

Amendment No.

CHAMBER ACTION

Senate

House

.

The Conference Committee on HB 5601E offered the following:

Conference Committee Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Paragraph (a) of subsection (1) of section 1001.92, Florida Statutes, as amended by chapter 2026-59, Laws of Florida, is amended to read:

1001.92 State University System Performance-Based Incentive.—

(1) A State University System Performance-Based Incentive shall be awarded to state universities using performance-based metrics adopted by the Board of Governors of the State University System. Beginning with the Board of Governors'

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14 determination of each university's performance improvement and
15 achievement ratings, and the related distribution of annual
16 fiscal year appropriation, the performance-based metrics must
17 include:

18 (a) The 4-year graduation rate and adjusted cohort
19 graduation rate for engineering programs and co-op programs for
20 first-time-in-college students. For purposes of this paragraph,
21 a "co-op program" is a program identified by a state university,
22 subject to approval by the Board of Governors, that combines
23 academic study with up to four semesters of related paid work
24 experience prior to graduation;

25
26 The Board of Governors may approve other metrics in a publicly
27 noticed meeting. The board shall adopt benchmarks to evaluate
28 each state university's performance on the metrics to measure
29 the state university's achievement of institutional excellence
30 or need for improvement and minimum requirements for eligibility
31 to receive performance funding. Benchmarks and metrics may not
32 be adjusted after university performance data has been received
33 by the Board of Governors.

34 **Section 2. Section 1004.342, Florida Statutes, is created**
35 **to read:**

36 1004.342 Efficient use of state university system assets
37 in Manatee and Sarasota Counties.-

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38 (1) DEFINITIONS.—As used in this section and in its
39 applicability in contracts, leases, and other written
40 instruments involved in implementing this section:

41 (a) The following terms have the same meaning and should
42 be interpreted and used interchangeably:

43 1. "University of South Florida Sarasota/Manatee."

44 2. "University of South Florida Sarasota-Manatee."

45 3. "USF Sarasota/Manatee."

46 4. "USF Sarasota-Manatee."

47 (b) The term "New College" means New College of Florida.

48 (c) The term "USF" means the University of South Florida.

49 (2) TRANSFER OF ASSETS AND LIABILITIES BETWEEN STATE
50 UNIVERSITY INSTITUTIONS AND CAMPUSES.—

51 (a) The board of trustees of New College of Florida shall,
52 as soon as reasonably practical, but no later than December 31,
53 2026, complete all steps necessary or appropriate to assume,
54 legally and financially, the full liability for any outstanding
55 debt for any facilities constructed upon the properties that
56 encompass the University of South Florida Sarasota/Manatee
57 campus, including, but not limited to, any fees and costs
58 associated with transferring, satisfying, retiring, defeasing,
59 or repaying such debt obligations. The facilities contemplated
60 in this paragraph include, but are not limited to, any
61 dormitories or other campus facilities that were financed in
62 whole or in part with debt payable by the board of trustees of

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63 the University of South Florida or the University of South
64 Florida Financing Corporation and for which a balance of that
65 debt remains outstanding on July 1, 2026.

66 (b) Until such time as New College of Florida completes
67 the obligations listed in paragraph (a), New College of Florida
68 shall transfer to the University of South Florida monthly a
69 payment equal to the outstanding debt service on the facilities
70 contemplated in this section, which shall be \$166,617 per month.
71 All payments described in this section shall be paid from
72 sources available to New College of Florida and may not be paid
73 or funded from the University of South Florida or the University
74 of South Florida Sarasota/Manatee sources. The failure of New
75 College of Florida to transfer the amounts described in this
76 section shall invalidate the transfer of facilities, and such
77 facilities shall revert to the University of South Florida.

78 (c) Subject to the requirements of paragraphs (b) and (d),
79 all real property encompassing the University of South Florida
80 Sarasota/Manatee campus, and any existing contracts, leases,
81 obligations, responsibilities, and liabilities of the board of
82 trustees of the University of South Florida which are
83 principally associated with such real property or any facilities
84 constructed upon those parcels, must be transferred to the board
85 of trustees of New College of Florida by July 1, 2026. New
86 College of Florida shall be solely responsible for all costs of
87 operating, repairing, replacing, renovating, and maintaining the

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88 facilities contemplated in this section as of the date of
89 transfer.

