

FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

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BILL #: [HB 45](#)

TITLE: Resident Status for Tuition Purposes

SPONSOR(S): Edmonds and Gantt

COMPANION BILL: [SB 360](#) (Osgood)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Education Administration](#)

18 Y, 0 N



[Criminal Justice](#)



[Education & Employment](#)

SUMMARY

Effect of the Bill:

The bill provides that an individual may not lose his or her resident status for tuition purposes due to incarceration in a state or federal correctional facility in Florida.

Fiscal or Economic Impact:

The bill has an indeterminate fiscal impact on revenues for the State University System and Florida College System. An out-of-state fee would no longer be collected from students that would not qualify for in-state tuition rates solely by reason of incarceration. However, universities and colleges may see an increase in enrollment, and therefore revenues, as the bill removes a barrier to access for the formerly incarcerated student population.

[JUMP TO](#)

[SUMMARY](#)

[ANALYSIS](#)

[RELEVANT INFORMATION](#)

[BILL HISTORY](#)

ANALYSIS

EFFECT OF THE BILL:

The bill provides that an individual classified as a resident for tuition purposes in postsecondary educational programs may not lose his or her [resident status for tuition](#) purposes solely by reason of incarceration in a state or federal correctional facility in this state. (Section [1](#)).

The effective date of the bill is July 1, 2025. (Section [2](#)).

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill has an indeterminate fiscal impact on revenues for the State University System and Florida College System. An out-of-state fee would no longer be collected from students that would not qualify for in-state tuition rates solely by reason of incarceration. However, universities and colleges may see an increase in enrollment, and therefore revenues, as the bill removes a barrier to access for the formerly incarcerated student population.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

[Resident Status for Tuition Purpose](#)

Students must be classified as residents or nonresidents for the purpose of assessing tuition in postsecondary educational programs offered by charter technical career centers, career centers operated by school districts,

STORAGE NAME: h0045a.EAS

DATE: 4/2/2025

Florida College System (FCS) institutions, and state universities. Students pay differing tuition rates based on their status as a resident or nonresident of Florida.¹

Tuition and Out of State Fees

Under Florida law, 'tuition' is defined as the basic fee charged to a student for instruction provided by a public postsecondary educational institution in the state.² A 'resident for tuition purposes' is a student who qualifies for the in-state tuition rate.³ The resident undergraduate tuition rate for the State University System (SUS) is currently set in statute at \$105.07 per credit hour.⁴ For baccalaureate degree programs offered at a Florida College System institution, the statutory resident tuition rate is \$91.79 per credit hour.⁵

Residents for tuition purposes are charged the statutory rates for tuition while non-residents pay out-of-state fees in addition to tuition, unless these costs are exempted or waived. An 'out-of-state fee' is the additional fee for instruction provided by a public postsecondary education institution in the state, and is charged to a student who does not qualify for the in-state tuition rate.⁶ Across the State University System, for the 2024-25 academic year, the average out-of-state fee was \$464.94 per credit hour.⁷ Across the Florida College System, for the 2024-25 academic year, the weighted average of out-of-state fee for baccalaureate degree programs was \$317.69 per credit hour.⁸

Establishing Residency

With respect to tuition and fees at public postsecondary institutions, a legal Florida resident is someone who has maintained his or her residence in the state for the preceding year, has purchased a home which is occupied by him or her as his or her residence, or has established a domicile in this state.⁹ Such residency must be bona fide and not for the sole purpose of enrollment at the institution. If the person is a dependent child, his or her parent (or guardian) must meet this requirement.

Currently, residency must be proven by two or more documents, including at least one of the following:¹⁰

- A voter registration card.
- A driver license/identification card.
- A vehicle registration.
- Proof of a permanent home in Florida occupied as a primary residence.
- Proof of a homestead exemption.
- High school transcripts from a Florida high school for multiple years if the diploma was earned within the last 12 months.
- Proof of permanent employment (30 or more hours per week for a 12-month period).

