

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.)

Prepared By: The Professional Staff of the Appropriations Committee on Higher Education

BILL: SB 720

INTRODUCER: Senator Osgood

SUBJECT: Resident Status for Tuition Purposes

DATE: February 3, 2026 REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Bouck	Bouck	HE	Favorable
2. Gray	Elwell	AHE	Pre-meeting
3. _____	_____	RC	_____

I. Summary:

SB 720 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 this state.

This bill does not appear to have a fiscal impact. **See Section V., Fiscal Impact Statement.**

The bill is effective July 1, 2026.

II. Present Situation:

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 charter technical career centers, career centers operated by school districts, 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 A “resident for tuition purposes” means an admitted or currently enrolled student who meets the residency requirements in statute and rule or regulation, and is therefore eligible to pay the resident tuition and fee rate.²

Specifically, 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 an institution of higher education.

¹ Section 1009.21, F.S.

² Rule 6A-10.044, F.A.C. and Board of Governors Regulation 7.005.

- Every applicant for admission to an institution of higher education must make a statement as to his or her length of residence and establish that his or her presence or, if the applicant is a dependent child, the presence of his or her parent or parents in Florida currently is, and during the requisite 12-month qualifying period was, for the purpose of maintaining a bona fide domicile.³

A person must show certain proof that he or she should be classified as a resident for tuition purposes and may not receive the in-state tuition rate until clear and convincing evidence related to legal residence and its duration has been provided. Each institution of higher education must make a residency determination that is documented by the submission of written or electronic verification that includes two or more specified documents that:

- Must include at least one of the following (“Tier 1”):
 - A Florida voter’s registration card.
 - A Florida driver license.
 - A State of Florida identification card.
 - A Florida vehicle registration.
 - Proof of a permanent home in Florida which is occupied as a primary residence by the individual or by the individual’s parent if the individual is a dependent child.
 - Proof of a homestead exemption in Florida.
 - Transcripts from a Florida high school for multiple years if the Florida high school diploma or high school equivalency diploma was earned within the last 12 months.
 - Proof of permanent full-time employment in Florida for at least 30 hours per week for a 12-month period.
- May include one or more of the following (“Tier 2”):
 - A declaration of domicile in Florida.
 - A Florida professional or occupational license.
 - Florida incorporation.
 - A document evidencing family ties in Florida.
 - Proof of membership in a Florida-based charitable or professional organization.
 - Any other documentation that supports the student’s request for resident status, including, but not limited to, utility bills and proof of 12 consecutive months of payments; a lease agreement and proof of 12 consecutive months of payments; or an official state, federal, or court document evidencing legal ties to Florida.⁴

Florida Residency for Incarcerated Individuals

Each FCS institution and state university must develop regulations, policies, and procedures for determining each admitted student’s Florida residency status for tuition purposes.⁵ Therefore, each institution of higher education must establish policies regarding incarcerated individuals. For example, Tallahassee State College and St. Petersburg College both require an incarcerated individual to provide documentation that he or she lived in Florida for 12 months before incarceration and requires Tier 1 and Tier 2 documentation to prove his or her physical presence

³ Section 1009.21(2), F.S.

⁴ Section 1009.21(3), F.S.

⁵ Rule 6A-10.044(3), F.A.C. and Board of Governors Regulation 7.005(5).

in Florida for 12 months before being incarcerated. If the individual has been released for a year or longer, he or she must provide documentation for the most recent 12 months.⁶

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 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.⁷

Residents for tuition purposes are charged in-state rates for tuition while non-residents pay out-of-state fees in addition to tuition, unless these costs are exempted or waived.⁸ The resident undergraduate tuition rate for the State University System (SUS) is currently set in statute at \$105.07 per credit hour.⁹ The SUS average cost of resident and nonresident tuition and fees per credit hour is shown below:¹⁰

State University System Tuition & Fees				
Undergraduate Baccalaureate	Standard Tuition (Per Credit Hour)	Average Tuition & Fees (Per Credit Hour)	Standard Tuition (Per 30 Credit Hours)	Average Tuition & Fees (Per 30 Credit Hours)
Resident	\$105.07	\$200.08	\$3,152.10	\$6,002.41
Non-Resident	\$105.07	\$690.99	\$3,152.10	\$20,729.69
Difference	-	\$490.91	-	\$14,727.28

Within the FCS, for college credit courses in advanced and professional, postsecondary vocational, developmental education, and educator preparation institute programs, the standard tuition is \$71.98 per credit hour for residents and nonresidents, and the out-of-state fee is \$215.94 per credit hour. Baccalaureate degree program tuition is \$91.79 per credit hour for students who are residents for tuition purposes. The sum of the tuition and the out-of-state fee per credit hour for students who are nonresidents for tuition purposes can be no more than 85 percent of the sum of the tuition and the out-of-state fee at the state university nearest the FCS institution.¹¹

III. Effect of Proposed Changes:

This bill modifies s. 1009.21, F.S., by providing that an individual who has met the requirements to be classified as a resident for tuition purposes may not lose his or her resident status for tuition purposes solely because of incarceration in a state or federal correctional facility in Florida.

⁶ Tallahassee Community College, Residency FAQs, <https://www.tsc.fl.edu/media/divisions/admissions-and-recruiting/forms/Residency-FAQs.pdf> and St. Petersburg College, Residency FAQs, <https://www.spcollege.edu/future-students/admissions/residency/residency-faqs> (last visited Jan. 26, 2026).

⁷ Section. 1009.01, F.S.

⁸ Section. 1009.24(2), F.S.

⁹ Section. 1009.24(4)(a), F.S.

¹⁰ Florida Board of Governors, State University System of Florida, *Tuition and Required Fees, 2025-2026*, available at, <https://www.flbog.edu/wp-content/uploads/2025/07/2025-2026-SUS-Tuition-and-Fees-Report.pdf> (last visited Jan. 26, 2026).

¹¹ Section 1009.23(3), F.S.

The bill is effective July 1, 2026.

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:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill does not appear to have a fiscal impact on state revenues or expenditures. However, the bill would pose a fiscal impact to the institution if an institution of higher education's policies regarding incarcerated individuals does not currently allow such individuals to submit proof to qualify for the in-state tuition rate.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1009.21 of the Florida Statutes.

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.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
