A bill to be entitled
An act relating to postsecondary education; amending
s. 1001.03, F.S.; clarifying requirements for new
construction, remodeling, or renovation projects;
amending s. 1001.7065, F.S.; establishing state
universities of distinction throughout the State
University System; amending s. 1004.085, F.S.;
requiring certain innovative pricing techniques and
payment options to contain an opt-out provision;
amending s. 1009.50, F.S.; requiring that grant awards
administered through the Florida Public Student
Assistance Grant Program not exceed a certain amount;
providing that students who receive a grant award in
the fall or spring term may also receive an award in
the summer term, subject to availability of funds;
prohibiting institutions from dispensing grants to
students whose expected family contribution exceeds a
certain amount; requiring the formula used to
distribute funds for the program to account for
changes in the number of eligible students across all
student assistance grant programs; requiring
institutions to certify the amount of funds disbursed
within a certain timeframe; requiring institutions to
remit any undisbursed advances within a specified
timeframe; providing an exception; requiring
institutions that receive moneys through the program
to submit to the department by a specified date a
biennial report that includes a financial audit
conducted by the Auditor General; authorizing the
department to conduct its own annual or biennial audit under certain circumstances; authorizing the department to suspend or revoke an institution’s eligibility or request a refund of moneys overpaid to such institution under certain circumstances; providing a timeframe for such refunds; amending s. 1009.505, F.S.; requiring that grant awards administered through the Florida Public Postsecondary Career Education Student Assistance Grant Program not exceed a certain amount; providing that students who receive a grant award in the fall or spring term may also receive an award in the summer term, subject to the availability of funds; requiring the formula used to distribute funds for the program to account for changes in the number of eligible students across all student assistance grant programs; requiring institutions to certify within a certain timeframe the amount of funds disbursed; requiring institutions to remit within a specified timeframe any undisbursed advances; providing an exception; requiring institutions that receive moneys through the program to submit to the department by a specified date a biennial report that includes a financial audit conducted by the Auditor General; authorizing the department to conduct its own annual or biennial audit under certain circumstances; authorizing the department to suspend or revoke an institution’s eligibility or to request a refund of moneys overpaid to such institution under certain circumstances;
authorizing funds appropriated for state student assistance grants to be deposited in a specified trust fund; requiring that any balance in the trust fund at the end of a fiscal year which has been allocated to the Florida Public Postsecondary Career Education Student Assistance Grant Program remain therein, subject to certain statutory exceptions; amending s. 1009.51, F.S.; requiring that grant awards administered through the Florida Private Student Assistance Grant Program not exceed a certain amount; providing that students who receive an award in the fall or spring term may also receive an award in the summer term, subject to the availability of funds; prohibiting institutions from dispensing grants to students whose expected family contribution exceeds a certain amount; requiring the formula used to distribute funds for the program to account for changes in the number of eligible students across all student assistance grant programs; requiring institutions to certify within a certain timeframe the amount of funds disbursed; requiring institutions to remit within a specified timeframe any undisbursed advances; providing an exception; revising a requirement for a biennial report; amending s. 1009.52, F.S.; requiring that grants administered through the Florida Postsecondary Student Assistance Grant Program not exceed a certain amount; providing that students who receive a grant award in the fall or spring term may also receive an award in the summer term.
term, subject to the availability of funds;
prohibiting institutions from dispensing grants to
students whose expected family contribution exceeds a
certain amount; requiring the formula used to
distribute funds for the program to account for
changes in the number of eligible students across all
student assistance grant programs; requiring
institutions to certify within a certain timeframe the
amount of funds disbursed; requiring institutions to
remit within a specified timeframe any undisbursed
advances; providing an exception; revising a
requirement for a biennial report; amending s.
1009.893, F.S.; specifying eligibility for initial
awards under the Benacquisto Scholarship Program;
revising requirements for a student to receive a
renewal award; providing a timeframe within which
students can receive an award; providing an exception
to renewal requirements; amending s. 1011.45, F.S.;
revising the date by which a spending plan must be
submitted to a university’s board of trustees for
approval; revising the date by which the Board of
Governors must review and approve such spending plan;
authorizing certain expenditures in a carry forward
spending plan to include a commitment of funds to a
contingency reserve for certain purposes; amending s.
1013.841, F.S.; revising the dates by which a spending
plan must be submitted to a Florida College System
institution’s board of trustees for approval; revising
the dates by which the Board of Education shall review
and publish such plans; authorizing certain expenditures in a carry forward spending plan to include a commitment of funds to a contingency reserve for certain purposes; repealing s. 11, chapter 2019-116, Laws of Florida, relating to the scheduled reversion of provisions placing a limitation on the maximum amount of funding that may be appropriated for performance funding relating to funds for the operation of workforce education programs and industry certifications for Florida College System institutions; providing an effective date.

