#### Tab 1 CS/SB 844 by ED, Bean; (Compare to H 00565) Excess Credit Hour Surcharges

Tab 2	SB 152 Scholars	•		milar to CS/H 00859) Historica	ally Black Colleges and Universities	Matching Endowment
275966	A	Ś	RCS	AHE, Gibson	Delete L.33 - 51:	02/15 05:50 PM
Tab 3		•	i <b>bson</b> ; (Sii ust Fund/D		Black Colleges and Universities Ma	tching Endowment
657484	А	S	RCS	AHE, Gibson	Delete L.34:	02/15 05:50 PM
Tab 4	SB 171 Bonds a	-	-	CO-INTRODUCERS) Thurs	t <b>on</b> ; (Identical to CS/H 00375) Pos	stsecondary Revenue

2018 Regular Session

#### The Florida Senate

**COMMITTEE MEETING EXPANDED AGENDA** 

#### APPROPRIATIONS SUBCOMMITTEE ON HIGHER EDUCATION Senator Galvano, Chair Senator Perry, Vice Chair

TIME:	Wednesday, February 14, 2018 4:00—6:00 p.m. <i>Pat Thomas Committee Room,</i> 412 Knott Building
MEMBERS:	Senator Galvano, Chair; Senator Perry, Vice Chair; Senators Bradley, Farmer, Lee, Simpson, and

Stewart

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>CS/SB 844</b> Education / Bean (Compare H 565)	Excess Credit Hour Surcharges; Requiring a state university to return up to a specified amount of assessed excess credit hour surcharges to first-time- in-college students who meet certain requirements, etc.	Favorable Yeas 5 Nays 0
		ED 02/06/2018 Fav/CS AHE 02/14/2018 Favorable AP	
2	<b>SB 1526</b> Gibson (Similar CS/H 859, Compare H 861, Linked S 1528)	Historically Black Colleges and Universities Matching Endowment Scholarship Program; Establishing the Historically Black Colleges and Universities Matching Endowment Scholarship Program within the Department of Education; requiring a historically black college or university to provide a certain amount of matching funds by a specified date to participate in the program; providing that the interest the trust fund earns will be used to provide scholarships to certain students, etc. ED 01/29/2018 Favorable AHE 02/14/2018 Fav/CS AP	Fav/CS Yeas 5 Nays 0
3	<b>SB 1528</b> Gibson (Similar H 861, Compare CS/H 859, Linked S 1526)	<ul> <li>Historically Black Colleges and Universities Matching Endowment Scholarship Trust Fund/DOE; Creating the Historically Black Colleges and Universities Matching Endowment Scholarship Trust Fund within the Department of Education; providing for the purpose of the trust fund and source of funds; providing for future review and termination or re- creation of the trust fund, etc.</li> <li>ED 01/29/2018 Favorable AHE 02/14/2018 Fav/CS AP</li> </ul>	Fav/CS Yeas 5 Nays 0

#### COMMITTEE MEETING EXPANDED AGENDA

Appropriations Subcommittee on Higher Education Wednesday, February 14, 2018, 4:00—6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	<b>SB 1712</b> Montford (Identical CS/H 375)	Postsecondary Revenue Bonds and Debt; Authorizing state universities to use specified moneys to pay debt service on revenue bonds if required by a specified federal program, etc.	Favorable Yeas 5 Nays 0
		ED 02/06/2018 Favorable AHE 02/14/2018 Favorable AP	

Other Related Meeting Documents

#### 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.)

Pre	epared By: The	e Profession	al Staff of the A	ppropriations Subc	ommittee on Hig	pher Education			
BILL:	CS/SB 844	ł							
INTRODUCER:	Education	Education Committee and Senator Bean							
SUBJECT:	Excess Cre	edit Hour S	Surcharges						
DATE:	February 1	3, 2018	REVISED:						
ANAL	YST	STAFF	DIRECTOR	REFERENCE		ACTION			
. Bouck		Graf		ED	Fav/CS				
2. Sikes		Elwell		AHE	Recommen	d: Favorable			
3.				AP					

## Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

#### I. Summary:

CS/SB 844 requires a state university to refund the assessed excess hour surcharge, for up to 12 credit hours, to any first-time-in-college student who completes a baccalaureate degree program within 4 years after initial enrollment in a state university.

According to the Board of Governors and based on data related to the 2015-16 graduating class, universities may be required to refund approximately \$2.4 million annually to students who earn excess credit hours and graduate within 4 years of initial enrollment.

The bill takes effect July 1, 2018.

#### II. Present Situation:

The Legislature established the excess credit hour surcharge in 2009<sup>1</sup> to encourage each undergraduate student who enrolls in a state university to complete the student's respective baccalaureate degree program in the most efficient way possible.<sup>2</sup> State universities must require a student to pay an excess hour surcharge for each credit hour in excess of the allowed number of credit hours required to complete the baccalaureate degree program in which the student is enrolled.<sup>3</sup>

<sup>&</sup>lt;sup>1</sup> Section 11, ch. 2009-60, L.O.F.

<sup>&</sup>lt;sup>2</sup> Section 1009.286(1), F.S.

 $<sup>^{3}</sup>$  *Id.* at (2).

The excess hour surcharge applies to students who enter a state university for the first time and maintain continuous enrollment. The surcharge was phased in over four years between the 2009-2010 and 2012-2013 academic years. For students who enter a state university for the first time in 2012-2103 academic year and thereafter and maintain continuous enrollment, an excess hour surcharge equal to 100 percent of the tuition rate for each credit hour in excess of 110 percent applies.<sup>4</sup>

Under current law, a student enrolled in a 120 credit hour baccalaureate degree program may take up to 132 credit hours (or 110 percent) before being assessed the excess hour surcharge for each credit hour in excess of the 120 credit hour degree requirement. Similarly, a student enrolled in a 130 credit hour baccalaureate degree program may take up to 143 credit hours (or 110 percent) before being assessed the excess hour surcharge for each credit hour in excess of the 130 credit hour success of the 130 credit hour success hour surcharge for each credit hour in excess of the 130 credit hour degree requirement.