90 (d)1. The determination of the specific assets and
91 liabilities to be transferred under this section must be made in
92 a written joint transfer agreement, including the facility use
93 agreement required by subsection (3), between the board of
94 trustees of the University of South Florida and the board of
95 trustees of New College of Florida by July 1, 2026. The boards
96 of trustees must jointly submit the signed agreements to the
97 Board of Governors. When determining the specific assets and
98 liabilities to be transferred between institutions, the board of
99 trustees of each institution must adhere to the following
100 guiding principles:

101 a. Any academic, administrative, or residential buildings
102 and other assets that are reasonably considered permanent and
103 immovable from the existing University of South Florida
104 Sarasota/Manatee campus parcels, including general educational
105 and classroom furnishings and fixtures located therein, shall be
106 transferred to the board of trustees of New College of Florida
107 for the future use of New College of Florida students and
108 faculty.

109 b. Any intellectual property, intangible property,
110 educational and research equipment that is not permanently
111 affixed to the facilities, computers and other equipment
112 previously assigned to personnel remaining in employment with

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113 the University of South Florida, records, and any institutional
114 insignia or items that have historical significance to the
115 University of South Florida which are not specifically
116 associated with the parcels of land or facilities that will be
117 transferred shall remain the property of the board of trustees
118 of the University of South Florida.

119 c. Contracts for the lease of a temporary residence on the
120 University of South Florida Sarasota/Manatee campus between the
121 University of South Florida and a student, or an individual
122 acting on the student's behalf, which are in place before the
123 transfer of ownership of a residential facility on that campus
124 must be:

125 I. Transferred from the University of South Florida to New
126 College of Florida.

127 II. Fully honored in terms, duration, and price by the
128 board of trustees of New College of Florida until at least
129 August 15, 2027, unless the student or lessee voluntarily opts
130 to vacate the residential contract before its expiration date, in
131 which case New College of Florida must allow the lessee to go
132 free of any cancellation fee or remaining rental charge.

133 2. In the event of a dispute on the transfer of any
134 specific assets and liabilities required by this section before
135 July 1, 2026, the boards must jointly notify the Board of
136 Governors of the remaining points of disagreement. The Board of
137 Governors, by majority vote, must resolve any remaining disputed

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138 issues and terms and order the specific transfers no later than
139 September 30, 2026. When determining and ordering any disputed
140 transfers, the Board of Governors must adhere to the guiding
141 principles in subparagraph 1.

142 (3) FACILITY USE AGREEMENT.—

143 (a) A University of South Florida student who was admitted
144 to the university before July 1, 2026, and who remains
145 continuously enrolled must receive the highest priority for the
146 use of space for classroom instruction and associated
147 educational needs in any transferred property or facility until
148 the student has been provided the opportunity to graduate from
149 the University of South Florida within a reasonable period of
150 time, not to exceed 4 full academic years after the date of the
151 student's initial enrollment, as determined by the board of
152 trustees of the University of South Florida.

153 (b) The board of trustees of New College of Florida must
154 enter into a facility use agreement with the board of trustees
155 of the University of South Florida which makes available, free
156 of any charge to the University of South Florida, sufficient
157 academic and student support space in the transferred properties
158 or facilities so that a University of South Florida student who
159 was admitted to the university before July 1, 2026, has the
160 reasonable opportunity to complete his or her University of
161 South Florida degree programs on his or her local campus and to
162 ensure that New College of Florida students, faculty, and staff

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163 have access to the educational and administrative space, when
164 feasible, during and throughout the University of South Florida
165 teach-out process.

166 (c) The University of South Florida may not allow a newly
167 enrolled student whose initial offer of admission to the
168 university came after July 1, 2026, to designate the University
169 of South Florida Sarasota/Manatee campus as the student's home
170 campus of the University of South Florida.

171 (d) This subsection does not prohibit the University of
172 South Florida and New College of Florida from jointly entering
173 into any other mutual agreement to share or use space in any of
174 the transferred properties or facilities when it is in the best
175 interest of both institutions or the students thereof.