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

Section 1. Paragraph (c) of subsection (18) of section 1001.03, Florida Statutes, is amended to read:

1001.03 Specific powers of State Board of Education.—

(18) PUBLIC EDUCATION CAPITAL OUTLAY.—The State Board of Education shall develop and submit the prioritized list required by s. 1013.64(4). Projects considered for prioritization shall be chosen from a preliminary selection group which shall include the list of projects maintained pursuant to paragraph (d) and the top two priorities of each Florida College System institution.

(c) A new construction, remodeling, or renovation project that has not received an appropriation in a previous year shall not be considered for inclusion on the prioritized list required by s. 1013.64(4), unless:

1. A plan is provided to reserve funds in an escrow
account, specific to the project, into which shall be deposited each year an amount of funds equal to 0.5 percent of the total value of the building for future maintenance;

2. There exist sufficient capacity within the cash and bonding estimate of funds by the Revenue Estimating Conference to accommodate the project excess funds from the allocation provided pursuant to s. 1013.60 within the 3-year Public Education Capital Outlay funding cycle planning period which are not needed to complete the projects listed pursuant to paragraph (d); and

3. The project has been recommended pursuant to s. 1013.31.

Section 2. Subsection (7) of section 1001.7065, Florida Statutes, is amended to read:

1001.7065 Preeminent state research universities program.—
(7) STATE UNIVERSITIES PROGRAMS OF DISTINCTION EXCELLENCE THROUGHOUT THE STATE UNIVERSITY SYSTEM.—The Board of Governors shall establish standards and measures whereby state universities that focus on one core competency unique to the State University System which achieve excellence at the national or state level, meet state workforce needs, and foster an innovation economy that focuses on areas such as health care, security, transportation, and science, technology, engineering, and mathematics (STEM), including supply chain management, individual undergraduate, graduate, and professional degree programs in state universities which objectively reflect national excellence can be identified. The Board of Governors may annually submit such programs and make recommendations to the Legislature by January 1, 2018, as to how any such programs could be enhanced and promoted.
Section 3. Subsection (4) of section 1004.085, Florida Statutes, is amended to read:

1004.085 Textbook and instructional materials affordability.—

(4) Each Florida College System institution and state university board of trustees is authorized to adopt policies in consultation with providers, including bookstores, which allow for the use of innovative pricing techniques and payment options for textbooks and instructional materials. Such policies may include bulk pricing arrangements that enable students to purchase course materials or texts that are delivered digitally; delivered through other technologies that are, or the licenses of which are, required for use within a course; or delivered in a print format. Innovative pricing techniques and payment options must include an opt-in or opt-out provision for students and may be approved only if there is documented evidence that the options reduce the cost of textbooks and instructional materials for students taking a course.

Section 4. Section 1009.50, Florida Statutes, is amended to read:

1009.50 Florida Public Student Assistance Grant Program; eligibility for grants.—

(1) There is hereby created a Florida Public Student Assistance Grant Program. The program shall be administered by the participating institutions in accordance with rules of the state board.

(2)(a) State student assistance grants through the program may be made only to degree-seeking students who enroll in at least 6 semester hours, or the equivalent per term, and who meet
the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. The grants shall be awarded annually for the amount of demonstrated unmet need for the cost of education and may not exceed the maximum annual award—an amount equal to the average prior academic year cost of tuition fees and other registration fees for 30 credit hours at state universities or such other amount as specified in the General Appropriations Act, to any recipient. A demonstrated unmet need of less than $200 shall render the applicant ineligible for a state student assistance grant. Recipients of the grants must have been accepted at a state university or Florida College System institution authorized by Florida law. If funds are available, a student who received an award in the fall or spring term may receive a summer award. A student is eligible for the award for 110 percent of the number of credit hours required to complete the program in which enrolled, except as otherwise provided in s. 1009.40(3).

(b) A student applying for a Florida public student assistance grant shall be required to apply for the Pell Grant. The Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student.