Additionally, one or more of the following may also be evidenced:¹¹

- Declaration of domicile.
- Professional or occupational license.
- Business incorporation.
- Documentation of family ties.
- Membership in Florida-based charitable or professional organization.

¹ S. [1009.21, F.S.](#)

² S. [1009.01\(1\), F.S.](#)

³ S. [1009.21\(1\)\(g\), F.S.](#)

⁴ S. [1009.24\(4\)\(a\), F.S.](#)

⁵ S. [1009.23\(3\)\(b\), F.S.](#)

⁶ S. [1009.01\(2\), F.S.](#)

⁷ Florida Board of Governors, *Tuition & Fees*, <https://www.flbog.edu/universities/parents-students/tuition-fees/> (last visited March 31, 2025).

⁸ Florida Department of Education, Florida College System, *Accountability – Data Systems*, <https://www.fldoe.org/accountability/data-sys/CCTCMIS/reports.stml>, (link to 2025 Fact Book, worksheet FB 7.12T within the Excel file) (last visited Mar. 31, 2025).

⁹ S. [1009.21\(1\)\(d\), F.S.](#)

¹⁰ S. [1009.21\(3\)\(c\)1., F.S.](#)

¹¹ S. [1009.21\(3\)\(c\)2., F.S.](#)

- Any other supporting documentation supporting residency (lease agreement, utility bills, etc.).

A person loses his or her classification as a resident for tuition purposes if:¹²

- The person or, if he or she is a dependent child, the person’s parent or parents establish domicile or legal residence outside of the state. The person’s resident status will continue for a 12-month statutory grace period.
- The person ceases to be enrolled at or graduates from an institution of higher education while classified as a resident for tuition purposes, subsequently abandons their domicile in Florida, and fails to reestablish his or her domicile in the state within 12 months.

Guidelines for Residency for Tuition Purposes

The purpose of the Statewide Residency Committee, a subcommittee of the Articulations Coordinating Committee (ACC),¹³ is to:¹⁴

- Review the statutes and rules relating to residency for tuition purposes and make recommendations to the ACC for revisions;
- Draft and revise statewide residency guidelines that provide further clarification of statute and rule; and
- Provide technical assistance to the ACC, the Commissioner of Education, the State Board of Education, the Board of Governors, and the Legislature regarding state policies relating to residency for tuition purposes.

The ACC’s statewide residency guidelines provide that prison inmates are not precluded from establishing residency for tuition purposes in Florida. However, they may not establish residency for tuition purposes by virtue of their incarceration in Florida. Evidence must be provided for the 12 month period prior to incarceration.¹⁵

RECENT LEGISLATION:

YEAR	BILL #	HOUSE SPONSOR(S)	SENATE SPONSOR	OTHER INFORMATION
2024	CS/SB 62	Edmonds	Osgood	The Governor vetoed the bill on June 25, 2024.

OTHER RESOURCES:

House Education & Employment Fact Sheet: [In-State Tuition](#)

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Education Administration Subcommittee	18 Y, 0 N	4/2/2025	Sleep	Dixon
Criminal Justice Subcommittee				
Education & Employment Committee				

¹² S. [1009.21\(8\)-\(9\), F.S.](#)

¹³ The ACC is a K-20 advisory body established in 1971 as a forum for discussing and coordinating ways to help move student easily from institution to institution and from one level of education to the next. See [s. 1007.01, F.S.](#)

¹⁴ Florida Department of Education, *Articulation Coordinating Committee – Statewide Residency Committee*, available at <https://web05.fldoe.org/Perfcpt/publicapps/articulation/acc-stwide-residency.asp>.

¹⁵ ACC, *Guidelines on Florida Residency for Tuition Purposes*, at 21, available at <https://www.fldoe.org/core/fileparse.php/7744/urlt/ACCResidencyGuidelines1119.pdf>