All credit hours for courses taken at the state university from which the student is seeking a baccalaureate degree are included when calculating the number of hours taken by a student, including:<sup>5</sup>

- Failed courses.
- Courses that are dropped after the advertised last day of the drop and add period.
- Courses from which a student withdraws, except for withdrawals due to medical or personal hardship.<sup>6</sup>
- Repeated courses, except repeated courses for which the student has paid the full cost of instruction.<sup>7</sup>

In addition, all credit hours earned at another institution and accepted for transfer by the state university, which are applied toward the student's baccalaureate degree program are included when calculating the number of credit hours taken by the student.<sup>8</sup>

Credit hours earned under the following circumstances are not calculated as hours required to earn a baccalaureate degree and are not counted towards the extra hour surcharge:<sup>9</sup>

- College credits earned through an articulated accelerated mechanism identified in law.<sup>10</sup>
- Credit hours earned through internship programs.
- Credit hours required for certification, recertification, or certificate programs.
- Credit hours in courses from which a student must withdraw due to reasons of medical or personal hardship.
- Credit hours taken by active-duty military personnel.
- Credit hours required to achieve a dual major taken while pursuing a baccalaureate degree.
- Remedial and English as a Second Language credit hours.
- <sup>4</sup> *Id*.

<sup>&</sup>lt;sup>5</sup> Section 1009.286(3)(a), F.S.

<sup>&</sup>lt;sup>6</sup> *Id*. at (4).

<sup>&</sup>lt;sup>7</sup> Section 1009.285, F.S.

<sup>&</sup>lt;sup>8</sup> Section 1009.286(3)(b), F.S.

<sup>&</sup>lt;sup>9</sup> Id. at (4).

<sup>&</sup>lt;sup>10</sup> Section 1007.27, F.S. Articulated acceleration mechanisms include, but are not limited to, dual enrollment and early admission, advanced placement, credit by examination, the International Baccalaureate Program, and the Advanced International Certificate of Education Program. *Id.* 

• Credit hours earned in military science courses that are part of the Reserve Officers' Training Corps (ROTC) program.

The Board of Governors reports that 14,284 first-time-in-college students in the 2015-2016 graduating class graduated within 48 months.<sup>11</sup> Ten percent (or 1,450) of these students earned excess credit hours - totaling 12,000 excess credit hours.<sup>12</sup> On average, these students earned 8 credit hours for which they were assessed the excess hour surcharge.

## III. Effect of Proposed Changes:

The bill amends s. 1009.286, F.S., to require a state university to refund the assessed excess hour surcharge, for up to 12 credit hours, to any first-time-in-college student who completes a baccalaureate degree program within 4 years after initial enrollment in a state university.

Accordingly, a student enrolled in a 120 credit hour baccalaureate degree program could take up to 144 credit hours, 12 credit hours more than allowed by current law. The student would be assessed the excess hour surcharge for the additional 12 credit hours but would receive a refund for the surcharge if he or she graduates in 4 years after initial enrollment.

The bill takes effect July 1, 2018.

### IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

### V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill may result in cost savings, in the form of refunds, for students who generate excess credit hours but who graduate with a baccalaureate degree within 4 years of initial enrollment.

 $^{12}$  Id.

<sup>&</sup>lt;sup>11</sup> Board of Governors, 2018 Agency Bill Analysis for SB 844 (Dec. 15, 2017), at 3.

C.

Based on data from the Board of Governors for the 2015-16 graduating class, state universities may be required to refund approximately \$2.4 million annually to students who were assessed the excess hour surcharge but graduated in 4 years.<sup>13</sup> This estimate is based on 1,450 identified first-time-in-college students who generated 12,000 excess credit hours but graduated in 4 years.<sup>14</sup>

#### VI. Technical Deficiencies:

None.

#### VII. Related Issues:

None.

#### VIII. Statutes Affected:

This bill substantially amends section 1009.286 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.)

#### CS by Education on February 6, 2018:

The committee substitute:

- Modifies the bill provision regarding the application of the excess hour surcharge for first-time-in-college students who graduate with a baccalaureate degree in 4 years. Specifically, the committee substitute requires a state university to refund the assessed excess hour surcharge, for up to 12 credit hours, to any first-time-in-college student who completes a baccalaureate degree program within 4 years after initial enrollment in a state university.
- Removes from the bill the provision specifying the assessment of the excess hour surcharge for each credit hour in excess of 120 percent of the credit hours required to complete the baccalaureate degree for students enrolled in a degree program designated by the Board of Governors as an area of strategic emphasis in a science, technology, engineering, mathematics, or health discipline.
- B. Amendments:

None.

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

<sup>14</sup> *Id*.

<sup>&</sup>lt;sup>13</sup> Board of Governors, 2018 Agency Bill Analysis for SB 844 (Dec. 15, 2017), at 4.

#### Florida Senate - 2018

CS for SB 844

CS for SB 844

Ву	the	Committee	on	Education;	and	Senator	Bean
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I	581-02904-18 2018844c1
1	A bill to be entitled
2	An act relating to excess credit hour surcharges;
3	amending s. 1009.286, F.S.; requiring a state
4	university to return up to a specified amount of
5	assessed excess credit hour surcharges to first-time-
6	in-college students who meet certain requirements;
7	providing an effective date.
8	
9	Be It Enacted by the Legislature of the State of Florida:
10	
11	Section 1. Paragraph (c) of subsection (2) of section
12	1009.286, Florida Statutes, is amended to read:
13	1009.286 Additional student payment for hours exceeding
14	baccalaureate degree program completion requirements at state
15	universities
16	(2) State universities shall require a student to pay an
17	excess hour surcharge for each credit hour in excess of the
18	number of credit hours required to complete the baccalaureate
19	degree program in which the student is enrolled. The excess hour
20	surcharge shall become effective for students who enter a state
21	university for the first time and maintain continuous enrollment
22	as follows:
23	(c) For the 2012-2013 academic year and thereafter, an
24	excess hour surcharge equal to 100 percent of the tuition rate
25	for each credit hour in excess of 110 percent. Notwithstanding
26	the requirements of this subsection, the state university shall
27	refund the excess hour surcharge assessed pursuant to this
28	paragraph, for up to 12 credit hours, to any first-time-in-
29	college student who completes a baccalaureate degree program
I	

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 30
 within 4 years after initial enrollment in a state university.