(c) Priority in the distribution of grant moneys shall be given to students with the lowest total family resources, in accordance with a nationally recognized system of need analysis. Using the system of need analysis, the department shall establish a maximum expected family contribution. An institution may not make a grant from this program to a student whose
expected family contribution exceeds one and one-half times the maximum Pell Grant-eligible family contribution level established by the department. An institution may not impose additional criteria to determine a student’s eligibility to receive a grant award.

(d) Each participating institution shall report to the department by the established date, the eligible students eligible for the program for to whom grant moneys are disbursed each academic term. Each institution shall also report to the department necessary demographic and eligibility data for such students.

(3) Based on the unmet financial need of an eligible applicant, the amount of a Florida public student assistance grant must be between $200 and the weighted average of the cost of tuition and other registration fees for 30 credit hours at state universities per academic year or the amount specified in the General Appropriations Act.

(4)(a) The funds appropriated for the Florida Public Student Assistance Grant shall be distributed to eligible institutions in accordance with a formula approved by the State Board of Education. The formula shall consider at least the prior year’s distribution of funds, the number of full-time eligible applicants who did not receive awards, the standardization of the expected family contribution, and provisions for unused funds. The formula shall account for changes in the number of eligible students across all student assistance grant programs established pursuant to this section and ss. 1009.505, 1009.51, and 1009.52.

(b) Payment of Florida public student assistance grants
shall be transmitted to the president of the state university or Florida College System institution, or to his or her representative, in advance of the registration period. Institutions shall notify students of the amount of their awards.

(c) The eligibility status of each student to receive a disbursement shall be determined by each institution as of the end of its regular registration period, inclusive of a drop-add period. Institutions shall not be required to reevaluate a student’s eligibility status after this date for purposes of changing eligibility determinations previously made.

(d) Institutions shall certify to the department within 30 days after the end of regular registration each term the amount of funds disbursed to each student and shall remit to the department any undischarged advances within 60 days after the end of regular registration each spring term and any advances by June 1 of each year. An exception to the remittance deadline may be granted if the institution documents to the department how it plans to disburse awards to students for the subsequent summer term. An institution that uses funds for the summer term shall certify to the department the amount of funds disbursed to each student and shall remit to the department any undisbursed advances within 30 days after the end of the summer term.

(e) Each institution that receives moneys through the Florida Public Student Assistance Grant Program shall prepare a biennial report that includes a financial audit conducted by the Auditor General of the institution’s administration of the program and a complete accounting of moneys allocated to the institution for the program. Such report shall be submitted to
the department by March 1 every other year. The department may conduct its own annual or biennial audit of an institution’s administration of the program and its allocated funds in lieu of the required biennial report and financial audit report. The department may suspend or revoke an institution’s eligibility to receive future moneys for the program or request a refund of any moneys overpaid to the institution for the program if the department finds that an institution has not complied with this section. Any refund requested pursuant to this paragraph shall be remitted within 60 days after notification by the department.

(5) Funds appropriated by the Legislature for state student assistance grants may be deposited in the State Student Financial Assistance Trust Fund. Notwithstanding the provisions of s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year which has been allocated to the Florida Public Student Assistance Grant Program shall remain therein and shall be available for carrying out the purposes of this section.

(6) The State Board of Education shall establish rules necessary to implement this section.

Section 5. Present subsections (5) and (6) of section 1009.505, Florida Statutes, are redesignated as subsections (6) and (7), respectively, a new subsection (5) is added to that section, and subsections (3) and (4) of that section are amended, to read:

1009.505 Florida Public Postsecondary Career Education Student Assistance Grant Program.—

(3) (a) Student assistance grants through the program may be made only to certificate-seeking students enrolled at least
half-time in a public postsecondary career certificate program
who meet the general requirements for student eligibility as
provided in s. 1009.40, except as otherwise provided in this
section. The grants shall be awarded annually to any recipient
for the amount of demonstrated unmet need for the cost of
education and may not exceed the average annual cost of tuition
and registration fees or such other amount as specified in the
General Appropriations Act. A demonstrated unmet need of less
than $200 shall render the applicant ineligible for a grant
under this section. Recipients of the grants must have been
accepted at a Florida College System institution authorized by
Florida law or a career center operated by a district school
board under s. 1001.44. If funds are available, a student who
received an award in the fall or spring term may receive a
summer award. A student is eligible for the award for 110
percent of the number of clock hours required to complete the
program in which enrolled.

