

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Appropriations

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BILL: SB 2512

INTRODUCER: Appropriations Committee

SUBJECT: Higher Education

DATE: April 3, 2025

REVISED: \_\_\_\_\_

ANALYST

STAFF DIRECTOR

REFERENCE

ACTION

Gray

Sadberry

**AP Submitted as Comm. Bill/FAV**

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**I. Summary:**

SB 2512 makes conforming changes related to the Senate’s Proposed General Appropriations Act for the 2025-2026 fiscal year.

Specifically, the bill:

- Transfers the Linking Industry to Nursing Education (LINE) Fund program to the Center for Nursing (Center) within the University of South Florida and:
  - Expands the definition of a health care partner.
  - Provides the definition of center to mean the Florida Center for Nursing within the University of South Florida.
  - Expands the allowed uses of the LINE Fund.
  - Specifies the participating institution should submit the completed proposal to the center rather than the Board of Governors (BOG) and the Department of Education (DOE).
  - Allows health care partners to provide non-monetary contributions that directly support the goals of the LINE Fund.
  - Provides examples of allowable non-monetary LINE contributions.
- For the University of South Florida, Center for Nursing:
  - Authorizes the center rather than the BOG and DOE to serve as the administrator of the LINE Fund.
  - Provides the requirements of the center such as providing technical assistance to eligible institutions, to develop and publish on its website the guidelines for the LINE Fund administration including application procedures and deadlines, criteria for program eligibility, the application process, a process to ensure a fair evaluation of proposals and determination of award recipients, and reporting and accountability standards of the program.
  - Allows the center to assign priority consideration for applicants that will improve services in underserved geographic areas for programs and partnerships that address the greatest workforce needs or gaps.
  - Proposes that the center notify and provide a brief explanation to the applicant regarding the determination of the institution’s proposal.

- Provides the allowed application determination statuses and definitions of such statuses.
- Allows but does not require the center to award funds to an approved proposal for up to three academic years immediately following the academic year within which the initial approval was granted.
- Removes the authority of the BOG to establish out-of-state fees for all programs and authorizes each university board of trustees (BOT) to establish such fees. The bill also sets a system-wide out-of-state enrollment cap for the state university system pursuant to BOG regulations.

The bill will have a cost to the state if additional funds are appropriated to the Florida Center for Nursing for program administration. **See Section V., Fiscal Impact Statement.**

This bill takes effect July 1, 2025.

## II. Present Situation:

### Linking Industry to Nursing Education Fund

The Linking Industry to Nursing Education (LINE) Fund was established in 2022<sup>1</sup> as a competitive grant opportunity and provides matching funds on a dollar-for-dollar basis to participating institutions that partner with health care providers<sup>2</sup> incentivizing collaboration to meet local, regional, and statewide demand for nurses.<sup>3</sup>

The LINE Funds are available to:

- District career centers,<sup>4</sup>
- Charter technical career centers,<sup>5</sup>
- Florida College System (FCS) institutions,
- State Universities,
- Independent nonprofit colleges or universities located and chartered in the state accredited by a United States Department of Education recognized accrediting agency or association to grant baccalaureate degrees,<sup>6</sup> and
- Independent school, college, or university with an accredited program as defined in s. 464.003 which is located in this state and licensed by the Commission for Independent Education pursuant to s. 1005.31, which has a nursing education program that meets or exceeds the following:
  - For a certified nursing assistant program, a completion rate of at least 70 percent for the prior year.
  - For a licensed practical nurse, associate of science in nursing, and bachelor of science in nursing program, a first-time passage rate on the National Council of State Boards of

<sup>1</sup> Chapter 2022-154, s. 50, L.O.F.

<sup>2</sup> Sections 1009.8962, F.S. and 768.38, F.S.

<sup>3</sup> Florida Board of Governors, *All Universities with Nursing Programs Receive LINE Funding*, available at <https://www.flbog.edu/2024/10/31/all-universities-with-nursing-programs-receive-line-funding/> (Last visited Feb. 24, 2025).

<sup>4</sup> Section 1001.44, F.S.

<sup>5</sup> Section 1002.34, F.S.