 31
 Section 2. This act shall take effect July 1, 2018.



	-	IS AND FIS	SCAL IMPAC	-
pared By: Th	e Professior	hal Staff of the A	ppropriations Subco	ommittee on Higher Education
PCS/SB 1	526 (44073	36)		
Appropria	tions Subc	ommittee on H	ligher Education	and Senator Gibson
Historical	ly Black C	olleges and Un	niversities Match	ing Endowment Scholarship Program
February 1	13, 2018	REVISED:		
YST	STAF	DIRECTOR	REFERENCE	ACTION
	Graf		ED	Favorable
	Elwell		AHE	<b>Recommend: Fav/CS</b>
			AP	
	This document pared By: Th PCS/SB 1 Appropria Historical	This document is based on the epared By: The Profession PCS/SB 1526 (44073 Appropriations Subce Historically Black Co February 13, 2018 YST STAFF	BILL ANALYSIS AND FIS         This document is based on the provisions contain         epared By: The Professional Staff of the Appropriations Subcommittee on H         PCS/SB 1526 (440736)         Appropriations Subcommittee on H         Historically Black Colleges and Ur         February 13, 2018         REVISED:         YST         STAFF DIRECTOR         Graf	Appropriations Subcommittee on Higher Education         Historically Black Colleges and Universities Match         February 13, 2018         REVISED:         YST         STAFF DIRECTOR         REFERENCE         Graf         Elwell

#### I. Summary:

PCS/SB 1526 bill creates the Historically Black Colleges and Universities (HBCU) Matching Endowment Scholarship Program (program). The program will be administered by the Florida Department of Education (DOE) and will provide funds, subject to legislative appropriation, to participating Florida-based HBCUs for scholarships to enrolled students. Four HBCUs are located in Florida: Florida Agricultural and Mechanical University, Bethune-Cookman University, Edward Waters College, and Florida Memorial University.

The bill does not affect state revenues or expenditures. The program is contingent upon a legislative appropriation to the Historically Black Colleges and Universities Matching Endowment Scholarship Trust Fund. SB 2500, the Senate General Appropriations Act for Fiscal Year 2018-2019, does not provide an appropriation for the program.

The bill takes effect July 1, 2018.

#### II. Present Situation:

The Higher Education Act of 1965, as amended, defines an HBCU as: "… historically black college or university that was established prior to 1964, whose principal mission was, and is, the education of black Americans, and that is accredited by a nationally recognized accrediting agency or association determined by the Secretary [of Education] to be a reliable authority as to the quality of training offered or is, according to such an agency or association, making reasonable progress toward accreditation."<sup>1</sup>

<sup>&</sup>lt;sup>1</sup> U.S. Department of Education, *What is an HBCU?* <u>https://sites.ed.gov/whhbcu/one-hundred-and-five-historically-black-colleges-and-universities/</u> (last visited Jan. 26, 2018).

Nationally, there are 107 HBCUs with more than 228,000 students enrolled. Fifty-six institutions are under private control, and 51 are public colleges and universities.<sup>2</sup>

The following four HBCUs are located in Florida:<sup>3</sup>

- Florida Agricultural and Mechanical University (FAMU) is a public university founded in 1887 and located in Tallahassee.<sup>4</sup> FAMU is regionally accredited by the Commission on Colleges of the Southern Association of Colleges and Schools (SACSCOC).<sup>5</sup> FAMU enrolls nearly 11,000 students,<sup>6</sup> and tuition and fees for 30 credit hours for a resident, undergraduate student are \$5,827.30.<sup>7</sup>
- **Bethune-Cookman University** (B-CU) is a private university founded in 1904 and located in Daytona Beach.<sup>8</sup> B-CU is regionally accredited by the SACSCOC.<sup>9</sup> Its fall, 2017 enrollment was 4,143 students<sup>10</sup> and the annual undergraduate tuition and fees for a full-time student are \$14,410.<sup>11</sup>
- Edward Waters College (EWC) is a private college established in 1866<sup>12</sup> and located in Jacksonville. EWC is regionally accredited by SACSCOC.<sup>13</sup> Its current enrollment is 839 students<sup>14</sup> and the annual undergraduate tuition and fees for a full-time student are \$13,525.<sup>15</sup>

<sup>9</sup> Id.

<sup>10</sup> Bethune-Cookman University, Fall 2017 Institutional Profile, available at

http://www.cookman.edu/academics/IE/research/Institutional2017-2018FallProfile.pdf.

<sup>11</sup> Bethune-Cookman University, Cost of Attendance,

 $^{14}$  Id.

 <sup>&</sup>lt;sup>2</sup> U.S. Department of Education, *Historically Black Colleges and Universities and Higher Education* Desegregation, <u>https://www2.ed.gov/about/offices/list/ocr/docs/hq9511.html</u> (last visited Jan. 26, 2018).
 <sup>3</sup> National Center for Education Statistics, *College Navigator*,

https://nces.ed.gov/COLLEGENAVIGATOR/?s=FL&sp=4 (last visited Jan. 26, 2018).

<sup>&</sup>lt;sup>4</sup> Florida Agricultural and Mechanical University, *History of Florida Agricultural and Mechanical University* (*FAMU*), <u>http://www.famu.edu/index.cfm?AboutFAMU&History</u> (last visited Jan. 26, 2018).

<sup>&</sup>lt;sup>5</sup> Florida Agricultural and Mechanical University, *Florida A&M University Southern Association of Colleges and Schools Commission on Colleges (FAMU SACSCOC) Office* <u>http://www.famu.edu/index.cfm?sacs</u> (last visited Jan. 26, 2018).

<sup>&</sup>lt;sup>6</sup> Florida Agricultural and Mechanical University, *About FAMU*,

http://www.famu.edu/index.cfm?AboutFAMU&Overview (last visited Jan. 26, 2018).

<sup>&</sup>lt;sup>7</sup> Board of Governors, *State University System of Florida*, *Tuition and Required Fees*, 2017-2018, available at http://www.flbog.edu/board/office/budget/\_doc/tuition/2017-18-SUS-Tuition-and-Fee-for-New-Students-at-Main-Campus-by-level.pdf, at 1.

<sup>&</sup>lt;sup>8</sup> Bethune-Cookman University, *About B-CU*, <u>http://www.cookman.edu/about\_BCU/index.html</u> (last visited Jan. 26, 2018).

http://www.cookman.edu/currentstudents/stud\_accts/Tuition/index.html (last visited Jan. 26, 2018).

<sup>&</sup>lt;sup>12</sup> Edward Waters College, *The History of Edward Waters College*, <u>https://www.ewc.edu/about/our-history/</u> (last visited Jan. 26, 2018).

<sup>&</sup>lt;sup>13</sup> Edward Waters College, *About Edward Waters College*, <u>https://www.ewc.edu/about/</u> (last visited Jan. 26, 2018).

