HB 115

F L O R I D A  H O U S E  O F  R E P R E S E N T A T I V E S

A bill to be entitled
An act relating to Keep Our Graduates Working Act;
creating s. 1009.951, F.S.; providing a short title;
providing a purpose; providing definitions;
prohibiting a state authority from suspending or
revoking a person's professional license, certificate,
registration, or permit solely on the basis of a
delinquency or default in the payment of his or her
student loan; amending s. 456.072, F.S.; conforming
provisions to changes made by the act; repealing s.
456.0721, F.S., relating to health care practitioners
in default on student loan or scholarship obligations;
amending ss. 456.074 and 1009.95, F.S.; conforming
provisions to changes made by the act; providing an
effective date.

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

Section 1. Section 1009.951, Florida Statutes, is created
to read:

1009.951 Keep Our Graduates Working Act.—
(1) SHORT TITLE.—This section may be cited as the "Keep
Our Graduates Working Act of 2020."
(2) PURPOSE.—The purpose of this act is to ensure that
Floridians who graduate from an accredited college or university
can maintain their occupational licenses, as defined in subsection (3), and remain in the workforce while they struggle to pay off their student loan debt, thereby helping them avoid falling into poverty, which might necessitate seeking public assistance.

(3) DEFINITIONS.—As used in this section, the term:

(a) "Default" means the failure to repay a student loan according to the terms agreed to in the promissory note.

(b) "Delinquency" means the failure to make a student loan payment when it is due.

(c) "License" means any professional license, certificate, registration, or permit granted by the applicable state authority.

(d) "State authority" means any department, board, or agency with the authority to grant a license to any person in this state.

(e) "Student loan" means a federal-guaranteed or state-guaranteed loan for the purposes of postsecondary education.

(4) STUDENT LOAN DEFAULT; DELINQUENCY.—A state authority may not suspend or revoke a license that it has issued to a person who is in default on or delinquent in the payment of his or her student loans solely on the basis of such default or delinquency.

Section 2. Paragraph (k) of subsection (1) of section 456.072, Florida Statutes, is amended to read:
456.072 Grounds for discipline; penalties; enforcement.—
(1) The following acts shall constitute grounds for which the disciplinary actions specified in subsection (2) may be taken:

(k) Failing to perform any statutory or legal obligation placed upon a licensee. For purposes of this section, failing to repay a student loan issued or guaranteed by the state or the Federal Government in accordance with the terms of the loan is not or failing to comply with service scholarship obligations shall be considered a failure to perform a statutory or legal obligation, and the minimum disciplinary action imposed shall be a suspension of the license until new payment terms are agreed upon or the scholarship obligation is resumed, followed by probation for the duration of the student loan or remaining scholarship obligation period, and a fine equal to 10 percent of the defaulted loan amount. Fines collected shall be deposited into the Medical Quality Assurance Trust Fund.

Section 3. Section 456.0721, Florida Statutes, is repealed.

Section 4. Subsection (4) of section 456.074, Florida Statutes, is amended to read:

456.074 Certain health care practitioners; immediate suspension of license.—

(4) Upon receipt of information that a Florida-licensed health care practitioner has defaulted on a student loan issued
or guaranteed by the state or the Federal Government, the
department shall notify the licensee by certified mail that he
or she shall be subject to immediate suspension of license
unless, within 45 days after the date of mailing, the licensee
provides proof that new payment terms have been agreed upon by
all parties to the loan. The department shall issue an emergency
order suspending the license of any licensee who, after 45 days
following the date of mailing from the department, has failed to
provide such proof. Production of such proof shall not prohibit
the department from proceeding with disciplinary action against
the licensee pursuant to s. 456.073.

Section 5. Subsection (1) of s. 1009.95, Florida Statutes,
is amended to read:

1009.95 Delinquent accounts.—
(1) The Department of Education is directed to exert every
lawful and reasonable effort to collect all delinquent unpaid
and uncanceled scholarship loan notes, student loan notes, and
defaulted guaranteed loan notes; however, in all such efforts,
the department shall comply with s. 1009.951.

Section 6. This act shall take effect July 1, 2020.