176 (4) IMMUNITY FROM LIABILITY.—The board of trustees of the
177 University of South Florida and the board of trustees of New
178 College of Florida, and their respective officers, trustees,
179 employees, attorneys, and agents, are immune from any and all
180 civil liability pertaining to or arising from compliance with
181 this section, including the transfers required by, or those made
182 as a direct result of, this section.

183 (5) REPEAL.—This section is repealed July 1, 2028, but
184 after that date the asset transfers required by this section
185 shall not be impacted solely by the repeal of this section.

186 **Section 3. Subsection (1) of section 1004.344, Florida**
187 **Statutes, is amended to read:**

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188 1004.344 The Florida Center for the Partnerships for Arts
189 Integrated Teaching.—

190 (1) The Florida Center for the Partnerships for Arts
191 Integrated Teaching is created within the University of South
192 Florida and shall be physically headquartered at the University
193 of South Florida Sarasota/Manatee.

194 **Section 4. Section 1004.64992, Florida Statutes, is**
195 **created to read:**

196 1004.64992 Disaster Preparedness Center.—

197 (1) The Disaster Preparedness Center is established at the
198 Florida International University as the statewide center of
199 excellence for disaster preparedness, response, recovery, and
200 resilience training. The purpose of the center is to serve as a
201 statewide hub for disaster simulation, training, interagency
202 collaboration, applied research, and education. The center shall
203 be operated in partnership with the Division of Emergency
204 Management.

205 (2) The center shall:

206 (a) Develop and conduct rigorous, evidence-based, and
207 scenario-based training programs on disaster preparedness,
208 mitigation, response, and recovery.

209 (b) Evaluate coastal and urban resilience to hurricanes,
210 flooding, storm surge, wildfires, and other natural or human-
211 caused hazards.

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212 (c) Develop and operate simulation and training
213 environments to prepare first responders, emergency managers,
214 engineers, health professionals, and students for urban search
215 and rescue, including collapsed structure and mass-casualty
216 training.

217 (d) Construct and maintain realistic disaster simulation
218 environments, including, but not limited to, hurricanes,
219 flooding, storm surge, wildfires, collapsed structures, urban
220 search-and-rescue, hazardous material areas, and emergency
221 operations center replicas.

222 (e) Serve as a statewide venue for multiagency disaster
223 exercises, emergency management certification, and continuing
224 education.

225 (f) Develop best practices, resources, and training
226 modules to support public and private sector preparedness.

227 (g) Support applied research in disaster preparedness and
228 mitigation, infrastructure hardening, and recovery.

229 (h) Provide technical assistance to the Legislature, state
230 agencies, local governments, and the Federal Government in
231 evaluating and improving policies relating to resilience,
232 emergency management, and disaster response.

233 (i) Collaborate with the relevant federal and state
234 agencies and private sector entities to improve disaster
235 readiness.

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236 (j) Serve as a resource to assist local, state, and
237 federal emergency operations during declared disasters.

238 (k) Plan and host events, workshops, and exercises to
239 strengthen the capacity of local, state, federal, and
240 international partners.

241 (3) The center may:

242 (a) Hire faculty, staff, and technical experts and develop
243 courses relating to resilience and rescue activities.

244 (b) Hold events, including symposiums, exercises,
245 demonstrations, and conferences.

246 (c) Conduct, aid, and sponsor research and publish, or
247 otherwise make available to residents and stakeholders,
248 articles, reports, analyses, and resources.

249 (d) Provide training and continuing education to first
250 responders, government officials, private sector partners, and
251 students.

252 (e) Assist the Legislature and governmental entities with
253 reports, policy analyses, testimony, and technical support.

254 (f) Provide scholarships, research assistantships, and
255 fellowships for students pursuing careers in disaster response,
256 resilience, and emergency management.

257 (g) Partner with other state universities, agencies,
258 institutes, and associations to advance the center's goals.

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259 (h) Provide training opportunities for students, first
260 responders, and professionals in disaster management,
261 environmental resilience, and infrastructure testing.

262 (i) Facilitate commercialization of resilience
263 technologies through partnerships with Florida businesses,
264 start-ups, and industries.

265 (4) The Division of Emergency Management, state and local
266 emergency response agencies, and other governmental entities may
267 cooperate and share information with the center as needed,
268 subject to applicable confidentiality and security requirements.