<sup>&</sup>lt;sup>15</sup> Edward Waters College, *Cost of Attendance, available at* <u>https://www.ewc.edu/wp-content/uploads/2017/03/Cost-of-Attendance.pdf.</u>

• Florida Memorial University (FMU) is a private university founded in 1879 and located in Miami Gardens.<sup>16</sup> FMU is regionally accredited by the SACSCOC.<sup>17</sup> FMU's undergraduate enrollment is 1,280 students<sup>18</sup> and the annual undergraduate tuition and fees for a full-time student are \$15,536.<sup>19</sup>

### III. Effect of Proposed Changes:

The bill creates s. 1009.984, F.S., to establish the Historically Black Colleges and Universities (HBCU) Matching Endowment Scholarship Program (program). The program will be administered by the Florida Department of Education (DOE) and will provide funds to participating Florida-based HBCUs for scholarships to enrolled students.

The Legislature may appropriate funds for the program, to be transferred to the Historically Black Colleges and Universities Matching Endowment Scholarship Trust Fund (trust fund). Contingent upon a legislative appropriation, each HBCU that wishes to participate in the program must provide matching funds equal to one-fourth of the legislative appropriation. All funds transferred to the trust fund for the program must be invested in accordance with the law.<sup>20</sup>

Annually, the DOE must allocate the interest accumulated in the trust fund equally to each participating HBCU to award scholarships to full-time undergraduate students who meet the general eligibility requirement for student financial aid, including residency, and demonstrate unmet financial need. Each HBCU may also establish additional eligibility criteria.

The State Board of Education must adopt rules and the Board of Governors (BOG) must adopt regulations for program administration. The bill requires the DOE to administer the program, so it is unclear if BOG regulations would be necessary to administer the program.

The creation of the Historically Black Colleges and Universities Matching Endowment Scholarship Program may provide additional financial aid for students enrolled at the HBCUs participating in the program.

The bill takes effect July 1, 2018.

### IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

<sup>&</sup>lt;sup>16</sup> Florida Memorial University, *Our History*, <u>http://www.fmuniv.edu/about/our-history/</u> (last visited Jan. 26, 2018).

<sup>&</sup>lt;sup>17</sup> Florida Memorial University, *FMU At A Glance*, <u>http://www.fmuniv.edu/about/fmu-at-a-glance/</u> (last visited Jan. 26, 2018).

<sup>&</sup>lt;sup>18</sup> U.S. News & World Report, Florida Memorial University, <u>https://www.usnews.com/best-colleges/florida-memorial-university-1486</u> (last visited Jan. 26, 2018).

<sup>&</sup>lt;sup>19</sup> Florida Memorial University, *Tuition and Fees*, <u>http://www.fmuniv.edu/administration/division-of-student-affairs/enrollment-management-and-financial-aid/financial-aid/tuition-and-fees/</u> (last visited Jan. 26, 2018).
<sup>20</sup> Chapter 215, F.S.

#### B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

### V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill establishes a scholarship program for students who attend historically black colleges and universities (HBCUs). Such scholarships may reduce the amount a student must contribute to attend such colleges.

Private HBCUs must provide matching funds equal to one-fourth of the legislative appropriation to participate in the scholarship program.

C. Government Sector Impact:

The bill does not affect state revenues or expenditures. The program is contingent upon a legislative appropriation to transfer the Historically Black Colleges and Universities (HBCU) Matching Endowment Scholarship Trust Fund (trust fund). SB 2500, the Senate General Appropriations Act for Fiscal Year 2018-2019, does not provide an appropriation for the program.

### VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

### VIII. Statutes Affected:

This bill creates section 1009.894 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.)

# **Recommended CS by Appropriations Subcommittee on Higher Education on February 14, 2018:**

The committee substitute:

- Removes the \$2 million legislative appropriation and states the Legislature may appropriate funds for the program.
- Changes the required \$500,000 matching fund contribution for each historically black college and university (HBCU) that wishes to participate to one-fourth of any legislative appropriation.
- Establishes basic eligibility criteria for the scholarship program, including requiring that a student:
  - Meet the general eligibility requirement for student financial aid, including residency;
  - Be a full-time undergraduate student;
  - Demonstrate unmet financial need; and
  - $\circ$  Meet any additional eligibility criteria established by the HBCU.
- B. Amendments:

None.

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



LEGISLATIVE ACTION

Senate	. House
Comm: RCS	
02/15/2018	
Appropriations Subcommittee	e on Higher Education (Gibson)
recommended the following:	
Senate Amendment (with	n title amendment)
Delete lines 33 - 51	
and insert:	
(2)(a) The Legislature	e may appropriate funds to be
	cally Black Colleges and Universities
	ship Trust Fund for the program.
	legislative appropriation, each
	and University in the state which
	ne program must provide matching funds

Page 1 of 3

Florida Senate - 2018 Bill No. SB 1526

275966

11	equal to one-fourth of the legislative appropriation to the
12	Historically Black Colleges and Universities Matching Endowment
13	Scholarship Trust Fund.
14	(c) All funds transferred to the trust fund for the program
15	shall be invested in accordance with chapter 215.
16	Notwithstanding s. 216.301 and pursuant to s. 216.351, the
17	appropriated funds and all matching funds shall remain in the
18	trust fund and the interest from such funds shall be used for
19	scholarships for students enrolled at participating colleges and
20	universities.
21	(3) Annually, by July 1, the department shall allocate
22	equally the interest accumulated in the trust fund to each
23	participating college and university to award scholarships to
24	students enrolled at the school who:
25	(a) Meet the general requirements, including residency
26	requirements, for student eligibility under s. 1009.40, except
27	as otherwise provided in this section;
28	(b) Are enrolled as a full-time undergraduate student;
29	(c) Demonstrate unmet financial need; and
30	(d) Meet any additional eligibility requirements
31	established by the institutions.
32	
33	======================================
34	And the title is amended as follows:
35	Delete lines 8 - 10
36	and insert:
37	authorizing the Legislature to appropriate funds for
38	the program; requiring a historically black college or
39	university to provide a certain amount of matching

608-03134A-18

Florida Senate - 2018 Bill No. SB 1526

# 275966

40

funds

Page 3 of 3

SB 1526

By Senator Gibson

6-01547-18 20181526 1 A bill to be entitled 2 An act relating to the Historically Black Colleges and Universities Matching Endowment Scholarship Program; 3 creating s. 1009.894, F.S.; establishing the Historically Black Colleges and Universities Matching Endowment Scholarship Program within the Department of Education; providing the purpose of the program; providing for an appropriation; requiring a 8 ç historically black college or university to provide a 10 certain amount of matching funds by a specified date 11 to participate in the program; requiring specified 12 funds to be invested; requiring certain funds to 13 remain in the trust fund; providing that the interest 14 the trust fund earns will be used to provide 15 scholarships to certain students; providing for annual 16 disbursement of the interest; requiring the State 17 Board of Education and Board of Governors of the State 18 University System to adopt rules and regulations, 19 respectively; providing an effective date. 20 21 Be It Enacted by the Legislature of the State of Florida: 22 23 Section 1. Section 1009.894, Florida Statutes, is created 24 to read: 25 1009.894 Historically Black Colleges and Universities 26 Matching Endowment Scholarship Program.-27 (1) There is established the Historically Black Colleges 28 and Universities Matching Endowment Scholarship Program to be 29 administered by the Department of Education. The program shall