(b) A student applying for a Florida public postsecondary
career education student assistance grant shall be required to
apply for the Pell Grant. A Pell Grant entitlement shall be
considered when conducting an assessment of the financial
resources available to each student; however, a Pell Grant
entitlement shall not be required as a condition of receiving a
grant under this section.

(c) Each participating institution shall report to the
department by the established date the eligible students
eligible for the program for whom grant moneys are disbursed
each academic term. Each institution shall also report to the
department necessary demographic and eligibility data for such
students.

(4)(a) The funds appropriated for the Florida Public Postsecondary Career Education Student Assistance Grant Program shall be distributed to eligible Florida College System institutions and district school boards in accordance with a formula approved by the department. The formula shall account for changes in the number of eligible students across all student assistance grant programs established pursuant to this section and ss. 1009.50, 1009.51, and 1009.52.

(b) Payment of Florida public postsecondary career education student assistance grants shall be transmitted to the president of the Florida College System institution or to the district school superintendent, or to the designee thereof, in advance of the registration period. Institutions shall notify students of the amount of their awards.

(c) The eligibility status of each student to receive a disbursement shall be determined by each institution as of the end of its regular registration period, inclusive of a drop-add period. Institutions shall not be required to reevaluate a student’s eligibility status after this date for purposes of changing eligibility determinations previously made.

(d) Participating institutions shall certify to the department within 30 days after the end of regular registration each term the amount of funds disbursed to each student and shall remit to the department any undisbursed advances within 60 days after the end of regular registration each spring term by June 1 of each year. An exception to the remittance deadline may be granted if the institution documents to the department how it plans to disburse awards to students for the subsequent summer
term. An institution that uses funds for the summer term shall
certify to the department the amount of funds disbursed to each
student and shall remit to the department any undisbursed
advances within 30 days after the end of the summer term.

(e) Each institution that receives moneys through the
Florida Public Postsecondary Career Education Student Assistance
Grant Program shall prepare a biennial report that includes a
financial audit, conducted by the Auditor General, of the
institution’s administration of the program and a complete
accounting of moneys allocated to the institution for the
program. Such report shall be submitted to the department by
March 1 every other year. The department may conduct its own
annual or biennial audit of an institution’s administration of
the program and its allocated funds in lieu of the required
biennial report and financial audit report. The department may
suspend or revoke an institution’s eligibility to receive future
moneys for the program or request a refund of any moneys
overpaid to the institution if the department finds that an
institution has not complied with this section. Any refund
requested pursuant to this paragraph shall be remitted within 60
days after notification by the department.

(5) Funds appropriated by the Legislature for state student
assistance grants may be deposited in the State Student
Financial Assistance Trust Fund. Notwithstanding s. 216.301, and
pursuant to s. 216.351, any balance in the trust fund at the end
of any fiscal year which has been allocated to the Florida
Public Postsecondary Career Education Student Assistance Grant
Program shall remain therein and shall be available for carrying
out the purposes of this section.
Section 6. Section 1009.51, Florida Statutes, is amended to read:

1009.51 Florida Private Student Assistance Grant Program; eligibility for grants.—

(1) There is created a Florida Private Student Assistance Grant Program. The program shall be administered by the participating institutions in accordance with rules of the State Board of Education.

(2)(a) Florida private student assistance grants may be made only to full-time degree-seeking students who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. Such grants shall be awarded for the amount of demonstrated unmet need for tuition and fees and may not exceed the maximum annual award amount equal to the average tuition and other registration fees for 30 credit hours at state universities plus $1,000 per academic year, or as specified in the General Appropriations Act, to any applicant. A demonstrated unmet need of less than $200 shall render the applicant ineligible for a Florida private student assistance grant. Recipients of such grants must have been accepted at a baccalaureate-degree-granting independent nonprofit college or university, which is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools and which is located in and chartered as a domestic corporation by the state. If funds are available, a student who received an award in the fall or spring term may receive a summer award. No student may receive an award for more than the equivalent of 9 semesters or 14 quarters of full-time
enrollment, except as otherwise provided in s. 1009.40(3).

(b) A student applying for a Florida private student assistance grant shall be required to apply for the Pell Grant. The Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student.

(c) Priority in the distribution of grant moneys shall be given to students with the lowest total family resources, in accordance with a nationally recognized system of need analysis. Using the system of need analysis, the department shall establish a maximum expected family contribution. An institution may not make a grant from this program to a student whose expected family contribution exceeds one and one-half times the maximum Pell Grant-eligible family contribution level established by the department. An institution may not impose additional criteria to determine a student’s eligibility to receive a grant award.

