

1 A bill to be entitled
 2 An act relating to postsecondary out-of-state fee
 3 waivers; amending s. 1009.26, F.S.; deleting
 4 provisions relating to the waiver of out-of-state fees
 5 for certain students, including students who are
 6 undocumented for federal immigration purposes;
 7 providing for severability; providing an effective
 8 date.

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

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 12 **Section 1. Subsection (12) of section 1009.26, Florida**
 13 **Statutes, is amended to read:**

14 1009.26 Fee waivers.—

15 ~~(12) (a) A state university, a Florida College System~~
 16 ~~institution, a career center operated by a school district under~~
 17 ~~s. 1001.44, or a charter technical career center shall waive~~
 18 ~~out-of-state fees for students, including, but not limited to,~~
 19 ~~students who are undocumented for federal immigration purposes,~~
 20 ~~who meet the following conditions:~~

21 ~~1. Attended a secondary school in this state for 3~~
 22 ~~consecutive years immediately before graduating from a high~~
 23 ~~school in this state;~~

24 ~~2. Apply for enrollment in an institution of higher~~
 25 ~~education within 24 months after high school graduation; and~~

26 ~~3. Submit an official Florida high school transcript as~~
27 ~~evidence of attendance and graduation.~~

28 ~~(b) Tuition and fees charged to a student who qualifies~~
29 ~~for the out-of-state fee waiver under this subsection may not~~
30 ~~exceed the tuition and fees charged to a resident student. The~~
31 ~~waiver is applicable for 110 percent of the required credit~~
32 ~~hours of the degree or certificate program for which the student~~
33 ~~is enrolled. Each state university, Florida College System~~
34 ~~institution, career center operated by a school district under~~
35 ~~s. 1001.44, and charter technical career center shall report to~~
36 ~~the Board of Governors and the State Board of Education,~~
37 ~~respectively, the number and value of all fee waivers granted~~
38 ~~annually under this subsection. By October 1 of each year, the~~
39 ~~Board of Governors for the state universities and the State~~
40 ~~Board of Education for Florida College System institutions,~~
41 ~~career centers operated by a school district under s. 1001.44,~~
42 ~~and charter technical career centers shall annually report for~~
43 ~~the previous academic year the percentage of resident and~~
44 ~~nonresident students enrolled systemwide.~~

45 ~~(c) A state university student granted an out-of-state fee~~
46 ~~waiver under this subsection must be considered a nonresident~~
47 ~~student for purposes of calculating the systemwide total~~
48 ~~enrollment of nonresident students as limited by regulation of~~
49 ~~the Board of Governors. In addition, a student who is granted an~~
50 ~~out-of-state fee waiver under this subsection is not eligible~~

51 ~~for state financial aid under part III of this chapter and must~~
52 ~~not be reported as a resident for tuition purposes.~~

53 ~~(d) A state university, a Florida College System~~
54 ~~institution, a career center operated by a school district under~~
55 ~~s. 1001.44, or a charter technical career center shall, within~~
56 ~~the nonresident student enrollment systemwide, prioritize the~~
57 ~~enrollment of a veteran who is granted an out-of-state fee~~
58 ~~waiver pursuant to the Congressman C.W. "Bill" Young Tuition~~
59 ~~Waiver Act over a student who is granted an out-of-state fee~~
60 ~~waiver under this subsection.~~

61 **Section 2.** If any provision of this act or its application
62 to any person or circumstance is held invalid, the invalidity
63 does not affect other provisions or applications of this act
64 which can be given effect without the invalid provision or
65 application, and to this end the provisions of this act are
66 severable.

67 **Section 3.** This act shall take effect July 1, 2025.