#### Page 1 of 2

CODING: Words stricken are deletions; words underlined are additions.

i	6-01547-18 20181526
30	provide funds to participating historically black colleges and
31	universities in the state to provide scholarships to students
32	enrolled at the schools.
33	(2) The Legislature shall appropriate \$2 million to be
34	transferred to the Historically Black Colleges and Universities
35	Matching Endowment Scholarship Trust Fund for the program. No
36	later than June 30, 2019, each historically black college and
37	university in the state that wishes to participate in the
38	program shall provide \$500,000 in matching funds. All funds
39	transferred to the trust fund for the program shall be invested
40	in accordance with the provisions of chapter 215.
41	Notwithstanding the provisions of s. 216.301 and pursuant to s.
42	216.351, the appropriated funds and all matching funds shall
43	remain in the trust fund and the interest from such funds shall
44	be used for scholarships for students enrolled at participating
45	colleges and universities.
46	(3) Annually, the interest accumulated in the trust fund
47	for the program shall be equally allocated by the Department of
48	Education to each participating college and university to award
49	scholarships to students enrolled at the school. Scholarships
50	shall be awarded on a first-come, first-served basis at each
51	participating college and university.
52	(4) The State Board of Education shall adopt rules and the
53	Board of Governors of State University System shall adopt
54	regulations to administer this section.
55	Section 2. This act shall take effect July 1, 2018.
1	

# $\label{eq:page 2 of 2} \mbox{CODING: Words stricken} \mbox{ are deletions; words } \underline{\mbox{ underlined }} \mbox{ are additions.}$

Pre	epared By: The F	Profession	al Staff of the A	ppropriations Subc	ommittee on Higher Education
BILL: PCS/SB 1528 (449902)					
INTRODUCER:	Appropriatio	ons Subco	ommittee on H	ligher Education	and Senator Gibson
SUBJECT:	Historically Fund/DOE	Black Co	olleges and Ur	niversities Match	ing Endowment Scholarship Trust
DATE:	February 13,	, 2018	REVISED:		
ANAL	YST	STAFF	DIRECTOR	REFERENCE	ACTION
. Bouck		Graf		ED	Favorable
Sikes		Elwell		AHE	<b>Recommend: Fav/CS</b>
				AP	

#### I. Summary:

PCS/SB 1528 creates the Historically Black Colleges and Universities (HBCU) Matching Endowment Scholarship Trust Fund (trust fund) within the Department of Education. The trust fund is established for use as a depository for funds to be used for purposes of the Historically Black Colleges and Universities Matching Endowment Scholarship Program. The bill specifies that moneys to be credited to the trust fund must consist of an appropriation from the Legislature and matching funds from participating HBCUs in the state.

The bill does not affect state revenues or expenditures.

The bill takes effect contingent upon, and concurrent with, passage of SB 1526, which takes effect July 1, 2018.

#### II. Present Situation:

#### **Trust Funds**

#### **Establishment of Trust Funds**

A trust fund may be created by law only by the Legislature and only if passed by a three-fifths vote of the membership of each house in a separate bill for that purpose only.<sup>1</sup> Except for trust funds being re-created by the Legislature, each trust fund must be created by statutory language that specifies at least the following:<sup>2</sup>

- The name of the trust fund.
- The agency or branch of state government responsible for administering the trust fund.

 $^{2}$  Id.

<sup>&</sup>lt;sup>1</sup> Section 215.3207, F.S.

- The requirements or purposes that the trust fund is established to meet.
- The sources of moneys to be credited to the trust fund or specific sources of receipts to be deposited in the trust fund.

#### Florida Constitution Requirement for Trust Funds

The Florida Constitution requires that state trust funds must terminate not more than four years after the effective date of the act authorizing the initial creation of the trust fund.<sup>3</sup> The Legislature may set a shorter time period for which any trust fund is authorized.<sup>4</sup>

#### **Review of Trust Funds**

The Legislature must review all state trust funds at least once every 4 years.<sup>5</sup> Prior to the regular session of the Legislature immediately preceding the date on which any executive or judicial branch trust fund is scheduled to be terminated,<sup>6</sup> or such earlier date as the Legislature may specify,<sup>7</sup> the agency responsible for the administration of the trust fund and the Governor, for executive branch trust funds, or the Chief Justice, for judicial branch trust funds, must recommend to the President of the Senate and the Speaker of the House of Representatives whether the trust fund should be allowed to terminate or should be re-created.<sup>8</sup> Each recommendation must be based on a review of the purpose and use of the trust fund and a determination of whether the trust fund will continue to be necessary.<sup>9</sup> A recommendation to recreate the trust fund may include suggested modifications to the purpose, sources of receipts, and allowable expenditures for the trust fund.<sup>10</sup>

When the Legislature terminates a trust fund, the agency or branch of state government that administers the trust fund must pay any outstanding debts or obligations of the trust fund as soon as practicable.<sup>11</sup> The Legislature may also provide for the distribution of moneys in that trust fund. If no such distribution is provided, the moneys remaining after all outstanding obligations of the trust fund are met must be deposited in the General Revenue Fund.<sup>12</sup>

#### **Historically Black Colleges and Universities**

The Higher Education Act of 1965, as amended, defines an Historically Black Colleges and University (HBCU) as: "...any historically black college or university that was established prior to 1964, whose principal mission was, and is, the education of black Americans, and that is accredited by a nationally recognized accrediting agency or association determined by the

<sup>4</sup> *Id*.

- <sup>8</sup> *Id*.
- <sup>9</sup> Id.

<sup>&</sup>lt;sup>3</sup> Art. III, s. 19(f)(2), Fla. Const.

<sup>&</sup>lt;sup>5</sup> Section 215.3208(1), F.S.

<sup>&</sup>lt;sup>6</sup> Pursuant to Art. III, s. 19(f), Fla. Const.

<sup>&</sup>lt;sup>7</sup> Section 215.3206(1), F.S.

 $<sup>^{10}</sup>$  Id.

<sup>&</sup>lt;sup>11</sup> Section 215.3208(2)(a), F.S.

<sup>&</sup>lt;sup>12</sup> *Id.* at (b).

