

By Senator Taddeo

40-00201A-22

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1 A bill to be entitled
2 An act relating to student financial aid; amending s.
3 1009.40, F.S.; providing that, for purposes of
4 receiving state financial aid awards, a student may
5 not be denied classification as a resident based on
6 his or her immigration status if certain criteria are
7 met; creating s. 1009.896, F.S.; defining terms;
8 establishing the Professional Student Loan Repayment
9 Program within the Department of Education; providing
10 the purpose of the program; specifying professionals
11 who are eligible to participate in the program;
12 requiring the department to make payments, subject to
13 appropriation and on a first-come, first-served basis,
14 to professionals to repay student loans that were used
15 to pay specified costs; providing that all payments
16 are contingent on proof of primary employment in
17 certain professions in a shortage area; providing that
18 the state bears no responsibility for the accrual of
19 any interest charges or other remaining balances;
20 requiring the department to determine repayment
21 amounts on a profession-by-profession basis; providing
22 a maximum repayment amount per year per eligible
23 professional; specifying maximum number of years a
24 professional may receive repayments; prohibiting
25 certain professionals from receiving repayments;
26 requiring the State Board of Education to adopt rules;
27 providing an effective date.

28
29 Be It Enacted by the Legislature of the State of Florida:

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

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

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

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

2. Residency in this state for no less than 1 year preceding the award of aid or a tuition assistance grant for a program established pursuant to s. 1009.50, s. 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.60, s. 1009.62, s. 1009.72, s. 1009.73, s. 1009.75, s. 1009.77, s. 1009.89, or s. 1009.894. Residency in this state must be for purposes other than to obtain an education. Resident status for purposes of receiving state financial aid awards is ~~shall be~~ determined in the same manner as resident status for tuition purposes pursuant to s. 1009.21. However, for purposes of receiving state financial aid awards, a student may not be denied classification as a resident based solely upon his or her immigration status if

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59 he or she has been granted:

60 a. Temporary protected status by the United States

61 Department of Homeland Security; or

62 b. Deferred Action for Childhood Arrivals status or another
63 form of prosecutorial discretion by the United States Department
64 of Homeland Security.

65 3. Submission of certification attesting to the accuracy,
66 completeness, and correctness of information provided to
67 demonstrate a student's eligibility to receive state financial
68 aid awards or tuition assistance grants. Falsification of such
69 information shall result in the denial of a pending application
70 and revocation of an award or grant currently held to the extent
71 that no further payments shall be made. Additionally, students
72 who knowingly make false statements in order to receive state
73 financial aid awards or tuition assistance grants commit a
74 misdemeanor of the second degree subject to the provisions of s.
75 837.06 and shall be required to return all state financial aid
76 awards or tuition assistance grants wrongfully obtained.

77 Section 2. Section 1009.896, Florida Statutes, is created
78 to read:

79 1009.896 Professional Student Loan Repayment Program.-

80 (1) As used in this section, the term:

81 (a) "Professional" means an individual who meets any of the
82 criteria of subsection (3).

83 (b) "Shortage area" or "shortage" means a geographic area
84 designated by the Department of Education which is experiencing
85 a vacancy rate of more than 20 percent in the positions
86 described in subsection (3).

87 (2) The Professional Student Loan Repayment Program is

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88 established within the Department of Education to encourage
89 professionals to practice in locations experiencing a shortage
90 of such professionals. As an incentive, the program will make
91 payments to repay the student loans of eligible professionals.

92 (3) The following professionals are eligible to participate
93 in this program:

94 (a) Veterinarians licensed under chapter 474.

95 (b) Physicians licensed under chapter 458 or chapter 459.

96 (c) Licensed practical nurses, registered nurses, and
97 advanced practice registered nurses licensed under part I of
98 chapter 464.

99 (d) Dentists licensed under chapter 466.

100 (e) Instructional personnel certified under chapter 1012.

101 (4) (a) Subject to appropriation and on a first-come, first-
102 served basis, the department shall make payments to
103 professionals to repay student loans that were used by
104 professionals to pay the costs of tuition, books, living
105 expenses, and applicable equipment, supplies, and uniforms as
106 determined by the department on a profession-by-profession
107 basis.

108 (b) All repayments are contingent on proof of primary
109 employment as defined in State Board of Education rule in a
110 profession described in subsection (3) in a shortage area. The
111 state bears no responsibility for the accrual of any interest
112 charges or other remaining balances.

113 (c) The department shall determine repayment amounts on a
114 profession-by-profession basis, except that repayments may not
115 exceed \$50,000 per year per eligible professional.

116 (d) A professional may receive repayments under the program

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117 for a maximum of 5 years.

118 (5) A repayment may not be made to a professional receiving
119 student loan repayments or forgiveness under s. 381.4019 or any
120 other student loan repayment or forgiveness program pursuant to
121 this chapter.

122 (6) The state board shall adopt rules to administer this
123 section.

124 Section 3. This act shall take effect July 1, 2022.