269 (5) The center shall be funded by appropriations provided
270 in the General Appropriations Act, charitable grants and
271 donations, contracts, and institutional resources.

272 **Section 5. Notwithstanding the expiration date in section**
273 **9 of chapter 2025-199, Laws of Florida, section 1004.89, Florida**
274 **Statutes, is reenacted to read:**

275 1004.89 Institute for Freedom in the Americas.—The
276 Institute for Freedom in the Americas is hereby created at Miami
277 Dade College to preserve the ideals of a free society and
278 promote democracy in the Americas. The institute shall be
279 located at the Freedom Tower and shall:

280 (1) Hold workshops, symposiums, and conferences that
281 provide networking opportunities for leaders throughout the
282 region to gain new insights and ideas for promoting democracy,
283 including knowledge of and insight into the intellectual,

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284 political, and economic freedoms that are foundational to a
285 democratic society.

286 (2) Enter into an agreement with the Adam Smith Center for
287 Economic Freedom to provide participants with academic
288 coursework and programs that advance democratic practices and
289 economic and legal reforms.

290 (3) Provide educational and experiential opportunities for
291 regional leaders committed to careers in democracy and
292 governance.

293 **Section 6. Subsection (4) of section 1007.55, Florida**
294 **Statutes, is amended to read:**

295 1007.55 General education course principles, standards,
296 and content.—

297 (4) In performing its duties under ss. 1007.24 and
298 1007.25, by December 1, 2024, and each December 1 thereafter,
299 the Articulation Coordinating Committee shall submit to the
300 State Board of Education and the Board of Governors courses that
301 have been approved by public postsecondary educational
302 institutions as meeting general education requirements. The
303 listing of general education courses must include the
304 information in paragraphs (2) (a), (b), and (c). The State Board
305 of Education and the Board of Governors must approve, ~~or reject,~~
306 or amend the list of general education courses for each Florida
307 College System institution and state university, respectively.

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308 **Section 7. Paragraph (b) of subsection (4) of section**
309 **1009.24, Florida Statutes, is amended to read:**

310 1009.24 State university student fees.—

311 (4)

312 (b) 1. Subject to approval by the Board of Governors, each
313 university board of trustees may establish tuition for graduate
314 and professional programs and out-of-state fees for nonresident
315 students. The Board of Governors' approval authority for out-of-
316 state fees for nonresident students pursuant to this
317 subparagraph is ministerial only and may not be withheld unless
318 the State University System is out of compliance with the
319 systemwide limitation on enrollment of nonresident undergraduate
320 degree-seeking students established by regulation of the Board
321 of Governors all programs. Except as otherwise provided in this
322 section, the sum of tuition and out-of-state fees assessed to
323 nonresident students must be sufficient to offset the full
324 instructional cost of serving such students. ~~However,~~
325 ~~Adjustments to out-of-state fees or tuition for graduate~~
326 ~~programs and professional programs may not exceed 15 percent in~~
327 ~~any year.~~

328 2. Notwithstanding subparagraph 1., in carrying out its
329 duties to ensure the systemwide limitation on nonresident
330 undergraduate degree-seeking student enrollment is not exceeded,
331 the Board of Governors shall adopt a regulation requiring each
332 university to include in its accountability plan year-to-year

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333 enrollment projections on the percentage of nonresident
334 undergraduate degree-seeking students for the upcoming 4
335 academic years. The regulation shall also require each
336 university to annually update its accountability plan with the
337 actual percentage of nonresident undergraduate degree-seeking
338 students enrolled during the prior year. If, in any given year,
339 the Board of Governors determines a university enrolled a
340 greater percentage of such students than projected, the Board of
341 Governors shall require corrective action, which may include:
342 a. A revision to the university's accountability plan;
343 b. An enrollment reduction plan; or
344 c. Reduction of such university's undergraduate out-of-
345 state fee.