Secretary [of Education] to be a reliable authority as to the quality of training offered or is, according to such an agency or association, making reasonable progress toward accreditation."<sup>13</sup>

There are four HBCUs are located in Florida: Florida Agricultural and Mechanical University, Bethune-Cookman University, Edward Waters College, and Florida Memorial University.

### III. Effect of Proposed Changes:

The bill creates s. 20.151, F.S., to establish the Historically Black Colleges and Universities (HBCU) Matching Endowment Scholarship Trust Fund (trust fund) within the Department of Education. The trust fund is established for use as a depository for funds to be used for purposes of the Historically Black Colleges and Universities Matching Endowment Scholarship Program.<sup>14</sup> The Historically Black Colleges and Universities Matching Endowment Scholarship Program, created by SB 1526, will be administered by the Florida Department of Education (DOE) and will provide funds to participating Florida-based HBCUs for scholarships to enrolled students. The moneys credited to the trust fund must consist of an appropriation from the Legislature and matching funds from participating HBCUs in the state.

The bill requires that, in accordance with the State Constitution,<sup>15</sup> the trust fund must be terminated on July 1, 2022, unless terminated sooner. The bill also requires that, before its scheduled termination, the trust fund must be reviewed in accordance with law.<sup>16</sup>

The bill will take effect on the same date as SB 1526 if such legislation is enacted in the same legislative session, and becomes law. SB 1526 takes effect July 1, 2018.

#### IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

Art. III, s. 19(f)(1) of the Florida Constitution specifies that a trust fund may be created or re-created only by a three-fifths vote of the membership of each house of the Legislature in a separate bill or that purpose only.

<sup>&</sup>lt;sup>13</sup> U.S. Department of Education, *What is an HBCU?* <u>https://sites.ed.gov/whhbcu/one-hundred-and-five-historically-black-colleges-and-universities/</u> (last visited Jan. 26, 2018).

<sup>&</sup>lt;sup>14</sup> Established in Senate Bill 1526, which created section 1009.894, F.S.

<sup>&</sup>lt;sup>15</sup> Art. III, s. 19(f), Fla. Const.

<sup>&</sup>lt;sup>16</sup> Section 215.3206(1) and (2), F.S.

Art. III, s. 19(f)(2) of the State Constitution specifies that state trust funds must terminate not more than four years after the effective date of the act authorizing the initial creation of the trust fund. By law the legislature may set a shorter time period for which any trust fund is authorized.

#### V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

#### VI. Technical Deficiencies:

None.

#### VII. Related Issues:

None.

#### VIII. Statutes Affected:

This bill creates section 20.151 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.)

# **Recommended CS by Appropriations Subcommittee on Higher Education on February 14, 2018**:

The committee substitute specifies that the bill will take effect on the same date as SB 1526 if such legislation is enacted in the same legislative session, and becomes law.

B. Amendments:

None.

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



LEGISLATIVE ACTION

Sena	ate	•	House
Comm:	RCS		
02/15/	2018		

Appropriations Subcommittee on Higher Education (Gibson) recommended the following:

Senate Amendment

Delete line 34

4 and insert:

1 2 3

5

SB 1526 or similar legislation takes effect if such legislation

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

Pre	epared By: Th	ne Profession	nal Staff of the A	ppropriations Subc	ommittee on Higher Education	
BILL:	SB 1712					
INTRODUCER:	Senators Montford and Thurston					
SUBJECT:	Postsecondary Revenue Bonds and Debt					
DATE:	February	13, 2018	REVISED:			
ANALYST		STAFF DIRECTOR		REFERENCE	ACTION	
. Bouck		Graf		ED	Favorable	
. Sikes		Elwell		AHE	<b>Recommend:</b> Favorable	
				AP		

#### I. Summary:

SB 1712 modifies restrictions on debt payment sources for state universities by authorizing them to use federal grant and contract funds to secure revenue bonds, but only as required for an institution to participate in the Historically Black College and University Capital Financing Program (HBCU Program). In effect, the bill may allow Florida Agricultural and Mechanical University to participate in the HBCU Program.

The bill does not affect state revenues or expenditures.

The law takes effect July 1, 2018.

#### II. Present Situation:

#### Historically Black College and University Capital Financing Program

The Higher Education Act of 1965, as amended, defines a historically black college and university (HBCU) as "... any historically black college or university that was established prior to 1964, whose principal mission was, and is, the education of Black Americans, and that is accredited by a nationally recognized accrediting agency or association determined by the Secretary [of Education] to be a reliable authority as to the quality of training offered or is, according to such an agency or association, making reasonable progress toward accreditation...."<sup>1</sup>

<sup>&</sup>lt;sup>1</sup> U.S. Department of Education, *Historically Black College and University Capital Financing Program*, *Eligibility*, <u>https://www2.ed.gov/programs/hbcucapfinance/eligibility.html</u> (last visited Feb. 5, 2018). The Florida HBCUs are Florida Agricultural and Mechanical University (public), Bethune-Cookman University (private), Edward Waters College (private), and Florida Memorial University (private). National Center for Education Statistics, *College Navigator*, <u>https://nces.ed.gov/COLLEGENAVIGATOR/?s=FL&sp=4</u> (last visited Feb. 5, 2018).

The Historically Black College and University Capital Financing Program (HBCU Program), administered by the United States Department of Education (USDOE), provides low-cost capital to finance improvements to the infrastructure of the nation's HBCUs.<sup>2</sup> Specifically, the HBCU Program provides HBCUs with access to capital financing or refinancing for the repair, renovation, and construction of classrooms, libraries, laboratories, dormitories, instructional equipment, and research instrumentation.<sup>3</sup> This assistance comes through the issuance of federal guarantees on the full payment of principal and interest on qualified bonds, the proceeds of which are used for loans.<sup>4</sup> Public HBCUs have received about \$530 million in loan proceeds and private HBCUs have received about \$1.27 billion in loan proceeds<sup>5</sup> through the HBCU Program

The HBCU Program specifies, as a part of the loan agreement, the procedures for repayment of the loan and procedures in the event of delinquency or default on the loan.<sup>6</sup> Federal law requires that, for delinquent debt or a default on debt to the United States, the debts or payments may be collected by administrative offset.<sup>7</sup> In order to borrow funds under the HBCU Program, the participating HBCU must permit the use of revenue from grants and contracts via administrative offset if the pledged revenues are insufficient to pay debt service.<sup>8</sup> The USDOE may hold other federal funds, including grants and contracts owed to the HBCU, and apply those federal funds to debt service for the HBCU Program loan.<sup>9</sup>

#### State University Revenue Bonds and Debt

The Board of Governors (BOG), each state university, and any state university direct-support organization must comply with the provisions of law in order to issue or enter into agreements

<sup>9</sup> Id.