(d) Each participating institution shall report to the department by the established date the eligible students eligible for the program for whom grant moneys are disbursed each academic term. Each institution shall also report to the department necessary demographic and eligibility data for such students.

(3) Based on the unmet financial need of an eligible applicant, the amount of a Florida private student assistance grant must be between $200 and the average cost of tuition and other registration fees for 30 credit hours at state universities plus $1,000 per academic year or the amount specified in the General Appropriations Act.
(4)(a) The funds appropriated for the Florida Private Student Assistance Grant shall be distributed to eligible institutions in accordance with a formula approved by the State Board of Education. The formula shall consider at least the prior year’s distribution of funds, the number of full-time eligible applicants who did not receive awards, the standardization of the expected family contribution, and provisions for unused funds. The formula shall account for changes in the number of eligible students across all student assistance grant programs established pursuant to this section and ss. 1009.50, 1009.505, and 1009.52.

(b) Payment of Florida private student assistance grants shall be transmitted to the president of the college or university, or to his or her representative, in advance of the registration period. Institutions shall notify students of the amount of their awards.

(c) The eligibility status of each student to receive a disbursement shall be determined by each institution as of the end of its regular registration period, inclusive of a drop-add period. Institutions shall not be required to reevaluate a student’s eligibility status after this date for purposes of changing eligibility determinations previously made.

(d) Institutions shall certify to the department within 30 days after the end of regular registration each term the amount of funds disbursed to each student and shall remit to the department any undisbursed advances within 60 days after the end of regular registration each spring term by June 1 of each year. An exception to the remittance deadline may be granted if the institution documents to the department how it plans to disburse
awards to students for the subsequent summer term. An institution that uses funds for the summer term shall certify to the department the amount of funds disbursed to each student and shall remit to the department any undisbursed advances within 30 days after the end of the summer term.

(e) Each institution that receives moneys through the Florida Private Student Assistance Grant Program shall prepare a biennial report that includes a financial audit, conducted by an independent certified public accountant, of the institution’s administration of the program and a complete accounting of moneys in the State Student Financial Assistance Trust Fund allocated to the institution for the program. Such report shall be submitted to the department by March 1 every other year. The department may conduct its own annual or biennial audit of an institution’s administration of the program and its allocated funds in lieu of the required biennial report and financial audit report. The department may suspend or revoke an institution’s eligibility to receive future moneys from the trust fund for the program or request a refund of any moneys overpaid to the institution through the trust fund for the program if the department finds that an institution has not complied with the provisions of this section. Any refund requested pursuant to this paragraph shall be remitted within 60 days after notification by the department.

(5) Funds appropriated by the Legislature for Florida private student assistance grants may be deposited in the State Student Financial Assistance Trust Fund. Notwithstanding the provisions of s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year which has been
allocated to the Florida Private Student Assistance Grant Program shall remain therein and shall be available for carrying out the purposes of this section and as otherwise provided by law.

(6) The State Board of Education shall adopt rules necessary to implement this section.

Section 7. Section 1009.52, Florida Statutes, is amended to read:

1009.52 Florida Postsecondary Student Assistance Grant Program; eligibility for grants.—

(1) There is created a Florida Postsecondary Student Assistance Grant Program. The program shall be administered by the participating institutions in accordance with rules of the State Board of Education.

(2)(a) Florida postsecondary student assistance grants through the State Student Financial Assistance Trust Fund may be made only to full-time degree-seeking students who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. Such grants shall be awarded for the amount of demonstrated unmet need for tuition and fees and may not exceed the maximum annual award of an amount equal to the average prior academic year cost of tuition and other registration fees for 30 credit hours at state universities plus $1,000 per academic year, or as specified in the General Appropriations Act, to any applicant. A demonstrated unmet need of less than $200 shall render the applicant ineligible for a Florida postsecondary student assistance grant. Recipients of such grants must have been accepted at a postsecondary institution that is located in this the state and
that is:

1. A private nursing diploma school approved by the Florida Board of Nursing; or

2. A college or university licensed by the Commission for Independent Education, excluding those institutions the students of which are eligible to receive a Florida private student assistance grant pursuant to s. 1009.51.

If funds are available, a student who received an award in the fall or spring term may receive a summer award. No student may receive an award for more than the equivalent of 9 semesters or 14 quarters of full-time enrollment, except as otherwise provided in s. 1009.40(3).

