

1 A bill to be entitled
 2 An act relating to resident status for tuition
 3 purposes; amending s. 1009.21, F.S.; providing that an
 4 individual who has been incarcerated or released from
 5 incarceration within a specified 12-month period may
 6 use expired documentation to establish residency for
 7 tuition purposes; providing that a person may not lose
 8 his or her resident status for tuition purposes due to
 9 incarceration; providing that the legal residence of
 10 an individual before incarceration is prima facie
 11 evidence of the individual's legal residence;
 12 providing an effective date.

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

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 16 Section 1. Present subsections (4) through (13) of section
 17 1009.21, Florida Statutes, are redesignated as subsections (6)
 18 through (15), respectively, new subsections (4) and (5) are
 19 added to that section, and paragraph (c) of subsection (3) of
 20 that section is amended, to read:

21 1009.21 Determination of resident status for tuition
 22 purposes.—Students shall be classified as residents or
 23 nonresidents for the purpose of assessing tuition in
 24 postsecondary educational programs offered by charter technical
 25 career centers or career centers operated by school districts,

26 | in Florida College System institutions, and in state
27 | universities.

28 | (3)

29 | (c) Each institution of higher education shall
30 | affirmatively determine that an applicant who has been granted
31 | admission to that institution as a Florida resident meets the
32 | residency requirements of this section at the time of initial
33 | enrollment. The residency determination must be documented by
34 | the submission of written or electronic verification that
35 | includes two or more of the documents identified in this
36 | paragraph. No single piece of evidence shall be conclusive.

37 | 1. The documents must include at least one of the
38 | following:

39 | a. A Florida voter's registration card.

40 | b. A Florida driver license.

41 | c. A State of Florida identification card.

42 | d. A Florida vehicle registration.

43 | e. Proof of a permanent home in Florida which is occupied
44 | as a primary residence by the individual or by the individual's
45 | parent if the individual is a dependent child.

46 | f. Proof of a homestead exemption in Florida.

47 | g. Transcripts from a Florida high school for multiple
48 | years if the Florida high school diploma or high school
49 | equivalency diploma was earned within the last 12 months.

50 | h. Proof of permanent full-time employment in Florida for

51 at least 30 hours per week for a 12-month period.

52 2. The documents may include one or more of the following:

53 a. A declaration of domicile in Florida.

54 b. A Florida professional or occupational license.

55 c. Florida incorporation.

56 d. A document evidencing family ties in Florida.

57 e. Proof of membership in a Florida-based charitable or
58 professional organization.

59 f. Any other documentation that supports the student's
60 request for resident status, including, but not limited to,
61 utility bills and proof of 12 consecutive months of payments; a
62 lease agreement and proof of 12 consecutive months of payments;
63 or an official state, federal, or court document evidencing
64 legal ties to Florida.

65 3. With respect to an individual who is currently
66 incarcerated in a state or federal correctional facility in this
67 state or who has been released from such facility within the 12
68 months preceding the individual's residency determination,
69 documentation that is provided to support the individual's
70 request for resident status may be expired if he or she also
71 provides evidence of such incarceration within the last 12
72 months in this state.

73 (4) An individual may not lose his or her resident status
74 for tuition purposes solely by reason of incarceration in a
75 state or federal correctional facility in this state.

76 (5) The legal residence of an individual before his or her
77 incarceration in a state or federal correctional facility in
78 this state is prima facie evidence of the individual's legal
79 residence, which evidence may be reinforced or rebutted by the
80 other evidence of legal residence required of or presented by
81 the individual pursuant to this section. With respect to an
82 individual who did not have legal residence in this state before
83 his or her incarceration in a state or federal correctional
84 facility in this state, legal residence may be established if
85 all of the following conditions are met:

86 (a) The individual was sentenced to a period of
87 incarceration of at least 3 years.

88 (b) The individual has served at least 18 months of the
89 sentence before his or her initial enrollment in an institution
90 of higher education.

91 (c) The individual provides documentation evidencing ties
92 to Florida.

93 Section 2. This act shall take effect July 1, 2024.