346 **Section 8. Notwithstanding the expiration date in section**
347 **7 of chapter 2025-199, Laws of Florida, subsection (18) of**
348 **section 1009.26, Florida Statutes, is reenacted to read:**

349 1009.26 Fee waivers.—

350 (18) (a) For every course in a Program of Strategic
351 Emphasis, or in a state-approved teacher preparation program
352 identified by the Board of Governors, as identified in
353 subparagraph 3., in which a student is enrolled and has out-of-
354 pocket expenses for tuition and fees after all other federal,
355 state, and institutional gift aid is applied, a state university
356 shall waive 100 percent of the tuition and fees of the student's

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357 out-of-pocket expenses for an equivalent course in such program
358 for a student who:

359 1. Is a resident for tuition purposes under s. 1009.21.

360 2. Has earned at least 60 semester credit hours towards a
361 baccalaureate degree within 2 academic years after initial
362 enrollment at a Florida public postsecondary institution.

363 3. Enrolls in one of 10 Programs of Strategic Emphasis as
364 adopted by the Board of Governors or a state-approved teacher
365 preparation program. The Board of Governors shall adopt eight
366 Programs of Strategic Emphasis in science, technology,
367 engineering, or math; beginning with the 2022-2023 academic
368 year, two Programs of Strategic Emphasis in the critical
369 workforce gap analysis category; and beginning with the 2023-
370 2024 academic year, two state-approved teacher preparation
371 programs for which a student may be eligible to receive the
372 tuition and fee waiver authorized by this subsection. The
373 programs identified by the board must reflect the priorities of
374 the state and be offered at a majority of state universities at
375 the time the Board of Governors approves the list.

376 (b) A waiver granted under this subsection is applicable
377 only for upper-level courses and up to 110 percent of the number
378 of required credit hours of the baccalaureate degree program for
379 which the student is enrolled. A student granted a waiver under
380 this subsection shall continue receiving the waiver until the
381 student graduates, exceeds the number of allowable credit hours,

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382 or withdraws from an eligible program, regardless of whether the
383 program is removed from the approved list of eligible programs
384 subsequent to the student's enrollment.

385 (c) Each state university shall report to the Board of
386 Governors the number and value of all waivers granted annually
387 under this subsection. A state university in compliance with
388 this subsection may earn incentive funding, subject to
389 appropriation, in addition to the funding provided under s.
390 1001.92.

391 (d) The Board of Governors shall adopt regulations to
392 administer this subsection.

393 **Section 9. Notwithstanding the expiration date in section**
394 **5 of chapter 2025-199, Laws of Florida, subsection (3) of**
395 **section 1011.45, Florida Statutes, is amended, and subsection**
396 **(5) of that section is reenacted, to read:**

397 1011.45 End of year balance of funds.—Unexpended amounts
398 in any fund in a university current year operating budget shall
399 be carried forward and included as the balance forward for that
400 fund in the approved operating budget for the following year.

401 (3) A university's carry forward spending plan must
402 include the estimated cost per planned expenditure and a
403 timeline for completion of the expenditure. A carry forward
404 spending plan may include retention of the carry forward balance
405 as a reserve fund to be used for authorized expenses in
406 subsequent years. For any annual reserve balance in excess of

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407 the 7 percent minimum carry forward balance pursuant to
408 subsection (1), the authorized expenditures in a carry forward
409 spending plan must include a commitment of 12 percent of the
410 university's prior ~~2025-2026~~ fiscal year state operating fund
411 carry forward balance to fund a public education capital outlay
412 project for which an appropriation has previously been provided
413 which requires additional funds for completion and which is
414 included in the list required by s. 1001.706(12) (d) or for
415 deferred building maintenance expenses. The carry forward
416 spending plan must identify the specific public education
417 capital outlay project and the amount the university will
418 contribute toward the fixed capital outlay project pursuant to
419 s. 1001.706(12) (d) or specific deferred maintenance project.
420 Authorized expenditures in a carry forward spending plan may
421 include:

422 (a) Commitment of funds to a public education capital
423 outlay project for which an appropriation has previously been
424 provided that requires additional funds for completion and which
425 is included in the list required by s. 1001.706(12) (d);

426 (b) Completion of a renovation, repair, or maintenance
427 project that is consistent with s. 1013.64(1) or replacement of
428 a minor facility;

429 (c) Completion of a remodeling or infrastructure project,
430 including a project for a developmental research school, if such
431 project is survey recommended pursuant to s. 1013.31;