<sup>6</sup> Section 1009.8962(3), F.S.

Nursing Licensing Examination of at least 75 percent for the prior year based on a minimum of 10 testing participants.<sup>7</sup>

The funds are to be administered by the Board of Governors (BOG) for state universities and by the Department of Education (DOE) for all other institutions.<sup>8</sup> The funds may be used for student scholarships, recruitment of additional faculty, equipment, and simulation centers to advance high-quality nursing education programs throughout the state. Funds may not be used for the construction of new buildings.<sup>9</sup>

Each institution is required to submit a proposal to the BOG or DOE. The proposal must identify the health care partner located and licensed in the state. The BOG or DOE must review and evaluate each proposal according to the following minimum criteria:

- Whether funds committed by the health care partner will contribute to an eligible purpose.
- How the institution plans to use the funds, including how such funds will be utilized to increase student enrollment and program completion.
- How the health care partner will onboard and retain graduates.
- How the funds will expand the institution's nursing education programs to meet local, regional, or state workforce demands. If applicable, it should include advanced education nursing programs and how the funds will increase the number of faculty and clinical preceptors and planned efforts to utilize the clinical placement process.<sup>10</sup>

For the 2024-2025 fiscal year \$24,000,000 was provided to school district postsecondary technical career centers, charter technical career centers, Florida College System institutions, independent non-profit colleges or universities, and independent schools, colleges, or universities for participation in the LINE Fund program.<sup>11</sup> In the same year, \$6,000,000 was provided to state universities for participation in the LINE Fund program.<sup>12</sup>

### **Florida Center for Nursing**

The Florida Center for Nursing (center) was established in Florida to address the issues of supply and demand for nursing.<sup>13</sup> The Legislature finds that the center will repay the state's investment by providing an ongoing strategy for the state's resources directed to nursing. The center's primary goals are developing a strategic statewide plan for nursing manpower, enhancing and promoting recognition, reward and renewal activities for nurses, and for convening various groups representative nurses, other health care providers, business and industry, consumers, lawmakers and educators.<sup>14</sup>

To help accomplish these goals, the center must develop a statewide plan for nursing manpower in the state by:

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<sup>7</sup> *Id.*

<sup>8</sup> Section 1009.8962(4), F.S.

<sup>9</sup> Section 1009.8962(6), F.S.

<sup>10</sup> Section 1009.8962(7), F.S.

<sup>11</sup> Specific Appropriation 129, Ch. 2024-231, L.O.F. and s. 79, Ch. 2024-15, L.O.F.

<sup>12</sup> Specific Appropriation 146, Ch. 2024-231, L.O.F.

<sup>13</sup> Section 464.0195(1), F.S.

<sup>14</sup> Section 464.0195(2), F.S.

- Conducting statistically valid biennial data-driven gap analysis of the supply and demand of the health care workforce.
- Developing recommendations to increase nurse faculty and clinical preceptors, support nurse faculty development, and promote advanced nurse education.
- Developing best practices in academic preparation and continuing education needs of qualified nurse educators, nurse faculty, and clinical preceptors.
- Piloting innovative projects to support the recruitment, development, and retention of qualified nurse faculty and clinical preceptors.
- Encouraging and coordinating the development of academic-practice partnerships, including partnerships with hospitals which provide opportunities for nursing students to obtain clinical experience, to support nurse faculty employment and advancement.
- Developing distance learning infrastructure for nursing education and advancing faculty competencies in the pedagogy of teaching and the evidence-based use of technology, simulation, and distance learning techniques.

In addition, the center must enhance and promote recognition, reward, and renewal activities for nurses in the state by:

- Promoting nursing excellence programs such as recognition by the American Nurses Credentialing Center.
- Proposing and creating additional rewards, recognition, and renewal activities for nurses.
- Promoting media and positive image-building efforts for nursing.

