, s. 1009.89, or s. 1009.891.

48 | Residency in this state must be for purposes other than to  
 49 | obtain an education. Resident status for purposes of receiving  
 50 | state financial aid awards shall be determined in the same

51 manner as resident status for tuition purposes pursuant to s.  
52 1009.21. However, a student may not be denied classification as  
53 a resident for purposes of receiving state financial aid awards  
54 based solely upon his or her immigration status if he or she has  
55 met the conditions for an out-of-state fee waiver under s.  
56 1009.26(12) (a).

57 3. Submission of certification attesting to the accuracy,  
58 completeness, and correctness of information provided to  
59 demonstrate a student's eligibility to receive state financial  
60 aid awards or tuition assistance grants. Falsification of such  
61 information shall result in the denial of a pending application  
62 and revocation of an award or grant currently held to the extent  
63 that no further payments shall be made. Additionally, students  
64 who knowingly make false statements in order to receive state  
65 financial aid awards or tuition assistance grants commit a  
66 misdemeanor of the second degree subject to the provisions of s.  
67 837.06 and shall be required to return all state financial aid  
68 awards or tuition assistance grants wrongfully obtained.

69 Section 3. This act shall take effect July 1, 2020.