<sup>&</sup>lt;sup>2</sup> U.S. Department of Education, *Historically Black College and University Capital Financing Program, Purpose*, <u>https://www2.ed.gov/programs/hbcucapfinance/index.html</u> (last visited Feb. 5, 2018).

 $<sup>^{3}</sup>$  Id.

<sup>&</sup>lt;sup>4</sup> *Id*.

<sup>&</sup>lt;sup>5</sup> U.S. Department of Education, *Historically Black College and University Capital Financing Program*, *Awards*, <u>https://www2.ed.gov/programs/hbcucapfinance/awards.html</u> (last visited Feb. 5, 2018). Since September 2009, Florida Memorial University has received two HBCU Capital Financing program loans totaling \$44,060,000. Since July 1997, Bethune-Cookman College has received two HBCU Capital Financing program loans totaling \$20,295,000. *Id*.

<sup>&</sup>lt;sup>6</sup> U.S. Department of Education, *Legislation, Regulations, and Guidance,* 

https://www2.ed.gov/programs/hbcucapfinance/legislation.html (last visited Feb. 5, 2018).

<sup>&</sup>lt;sup>7</sup> 31 C.F.R. 901.3. "Administrative offset" means withholding funds payable by the United States (including funds payable by the United States on behalf of a State government) to, or held by the United States for, a person to satisfy a claim. 31 U.S.C., s. 3701.

<sup>&</sup>lt;sup>8</sup> Telephone interview, Board of Governors (Feb. 2, 2018).

for the issuance of revenue bonds or debt.<sup>10</sup> The law authorizes the BOG to request the issuance of revenue bonds<sup>11</sup> to finance or refinance capital outlay projects<sup>12</sup> permitted by law.<sup>13</sup> Revenue bonds may not be secured by or be payable from, directly or indirectly, the following sources:<sup>14</sup>

- Tuition;
- The financial aid fee;
- Sales and services of educational departments;
- Revenues from grants and contracts, except for money received for overhead and indirect costs and other moneys not required for the payment of direct costs; or
- Any other operating revenues of a state university.

The issuance of debt must be approved by the BOG and must be:<sup>15</sup>

- For a purpose consistent with the mission of the state university.
- Structured in a manner appropriate for the prudent financial management of the state university.
- Secured by revenues adequate to provide for all payments relating to the debt.
- Analyzed by the Division of Bond Finance,<sup>16</sup> and issues raised by such analysis must be appropriately considered by the BOG.
- Consistent with the requirements of any policies or criteria adopted by the BOG for the approval of debt.<sup>17</sup>

## III. Effect of Proposed Changes:

The bill modifies restrictions on debt payments sources for state universities by authorizing them to use federal grant and contract funds to secure revenue bonds but only as required for an institution to participate in the Historically Black College and University Capital Financing Program (HBCU Program).

<sup>13</sup> Section 1010.62(2)(a), F.S.

<sup>14</sup> *Id*.

<sup>15</sup> *Id.* at (3)(b).

<sup>16</sup> The duties of the Division of Bond Finance within the State Board of Administration include the issuance of bonds for or on behalf of State agencies and providing technical assistance on new financing programs.

<sup>17</sup> The Board of Governors *Debt Management Guidelines* confirm that the state universities and their directsupport organizations must engage in sound debt management practices and, to that end, the Board of Governors has formalized guiding principles for the issuance of debt by the state universities and their DSOs, Board of Governors, *Debt Management Guidelines* (June 17, 2016), *available at* 

http://www.flbog.edu/documents\_regulations/guidelines/REVISED%20FAC%207%202%20Debt%20Manageme nt%20Guidelines%202016%20-%20DRAFT.pdf, at 1.

<sup>&</sup>lt;sup>10</sup> Section 1010.62(8), F.S.

<sup>&</sup>lt;sup>11</sup> Revenue bonds may be issued by the state or its agencies without a vote of the electors to finance or refinance the cost of state fixed capital outlay projects authorized by law, and purposes incidental thereto, and shall be payable solely from funds derived directly from sources other than state tax revenues. Art. VII, s. 11(d), Fla. Const.

<sup>&</sup>lt;sup>12</sup> A capital outlay project is any project to acquire, construct, improve, or change the functional use of land, buildings, and other facilities, including furniture and equipment necessary to operate a new or improved building or facility. Section 1010.62(1)(b), F.S.

By permitting FAMU to pledge revenue from federal grants and contracts for the repayment of revenue bonds, the bill allows Florida Agricultural and Mechanical University (FAMU), as the only public historically black college and university (HBCU) in the state, to become eligible to participate in the HBCU Program. This authorization aligns with the federal requirements regarding collection by administrative offset.

The bill does not change the prohibition on the use of <u>state</u> funds to pay debt service on revenue bonds. Additionally, the bill does not change the requirement for analysis by the Division of Bond Finance and approval by the Board of Governors for the issuance of debt.<sup>18</sup>

The bill takes effect July 1, 2018.

#### IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

#### V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill may provide FAMU access to competitive financing through the HBCU Program, which may result in interest rate savings for FAMU. The benefits may be extended to refinancing existing revenue bonds and for loans under the HBCU Program for future capital outlay projects.

The Board of Governors reports that, in 2016, Florida Agricultural and Mechanical University (FAMU) had researched refinancing its existing housing revenue bonds,

<sup>&</sup>lt;sup>18</sup> Board of Governors, 2018 Agency Analysis for HB 1712, at 2.

which at the time totaled \$80 million.<sup>19</sup> Projections at that time estimated that FAMU would save approximately \$1.2 million in debt service costs over the remaining life of the bond if FAMU were able to refinance the existing bonds under the HBCU Program.<sup>20</sup>

#### VI. Technical Deficiencies:

None.

#### VII. Related Issues:

None.

#### VIII. Statutes Affected:

This bill substantially amends section 1010.62 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.

 $^{20}$  Id.

<sup>&</sup>lt;sup>19</sup> Board of Governors, 2018 Agency Analysis for HB 375, at 2. HB 375 is similar to SB 1712.