Lastly, the center must convene various groups representative of nurses, or other health care providers, business and industry, consumers, lawmakers and educators to:

- Review and comment on a data analysis prepared by the center.
- Recommend systemic changes, including strategies for implementation of recommended changes.
- Evaluate and report the results of these efforts to the Legislature or other entities.<sup>15</sup>

The center is required to annually submit details of its activities during the preceding calendar year, including a nursing education program report.<sup>16</sup>

In 2024, the center conducted a Community Engagement Tour in all regions of the state. A total of 692 community members across the state participated in the Community Engagement Tour where they were able to respond to the latest center research and offer feedback about unique issues they face in their communities. Data collected during this tour will be used to build the 2026-2028 statewide strategic plan.<sup>17</sup>

The center initiated the Shaping the Future: Becoming Nursing Faculty program. This program is an online, 90-minute continuing education activity designed to provide an overview of the roles and responsibilities of nursing faculty. In 2024, the program had 1,224 enrollments and 472

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<sup>15</sup> *Id.*

<sup>16</sup> Section 494.0195(5), F.S.

<sup>17</sup> Florida Center for Nursing, *Florida Center for Nursing Impact Report 2024, page 14, available at <https://flcenterfornursing.org/about-us/annual-impact-reports/2024-impact-report/>* (Last visited Feb. 24, 2025).

completions. After completion 85% of participants indicated they would consider a pathway to becoming nursing faculty in Florida.<sup>18</sup>

## **Postsecondary Tuition and Fees**

### ***Residency Status for Tuition Purposes***

Students must be classified as residents or nonresidents for the purpose of assessing tuition in postsecondary educational programs offered by public postsecondary institutions. Students pay differing tuition rates and fees based on their status as a resident or nonresident of Florida.<sup>19</sup>

To qualify as a resident for tuition purposes, a person, or if that person is a dependent child, his or her parent or parents, must have established legal residence in Florida and must have maintained legal residence for at least 12 consecutive months immediately prior to his or her initial enrollment in the public postsecondary institution.<sup>20</sup>

Each public postsecondary institution must make a residency determination based on the submission of at least two forms of documentation specified in law. Documentation includes, but is not limited to, a Florida voter registration card, Florida driver's license, Florida vehicle registration, homestead exemption (which is a single, conclusive proof of residency), proof of full-time Florida employment, declaration of domicile, Florida incorporation, lease agreements, or utility bills.<sup>21</sup>

### ***Tuition and Out-of-State Fees***

Florida law defines "tuition" as the basic fee charged to a student for instruction provided by a public postsecondary educational institution in the state. A student who is classified as a resident for tuition purposes qualifies for the in-state tuition rate. An out-of-state fee is the additional fee for instruction charged to a student who does not qualify for the in-state tuition rate,<sup>22</sup> unless these costs are exempted or waived.<sup>23</sup>

The resident undergraduate tuition rate for the State University System (SUS) is set at \$105.07 per credit hour.<sup>24</sup> The SUS average tuition and out-of-state fee is \$570.01 per credit hour.<sup>25</sup>

The BOG may establish tuition for graduate and professional programs and out-of-state fees for all programs for state universities. Except as otherwise provided, the sum of tuition and out-of-state fees assessed to nonresident students must be sufficient to offset the full instructional cost

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<sup>18</sup> Florida Center for Nursing, *Florida Center for Nursing Impact Report 2024*, page 19-20, available at <https://flcenterfornursing.org/about-us/annual-impact-reports/2024-impact-report/> (Last visited Feb. 24, 2025).

<sup>19</sup> Section 1009.21, F.S.

<sup>20</sup> Section 1009.21(2), F.S. This section also specifies other circumstances that may classify a person as a resident for tuition purposes.

<sup>21</sup> Section 1009.21(3), F.S.

<sup>22</sup> Section 1009.01, F.S.

<sup>23</sup> Section 1009.24(2), F.S.

<sup>24</sup> Section 1009.24(4), F.S.

<sup>25</sup> Florida Board of Governors, *State University System of Florida, Tuition and Required Fees, 2024-25* at 4, <https://www.flbog.edu/wp-content/uploads/2024/10/2024-2025-SUS-Tuition-and-Fees-Report-FINAL.pdf> (last visited Mar. 14, 2025)

of serving such students. However, adjustments to out-of-state fees or tuition for graduate programs and professional programs may not exceed 15 percent in any year.

