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LEGISLATIVE ACTION

Senate

.

House

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Floor: 1/AD/2R

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04/21/2021 11:38 AM

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Senator Baxley moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (18) is added to section 1009.26,
Florida Statutes, to read:

1009.26 Fee waivers.—

(18) (a) A state university shall waive the out-of-state fee
for a nonresident student from a state in compliance with s.
1009.261 and who:

1. Is a United States citizen.



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12 2. Has a grandparent who is a legal resident as defined in
13 s. 1009.21(1)(d); has been residing in Florida for at least five
14 years; and is an honorably discharged veteran of the United
15 States Armed Forces, the United States Reserve Forces, or the
16 National Guard.

17 3. Earns a high school diploma comparable to a standard
18 Florida high school diploma, or its equivalent, or completes a
19 home education program.

20 4.a. Achieves an SAT combined score no lower than the 89th
21 national percentile on the SAT;

22 b. Achieves an ACT score concordant to the required SAT
23 score in sub-subparagraph a., using the latest published
24 national concordance table developed jointly by the College
25 Board and ACT, Inc.; or

26 c. If a state university accepts the Classic Learning Test
27 (CLT) for admission purposes, achieves a CLT score concordant to
28 the required SAT score in sub-subparagraph a., using the latest
29 published scoring comparison developed by Classic Learning
30 Initiatives.

31 5. Enrolls as a full-time undergraduate student at a state
32 university in the fall academic term immediately following high
33 school graduation.

34 (b) The waiver under this subsection is applicable for up
35 to 110 percent of the number of required credit hours of the
36 degree program for which the student is enrolled.

37 (c) Prior to waiving the out-of-state fee, the state
38 university shall require:

39 1. The student, or the student's parent if the student is a
40 dependent child, to provide a written declaration pursuant to s.



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41 92.525(2) verifying the student's familial relationship to a
42 grandparent who is a legal resident; and

43 2. The eligible grandparent to provide proof of Florida
44 residency and proof of honorable discharge.

45 (d) Each state university shall report to the Board of
46 Governors the number and value of all fee waivers granted
47 annually under this subsection.

48 (e) A nonresident student granted an out-of-state fee
49 waiver under this subsection shall be excluded from the
50 limitation on systemwide total enrollment of nonresident
51 students established by regulation of the Board of Governors.

52 (f) The Board of Governors shall adopt regulations to
53 administer this subsection.

54 Section 2. Section 1009.261, Florida Statutes, is created
55 to read:

56 1009.261 Grandchild Out-of-State Fees Waiver Compact.—The
57 Grandchild Out-of-State Fees Waiver Compact is enacted into law
58 and entered into by this state with all other jurisdictions
59 legally joining therein in the form substantially as follows:

60

61 GRANDCHILD OUT-OF-STATE

62 FEES WAIVER COMPACT

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64 ARTICLE I

65 DECLARATION OF PURPOSE

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67 The general purposes of this compact are to:

68 (1) Increase access to postsecondary education to students
69 whose families are split between two or more states by reducing



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70 costs associated with out-of-state fees.

71 (2) Encourage students to exercise their rights to travel
72 and to choose the postsecondary education that best suits their
73 needs.

74 (3) Increase postsecondary educational choices.

75 (4) Decrease the economic burden posed by postsecondary
76 out-of-state fees.

77

78 ARTICLE II

79 DEFINITIONS

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81 As used in this compact, the term:

82 (1) "Grandparent" means a person who has a legal
83 relationship to a student's parent as the natural or adopted
84 parent or legal guardian of the student's parent.

85 (2) "Member state" means a state that has enacted this
86 compact.

87 (3) "Out-of-state fees" means any additional fee for
88 instruction, which is charged to a student who does not qualify
89 for the in-state tuition rate pursuant to the laws of a member
90 state, imposed by a public postsecondary educational institution
91 located within the member state. A charge for any other purpose
92 may not be included within this fee.

93 (4) "Postsecondary educational institution" means a public
94 university or college located within a member state.

95 (5) "State" includes the District of Columbia and any
96 state, territory, or possession of the United States which
97 oversees one or more public postsecondary educational
98 institutions.



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99 (6) "Student's parent" means a person who has a legal
100 relationship to a student as the natural or adopted parent or
101 legal guardian of the student.

103 ARTICLE III

104 OUT-OF-STATE FEES WAIVER

106 (1) Postsecondary educational institutions located within
107 each member state shall waive out-of-state fees for a
108 nonresident student who:

109 (a) Is a United States citizen.

110 (b) Has a grandparent who is a legal resident under the
111 applicable laws of the member state; has been residing in that
112 state for at least five years; and is an honorably discharged
113 veteran of the United States Armed Forces, the United States
114 Reserve Forces, or the National Guard.