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432 (d) Completion of a repair or replacement project
433 necessary due to damage caused by a natural disaster for
434 buildings included in the inventory required pursuant to s.
435 1013.31;

436 (e) Operating expenditures that support the university's
437 mission;

438 (f) Any purpose specified by the board or in the General
439 Appropriations Act, including the requirements in s.
440 1001.706(12)(c) or similar requirements pursuant to Board of
441 Governors regulations;

442 (g) A commitment of funds to a contingency reserve for
443 expenses incurred as a result of a state of emergency declared
444 by the Governor pursuant to s. 252.36; and

445 (h) Deferred building maintenance expenses for the
446 maintenance, repair, and renovation of projects to improve the
447 health and safety of such facilities.

448 (5) A university's carry forward spending plan pursuant to
449 subsection (1) must provide detailed documentation of
450 expenditures that the university applied toward the prior year
451 carry forward spending plan.

452 **Section 10. Subsection (6) of section 1013.01, Florida**
453 **Statutes, is amended to read:**

454 1013.01 Definitions.—The following terms shall be defined
455 as follows for the purpose of this chapter:

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456 (6) "Educational facilities" means the buildings and
 457 equipment, structures, and special educational and research use
 458 areas that are built, installed, or established to serve
 459 primarily the educational purposes and secondarily the social
 460 and recreational purposes of the community and which may
 461 lawfully be used as authorized by the Florida Statutes and
 462 approved by boards.

463 **Section 11.** This act shall take effect upon becoming a
 464 law.

465 -----
 466

467 **T I T L E A M E N D M E N T**

468 Remove everything before the enacting clause and insert:

469 A bill to be entitled

470 An act relating to higher education; amending s.
 471 1001.92, F.S.; revising certain state university
 472 performance-based metrics; defining the term "co-op
 473 program"; creating s. 1004.342, F.S.; providing
 474 definitions; transferring specified assets and
 475 liabilities from the University of South Florida
 476 Sarasota/Manatee to New College of Florida by
 477 specified dates; requiring New College of Florida to
 478 provide a specified monthly payment to the University
 479 of South Florida until such transfer is complete;
 480 requiring such transfer to be in a written joint

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481 transfer agreement; providing requirements for such
482 agreement and the transfer of such assets and
483 liabilities; requiring a facility use agreement
484 between the University of South Florida
485 Sarasota/Manatee and New College of Florida; providing
486 requirements for such agreement; providing
487 construction; providing applicability; providing
488 specified immunity from liability; providing for
489 future repeal; amending s. 1004.344, F.S.; removing
490 the requirement for the Florida Center for the
491 Partnerships for Arts Integrated Teaching to be
492 physically housed at the University of South Florida
493 Sarasota/Manatee; creating s. 1004.64992, F.S.;;
494 establishing the Disaster Preparedness Center at the
495 Florida International University; providing the
496 purposes of the center; providing that the center
497 operates in partnership with the Division of Emergency
498 Management; requiring and authorizing the center to
499 perform specified functions and duties; authorizing
500 certain entities to cooperate and share information
501 with the center under certain circumstances; providing
502 funding for the center; reenacting s. 1004.89, F.S.,
503 relating to the Institute for Freedom in the Americas;
504 amending s. 1007.55, F.S.; providing that the State
505 Board of Education and the Board of Governors may

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506 amend the list of general education courses for
507 certain institutions and universities; amending s.
508 1009.24, F.S.; revising programs for which the Board
509 of Governors may establish tuition; authorizing state
510 university boards of trustees to establish out-of-
511 state fees for nonresident students; removing a
512 provision requiring that adjustments to certain out-
513 of-state fees not exceed a certain amount; requiring
514 the Board of Governors to adopt a specified regulation
515 relating to nonresident undergraduate degree-seeking
516 student enrollment; providing state university
517 requirements relating to the enrollment of such
518 students; reenacting s. 1009.26(18), F.S., relating to
519 fee waivers; reenacting and amending s. 1011.45, F.S.,
520 relating to end of year balance of funds; removing an
521 obsolete date; amending s. 1013.01, F.S.; revising the
522 definition of the term "educational facilities";
523 providing an effective date.

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