A university may also implement a differential out-of-state fee as long as it is in accordance with regulations developed by the board of governors.<sup>26</sup>

### ***Tuition Waivers***

Florida law provides waivers from specified fees to certain students who meet identified criteria. Some tuition and fee exemptions and waivers are established pursuant to Florida Statute and are considered mandatory, while others are permissive. For example, a State University System (SUS) or Florida College System (FCS) institution may waive tuition and fees for a classroom teacher who is employed full-time by a school district and who meets the established academic requirements, for up to six credit hours per term on a space-available basis in undergraduate courses approved by the Florida Department of Education (FDOE). Such courses must be limited to undergraduate courses related to special education, mathematics, or science.<sup>27</sup>

### ***Program of Strategic Emphasis or In-State Teacher Approved Preparation Program Waiver***

Under current law, for every course in a Program of Strategic Emphasis (PSE), or in a state-approved teacher preparation program identified by the Board of Governors, in which a student is enrolled, a state university must waive 100 percent of the tuition and fees for an equivalent course in such a program. To be eligible, a student must:

- Be a resident for tuition purposes;<sup>28</sup>
- Earn at least 60 semester credit hours towards a baccalaureate degree within two academic years after initial enrollment at a Florida public postsecondary institution; and
- Be enrolled in one of 10 STEM PSE.<sup>29</sup> The programs identified by the Board of Governors must reflect the priorities of Florida and be offered at most state universities.<sup>30</sup>

The PSE waiver is applicable only for upper-level courses and up to 110 percent of the number of required credit hours of the baccalaureate degree program for which the student is enrolled.<sup>31</sup>

Bright Futures Florida Academic Scholars or Florida Medallion Scholars participating in the Program of Strategic Emphasis Waiver or a state-approved teacher preparation program must receive a disbursement equal to the award amount received for the courses paid by the Bright Futures Scholarship program.<sup>32</sup>

A state university providing waivers to students enrolled in programs of strategic emphasis may receive funding to offset the forgone tuition revenue if the Legislature appropriates funding in

<sup>26</sup> Section 1009.24(4), F.S.

<sup>27</sup> Section 1009.26, F.S.

<sup>28</sup> A student who is classified as a “resident for tuition purposes” is a student who qualifies for the in-state tuition rate. Section 1009.21(1)(g), F.S.

<sup>29</sup> Section 1009.26, F.S., Rule 6A-14.0542, F.A.C.

<sup>30</sup> Section 1009.26(18)(a), F.S.

<sup>31</sup> Section 1009.26(18)(b), F.S.

<sup>32</sup> Section 1009.26(18)(c), F.S.

the General Appropriations Act.<sup>33</sup> For 2024-2025 fiscal year, the Legislature appropriated \$38,485,299 for this purpose.<sup>34</sup>

**Out-of-State Enrollment**

In a 2022 study, it was reported that in 47 states, public research universities increased the proportion of out-of-state undergraduate students they admitted between 2002 and 2022. In those two decades, the percentage of out-of-state undergraduate students at those universities rose steadily from a nationwide average of 18 percent to 28 percent. The study assumes that this increase occurred due to tightening of budgets and decreasing college enrollment, causing state universities to admit more nonresident students to boost their revenues.<sup>35</sup>

Public colleges and universities were designed to serve the educational needs of those who live in the state. To uphold that mission, some schools and states set enrollment caps or limit the number of out-of-state students that can be admitted each year.<sup>36</sup> Florida’s systemwide enrollment cap on non-resident student enrollment is set by the BOG and is 10 percent of the total systemwide enrollment.<sup>37</sup>

Florida’s universities continue to be a destination for out-of-state students due their national rankings and affordable tuition and fees. Since 2012, the number of undergraduate and graduate out-of-state students enrolled in the state university system has increased significantly. Specifically, as shown in the table below, the number of undergraduate out-of-state students has increased 148 percent (18,525 students) while the number of graduate out-of-state students have increased by 55 percent (8,995 students).<sup>38</sup>

