



640458

LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
03/23/2021	.	
	.	
	.	
	.	

The Committee on Education (Gruters) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 1009.261, Florida Statutes, is created
to read:

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



640458

12 GRANDCHILDREN OUT-OF-STATE
13 FEE WAIVER COMPACT

14 ARTICLE I
15 DECLARATION OF PURPOSE

16 The general purposes of this compact are to:

17
18 (1) Increase access to postsecondary education to students
19 whose families are split between two or more states by reducing
20 costs associated with out-of-state fees.

21
22 (2) Encourage students to exercise their rights to travel
23 and to choose the postsecondary education that best suits their
24 needs.

25 (3) Increase postsecondary educational choices.

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

28
29 ARTICLE II
30 DEFINITIONS

31
32 As used in this compact, the term:

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

36 (2) "Member state" means a state that has enacted this
37 compact.

38 (3) "Out-of-state fees" means any additional fee for
39 instruction, which is charged to a student who does not qualify
40 for the in-state tuition rate pursuant to the laws of a member



640458

41 state, imposed by a public postsecondary educational institution
42 located within the member state. A charge for any other purpose
43 may not be included within this fee.

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

46 (5) "State" includes the District of Columbia and any
47 state, territory, or possession of the United States which
48 oversees one or more public postsecondary educational
49 institutions.

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

53
54 ARTICLE III

55 OUT-OF-STATE FEES WAIVER

56
57 (1) Postsecondary educational institutions located within
58 each member state shall waive out-of-state fees for a
59 nonresident student who:

60 (a) Is a United States citizen.

61 (b) Has a grandparent who is a legal resident under the
62 applicable laws of the member state.

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

65 2. Achieves an ACT score concordant to the SAT score
66 required in subparagraph 1., as designated in the latest
67 published national concordance table developed jointly by the
68 College Board and ACT, Inc.; or

69 3. Achieves a Classic Learning Test (CLT) score concordant



640458

70 to the required SAT score in subparagraph 1., as designated in
71 the latest published scoring comparison developed by Classic
72 Learning Initiatives, but only if the member state postsecondary
73 institution accepts the CLT for admission purposes.

74 (d) Enrolls as a full-time undergraduate student at a
75 member state postsecondary institution in the fall academic term
76 immediately following high school graduation.

77 (2) The waiver under this compact is applicable for up to
78 110 percent of the number of required credit hours of the degree
79 program in which the student is enrolled.

80 (3) Prior to waiving any out-of-state fees, a member state
81 postsecondary educational institution shall require the student,
82 or the student's parent if the student is a dependent child, to
83 provide a written declaration verifying the student's familial
84 relationship to a grandparent who is a legal resident of the
85 member state.

86
87 ARTICLE IV

88 OVERSIGHT

89
90 The executive, legislative, and judicial branches of state
91 government in each member state shall enforce this compact and
92 take all actions necessary and appropriate to effectuate the
93 compact's purposes and intent. The provisions of this compact
94 have standing as statutory law.

95
96 ARTICLE V

97 DATE OF IMPLEMENTATION, WITHDRAWAL, AND AMENDMENT

98



640458

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

102 (2) A member state may withdraw from this compact by
103 repealing the statute in which it is enacted. A member state's
104 withdrawal may not take effect until 6 months after enactment of
105 the repeal.

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

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

112
113 ARTICLE VI

114 CONSTRUCTION AND SEVERABILITY

115
116 This compact shall be liberally construed so as to
117 effectuate its purposes. The provisions of this compact are
118 severable, and if any phrase, clause, sentence, or provision
119 thereof is declared to be contrary to the constitution of any
120 state or to the Constitution of the United States, or the
121 application thereof to any government, agency, person, or
122 circumstance is held invalid, the validity of the remainder of
123 this compact and the applicability thereof to any government,
124 agency, person, or circumstance is not affected thereby. If this
125 compact is held to be contrary to the constitution of any state
126 participating therein, it remains in full force and effect as to
127 the state affected as to all severable provisions.



640458

128 Section 2. This act shall take effect July 1, 2021.

129

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

131 And the title is amended as follows:

132 Delete everything before the enacting clause

133 and insert:

134 A bill to be entitled

135 An act relating to the Grandchild Out-of-State Fees
136 Waiver Compact; creating s. 1009.261, F.S.; enacting
137 the Grandchild Out-of-State Fees Waiver Compact;
138 providing the purposes of the compact; defining terms;
139 requiring postsecondary educational institutions
140 located within member states to waive out-of-state
141 fees for students who meet specified criteria;
142 providing that the waiver is applicable for up to a
143 specified amount of credits; requiring member-state
144 postsecondary educational institutions to require a
145 student, or the student's parent if the student is a
146 dependent child, to provide a written declaration
147 verifying eligibility; requiring the executive,
148 legislative, and judicial branches of member state
149 governments to enforce the compact; providing that the
150 provisions of the compact have standing as statutory
151 law; providing for the implementation, withdrawal, and
152 amendment of the compact; providing construction;
153 providing an effective date.