SB 1712

By Senator Montford

3-01149A-18 20181712 1 A bill to be entitled 2 An act relating to postsecondary revenue bonds and debt; amending s. 1010.62, F.S.; authorizing state 3 universities to use specified moneys to pay debt service on revenue bonds if required by a specified federal program; providing an effective date. 8 Be It Enacted by the Legislature of the State of Florida: ç 10 Section 1. Paragraph (a) of subsection (2) of section 11 1010.62, Florida Statutes, is amended to read: 12 1010.62 Revenue bonds and debt.-13 (2) (a) The Board of Governors may request the issuance of 14 revenue bonds pursuant to the State Bond Act and s. 11(d), Art. 15 VII of the State Constitution to finance or refinance capital 16 outlay projects permitted by law. Revenue bonds may be secured by or payable only from those revenues authorized for such 17 18 purpose, including the Capital Improvement Trust Fund fee, the 19 building fee, the health fee, the transportation access fee, 20 hospital revenues, or those revenues derived from or received in 21 relation to sales and services of auxiliary enterprises or 22 component units of the university, including, but not limited 23 to, housing, transportation, health care, research or research-24 related activities, food service, retail sales, athletic 25 activities, or other similar services, other revenues 26 attributable to the projects to be financed or refinanced, any 27 other revenue approved by the Legislature for facilities 2.8 construction or for securing revenue bonds issued pursuant to s. 29 11(d), Art. VII of the State Constitution, or any other revenues Page 1 of 3

CODING: Words stricken are deletions; words underlined are additions.

3-01149A-18 20181712 30 permitted by law. Revenues from the activity and service fee and 31 the athletic fee may be used to pay and secure revenue bonds 32 except that the annual debt service shall not exceed an amount equal to 5 percent of the fees collected during the most recent 33 12 consecutive months for which collection information is 34 35 available prior to the sale of the bonds. The assets of a 36 university foundation and the earnings thereon may also be used 37 to pay and secure revenue bonds of the university or its direct-38 support organizations. Revenues from royalties and licensing 39 fees may also be used to pay and secure revenue bonds so long as 40 the facilities being financed are functionally related to the university operation or direct-support organization reporting 41 such royalties and licensing fees. Revenue bonds may not be 42 43 secured by or be payable from, directly or indirectly, tuition, 44 the financial aid fee, sales and services of educational 45 departments, revenues from grants and contracts, except for money received for overhead and indirect costs and other moneys 46 not required for the payment of direct costs, or any other 47 48 operating revenues of a state university. However, moneys due to 49 the state university from the federal government for the payment of grants and contracts may be used to pay debt service on 50 51 revenue bonds only as required through the United States 52 Department of Education's Historically Black College and 53 University Capital Financing Program. Revenues from one 54 auxiliary enterprise may not be used to secure revenue bonds of 55 another unless the Board of Governors, after review and 56 analysis, determines that the facilities being financed are

- 57 functionally related to the auxiliary enterprise revenues being
- 58 used to secure such revenue bonds.

#### Page 2 of 3

CODING: Words stricken are deletions; words underlined are additions.

Florida Senate - 2018	SB 1712
3-01149A-18 Section 2. This act shall take effect J	20181712
Section 2. This act shall take effect 5	July 1, 2018.
Page 3 of 3	

<b>Construction of the Florida Senate</b>	
APPEARANCE RECO	RD
(Deliver BOTH copies of this form to the Senator or Senate Professional St. $2 - 14 - 317$	aff conducting the meeting)
Meeting Date	Bill Number (if applicable)
Topic Postsecondary Revenue Bond + IDolt	Amendment Barcode (if applicable)
Name Borbora Cohen Pippins	
Job Title Directer, Governmentel Relations	
Address 400 Lee Hell	Phone 850-599-3225
Street Tallohusse OFI. 32307 City State Zip	Email borbora. pippin e fomuladu
Speaking: For Against Information Waive Sp	eaking: In Support Against r will read this information into the record.)
Representing Floride A+M University	. *
	ered with Legislature: Ves No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

# **CourtSmart Tag Report**

Room: KN 412 Case No.: Caption: Senate Appropriations Subcommittee on Higher Education Type: Judge:

#### Started: 2/14/2018 4:04:12 PM Ends: 2/14/2018 4:14:06 PM Length: 00:09:55 4:04:14 PM Sen. Galvano (Chair) 4:04:19 PM Roll Call 4:05:57 PM S 844 4:06:00 PM Sen. Bean 4:07:39 PM Roll Call (Favorable) 4:07:54 PM S 1712 4:07:56 PM Sen. Montford Barbara Cohen (Waives in Support) 4:08:59 PM 4:09:20 PM Roll Call (Favorable) S 1526 4:09:29 PM Sen. Gibson 4:09:40 PM Am. 275966 4:10:34 PM Roll Call (Favorable) 4:12:13 PM 4:12:18 PM S 1528 Sen. Gibson 4:12:23 PM Am. 657484 4:12:43 PM 4:12:47 PM Sen. Gibson

4:13:17 PMRoll Call (Favorable)4:13:58 PMMeeting Adjourned

## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

**COMMITTEES:** Agriculture Appropriations Subcommittee on Higher Education Appropriations Subcommittee on Pre-K - 12 Education Education Environmental Preservation and Conservation

SENATOR GARY M. FARMER, JR. 34th District

February 14, 2018

Chair Galvano Senate Appropriations Subcommittee on Higher Education 404 S. Monroe St. Tallahassee, FL 32399-1100

Chair Galvano,

I respectfully request for an excused absence from today's scheduled Committee meeting. Unfortunately, I will be unavailable during the scheduled time.

Respectfully,

Senator Gary Farmer District 34

CC

Tim Elwell, Staff Director JoAnne Bennett, Administrative Assistant Kathy Galea, Legislative Assistant Macey Smith, Legislative Assistant Amanda Romant, Legislative Assistant

REPLY TO:

Broward College Campus, 111 East Las Olas Boulevard, Suite 913, Fort Lauderdale, Florida 33301 (954) 467-4227
 216 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5034

Senate's Website: www.flsenate.gov



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES: Community Affairs, *Chair* Appropriations Subcommittee on Higher Education Appropriations Subcommittee on Pre-K - 12 Education Education Ethics and Elections Rules

SENATOR TOM LEE 20th District

February 14th, 2018

The Honorable Bill Galvano, Chair The Florida Senate 404 South Monroe Street 201 Capitol Tallahassee, FL 32399

Dear Senator Galvano:

I respectfully request to be excused from today's meeting of the Appropriations Subcommittee on Higher Education.

Sincerely,

Tomter

Tom Lee Florida State Senator 20th District

REPLY TO:

□ 915 Oakfield Drive, Suite D, Brandon, Florida 33511 (813) 653-7061

□ 418 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5020

Senate's Website: www.flsenate.gov