FALL TERM	UNDERGRADUATE			GRADUATE		
	NON-RESIDENT	TOTAL	PERCENT	NON-RESIDENT	TOTAL	PERCENT
2012	12,555	258,238	4.9%	16,310	62,111	26.3%
2013	13,581	260,682	5.2%	16,708	61,750	27.1%
2014	15,331	262,959	5.8%	17,638	61,708	28.6%
2015	17,703	267,395	6.6%	19,101	62,751	30.4%
2016	20,142	271,420	7.4%	20,310	64,842	31.3%
2017	21,852	275,099	7.9%	20,650	65,824	31.4%
2018	23,922	277,713	8.6%	20,227	66,168	30.6%
2019	25,136	278,765	9.0%	20,907	67,879	30.8%
2020	25,260	280,387	9.0%	21,837	72,703	30.0%
2021	27,969	277,542	10.1%	24,192	76,734	31.5%
2022	31,080	274,477	11.3%	25,305	75,443	33.5%

<sup>33</sup> Section 1009.26(18)(d), F.S.

<sup>34</sup> Specific Appropriation 147, Ch. 2024-231, L.O.F.

<sup>35</sup> Stateline, State universities admit more out-of-state students for the tuition bump (2024) available at <https://stateline.org/2024/02/15/state-universities-admit-more-out-of-state-students-for-the-tuition-bump/> (last visited Mar. 27, 2025).

<sup>36</sup> US News, College Enrollment Caps (2022), available at <https://www.usnews.com/education/articles/college-enrollment-caps-what-to-know> (last visited Mar. 27, 2025).

<sup>37</sup> Florida Board of Governors, *R. 7.006 Limitation on Non-resident Student Enrollment*, available at [https://www.flbog.edu/wp-content/uploads/7.006\\_technical\\_change\\_2010\\_01\\_12.pdf](https://www.flbog.edu/wp-content/uploads/7.006_technical_change_2010_01_12.pdf) (last visited Mar. 31, 2025).

<sup>38</sup> Florida Board of Governors, *Tuition and Out-Of-State Fee Overview* (2023), available at <https://www.flbog.edu/wp-content/uploads/2023/06/Tuition-and-Out-of-State-Fee-Overview.pdf> at 6 (last visited Mar. 27, 2025)

### III. Effect of Proposed Changes:

**Section 1** amends s. 464.0195, F.S., to clarify that the Florida Center of Nursing (Center) is located within the University of South Florida. The bill provides that the Center must administer the Linking Industry to Nursing Education (LINE) Fund and must proactively promote to eligible institutions the availability of matching funds through the LINE Fund prior to the opening of the annual application period.

The center is also responsible for administering the application, evaluating, and distributing the LINE Fund and for providing technical assistance to eligible institutions prior to, during, and after the award process to maximize the success of the program statewide. The center must also develop and publish on its website guidelines for the LINE Fund that include: application periods and deadlines, criteria for program eligibility and funding priorities, a preapproval process, a process to ensure a fair evaluation of all submitted proposals and determination of award recipients, the process that each type of eligible institution must follow to certify the receipt of and pledged contributions from any other partner organizations, and reporting and accountability standards for recipients.

**Section 2** amends s. 1009.24, F.S., to remove the authority of the Board of Governors (BOG) to establish out-of-state fees for all programs. The bill authorizes each university board of trustees (BOT) to establish such fees, provided the sum of tuition and out-of-state fees assessed to non-resident students is sufficient to offset the full instructional cost of serving such students.

Additionally, beginning with the 2026-2027 academic year, the BOG is required to ensure that the systemwide threshold for non-resident student enrollment, excluding the non-resident student enrollment at Florida Agriculture and Mechanical University, does not exceed the threshold established pursuant to BOG regulations, which sets the threshold at 10 percent.

The bill removes the requirement specifying that the block tuition policy for non-resident undergraduate students shall be based on the per-credit-hour undergraduate tuition and out-of-state fee to conform to the removal of the authority for the BOG to establish the out-of-state fees for all programs.