115 (c)1. Achieves an SAT combined score no lower than the 89th
116 national percentile on the SAT;

117 2. Achieves an ACT score concordant to the SAT score
118 required in subparagraph 1., as designated in the latest
119 published national concordance table developed jointly by the
120 College Board and ACT, Inc.; or

121 3. Achieves a Classic Learning Test (CLT) score concordant
122 to the required SAT score in subparagraph 1., as designated in
123 the latest published scoring comparison developed by Classic
124 Learning Initiatives, but only if the member state postsecondary
125 educational institution accepts the CLT for admission purposes.

126 (d) Enrolls as a full-time undergraduate student at a
127 member state postsecondary educational institution in the fall



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128 academic term immediately following high school graduation.

129 (2) The waiver under this compact is applicable for up to
130 110 percent of the number of required credit hours of the degree
131 program in which the student is enrolled.

132 (3) Prior to waiving any out-of-state fees, a member state
133 postsecondary educational institution shall require:

134 (a) The student, or the student's parent if the student is
135 a dependent child, to provide a written declaration verifying
136 the student's familial relationship to a grandparent who is a
137 legal resident of the member state; and

138 (b) The eligible grandparent to provide proof of residency
139 and proof of honorable discharge.

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141 ARTICLE IV

142 OVERSIGHT

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144 The executive, legislative, and judicial branches of state
145 government in each member state shall enforce this compact and
146 take all actions necessary and appropriate to effectuate the
147 compact's purposes and intent. The provisions of this compact
148 have standing as statutory law.

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150 ARTICLE V

151 DATE OF IMPLEMENTATION, WITHDRAWAL, AND AMENDMENT

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153 (1) The compact shall take effect on the date on which it
154 is enacted into law by two states. Thereafter it is effective as
155 to any state upon its enactment by that state.

156 (2) A member state may withdraw from this compact by



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157 repealing the statute in which it is enacted. A member state's
158 withdrawal may not take effect until 6 months after enactment of
159 the repeal.

160 (3) This compact may not be construed to invalidate or
161 prohibit any law of a member state that does not conflict with
162 the provisions of this compact.

163 (4) This compact may be amended by the member states. An
164 amendment to this compact is effective and binding after it is
165 enacted into the laws of all member states.

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167 ARTICLE VI

168 CONSTRUCTION AND SEVERABILITY

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170 This compact shall be liberally construed so as to
171 effectuate its purposes. The provisions of this compact are
172 severable, and if any phrase, clause, sentence, or provision
173 thereof is declared to be contrary to the constitution of any
174 state or to the Constitution of the United States, or the
175 application thereof to any government, agency, person, or
176 circumstance is held invalid, the validity of the remainder of
177 this compact and the applicability thereof to any government,
178 agency, person, or circumstance is not affected thereby. If this
179 compact is held to be contrary to the constitution of any state
180 participating therein, it remains in full force and effect as to
181 the state affected as to all severable provisions.

182 Section 3. This act shall take effect July 1, 2021.

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185 ===== T I T L E A M E N D M E N T =====



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186 And the title is amended as follows:

187 Delete everything before the enacting clause
188 and insert:

189 A bill to be entitled

190 An act relating to an out-of-state fee waiver for
191 nonresident students; amending s. 1009.26, F.S.;
192 requiring a state university to waive the out-of-state
193 fee for a nonresident student who meets certain
194 requirements; providing applicability; requiring each
195 state university to report specified information
196 regarding such out-of-state fee waivers to the Board
197 of Governors annually; requiring that a student who is
198 granted such out-of-state fee waiver be excluded from
199 the limitation on the systemwide total enrollment of
200 nonresident students; requiring the Board of Governors
201 to adopt regulations; creating s. 1009.261, F.S.;
202 enacting the Grandchild Out-of-State Fees Waiver
203 Compact; providing the purposes of the compact;
204 defining terms; requiring postsecondary educational
205 institutions located within member states to waive
206 out-of-state fees for students who meet specified
207 criteria; providing that the waiver is applicable for
208 up to a specified amount of credits; requiring member-
209 state postsecondary educational institutions to
210 require a student, or the student's parent if the
211 student is a dependent child, to provide a written
212 declaration verifying eligibility; requiring the
213 eligible grandparent to provide proof of residency and
214 honorable discharge; requiring the executive,



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215 legislative, and judicial branches of member state
216 governments to enforce the compact; providing that the
217 provisions of the compact have standing as statutory
218 law; providing for the implementation, withdrawal, and
219 amendment of the compact; providing construction;
220 providing an effective date.