**Section 3** amends s. 1009.26, F.S., to specify that for students enrolled in a Program of Strategic Emphasis or in a state-approved teacher preparation program, and who have out-of-pocket expenses for tuition and fees after all federal, state, and institutional gift aids are applied, then a state university shall waive 100 percent of the student's out-of-pocket expenses for tuition and fees for an equivalent course in such program.

**Section 4** amends s. 1009.862, F.S., to expand the definition of the term "health care partner" and allow the center to consider organizations that are connected to nursing education or the nursing workforce. The following organizations will now be eligible for consideration under the health care partner provision: an organization that manufactures or sells durable medical equipment or simulation equipment that demonstrably enhances or supplements a nursing student's education; an organization that provides educational materials or instruction related to preparation to pass a nationally recognized nursing licensure examination; a health care organization active in the state that employs or utilizes licensed nurses to deliver direct patient



care; and a nonprofit organization or fund with a 501(c)(3) designation registered in the state for at least two years prior to the date of the initial LINE Fund application that is organized primarily, or that makes other reportable charitable contributions, to support the health care workforce of this state through training or the continuing education of health care professionals.

This section of the bill also provides the definition of center to be the Florida Center for Nursing within the University of South Florida.

In addition, the bill expands the allowed uses of the LINE Fund to include preceptors, increasing enrollment, completions, and licensure exam passage rates, internships, and other related activities determined by the center to advance high quality nursing education programs and to expand the qualified nursing workforce throughout the state.

The bill retains that funds may not be used for construction of new buildings but does allow for funds to be used to expand, retrofit, or upgrade existing facilities if the proposal will result in increased program enrollment or improved or modernized educational or simulation space for nursing education students.

The bill streamlines and simplifies the proposal process by requiring institutions to submit timely and completed proposals to the center, rather than the Board of Governors (BOG) or the Department of Education (DOE). The proposal must identify the specific health care partner whose monetary or non-monetary contributions will be matched. The bill further specifies the examples of non-monetary donations and the requirements to accept non-monetary contributions as health care partner matching funds.

The bill provides that the center must timely review and evaluate each submitted and completed proposal according to the minimum criteria requirements including but not limited to the institution's plan to utilize funds, and how the health care partner will onboard and retain graduates or otherwise improve the likelihood that graduates will successfully join the state or local workforce.

Additionally, the bill allows the center to assign priority consideration for applications that will improve services in underserved geographic areas or for programs and partnerships that address the greatest workforce needs or gaps.

The bill requires that after reviewing and evaluating each timely submitted proposal, the center must notify the applicant of its determination and provide a brief explanation for the reasons for reaching such determination.

The bill clarifies that the center may, but is not required to, award funds to an approved proposal for up to three academic years immediately following the academic year within which the initial approval is granted and provides the notification requirements to the institution.

Lastly, the bill removes the requirement for the BOG and State Board of Education (SBE) to adopt regulations and rules to administer the funds, establish dates for submission and review of proposals, award funds, and other regulations and rules necessary to implement the LINE Fund

**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

None.

## D. State Tax or Fee Increases:

None.

## E. Other Constitutional Issues:

The Florida Constitution provides:

Any proposal or action of a constituent university to raise, impose, or authorize any fee, as authorized by law, must be approved by at least nine affirmative votes of the members of the board of trustees of the constituent university, if approval by the board of trustees is required by general law, and at least twelve affirmative votes of the members of the board of governors, *if approval by the board of governors is required by general law*, in order to take effect. A fee under this subsection shall not include tuition.<sup>39</sup>

**V. Fiscal Impact Statement:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

None.

## C. Government Sector Impact:

SB 2500 reduces the funding appropriated to universities by \$38,485,299 for tuition waivers for students enrolled in upper division courses for Programs of Strategic Emphasis and approved teacher education programs.

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<sup>39</sup> Fla. Const. Art. IX, s. 7.

SB 2500 transfers \$30 million for the LINE Fund from the Florida College System and State University System - Education and General Activities budgets to the Florida Center for Nursing within the University of South Florida to reflect the center's role as the administrator for the program. In addition, SB 2500 provides an additional \$3 million for program administration.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 464.0195, 1009.24, 1009.26, and 1009.8962.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.