(b) A student applying for a Florida postsecondary student assistance grant shall be required to apply for the Pell Grant. The Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student.

(c) Priority in the distribution of grant moneys shall be given to students with the lowest total family resources, in accordance with a nationally recognized system of need analysis. Using the system of need analysis, the department shall establish a maximum expected family contribution. An institution may not make a grant from this program to a student whose expected family contribution exceeds one and one-half times the maximum Pell Grant-eligible family contribution level established by the department. An institution may not impose additional criteria to determine a student’s eligibility to receive a grant award.
(d) Each participating institution shall report to the department by the established date the eligible students eligible for the program for to whom grant moneys are disbursed each academic term. Each institution shall also report to the department necessary demographic and eligibility data for such students.

(3) Based on the unmet financial need of an eligible applicant, the amount of a Florida postsecondary student assistance grant must be between $200 and the average cost of tuition and other registration fees for 30 credit hours at state universities plus $1,000 per academic year or the amount specified in the General Appropriations Act.

(4) (a) The funds appropriated for the Florida Postsecondary Student Assistance Grant shall be distributed to eligible institutions in accordance with a formula approved by the State Board of Education. The formula shall consider at least the prior year’s distribution of funds, the number of full-time eligible applicants who did not receive awards, the standardization of the expected family contribution, and provisions for unused funds. The formula shall account for changes in the number of eligible students across all student assistance grant programs established pursuant to this section and ss. 1009.50, 1009.505, and 1009.51.

(b) Payment of Florida postsecondary student assistance grants shall be transmitted to the president of the eligible institution, or to his or her representative, in advance of the registration period. Institutions shall notify students of the amount of their awards.

(c) The eligibility status of each student to receive a
disbursement shall be determined by each institution as of the
end of its regular registration period, inclusive of a drop-add
period. Institutions shall not be required to reevaluate a
student’s eligibility status after this date for purposes of
changing eligibility determinations previously made.

(d) Institutions shall certify to the department within 30
days after the end of regular registration each term the amount
of funds disbursed to each student and shall remit to the
department any undisbursed advances within 60 days after the end
of regular registration each spring term by June 1 of each year.
An exception to the remittance deadline may be granted if the
institution documents to the department how it plans to disburse
awards to students for the subsequent summer term. An
institution that uses funds for the summer term shall certify to
the department the amount of funds disbursed to each student and
shall remit to the department any undisbursed advances within 30
days after the end of the summer term.

(e) Each institution that receives moneys through the
Florida Postsecondary Student Assistance Grant Program shall
prepare a biennial report that includes a financial audit,
conducted by an independent certified public accountant, of the
institution’s administration of the program and a complete
accounting of moneys in the State Student Financial Assistance
Trust Fund allocated to the institution for the program. Such
report shall be submitted to the department by March 1 every
other year. The department may conduct its own annual or
biennial audit of an institution’s administration of the program
and its allocated funds in lieu of the required biennial report
and financial audit report. The department may suspend or revoke
an institution’s eligibility to receive future moneys from the trust fund for the program or request a refund of any moneys overpaid to the institution through the trust fund for the program if the department finds that an institution has not complied with the provisions of this section. Any refund requested pursuant to this paragraph shall be remitted within 60 days after notification by the department.

(5) Any institution that was eligible to receive state student assistance grants on January 1, 1989, and that is not eligible to receive grants pursuant to s. 1009.51 is eligible to receive grants pursuant to this section.

(6) Funds appropriated by the Legislature for Florida postsecondary student assistance grants may be deposited in the State Student Financial Assistance Trust Fund. Notwithstanding the provisions of s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year which has been allocated to the Florida Postsecondary Student Assistance Grant Program shall remain therein and shall be available for carrying out the purposes of this section and as otherwise provided by law.

(7) The State Board of Education shall adopt rules necessary to implement this section.

Section 8. Subsections (2), (4), (5), and (6) of section 1009.893, Florida Statutes, are amended to read:

1009.893 Benacquisto Scholarship Program.—

(2) The Benacquisto Scholarship Program is created to reward a high school graduate who receives recognition as a National Merit Scholar or National Achievement Scholar and who initially enrolls in the 2014-2015 academic year or, later, in a
baccalaureate degree program at an eligible Florida public or independent postsecondary educational institution.

(4) In order to be eligible for an initial award under the scholarship program, a student must meet the requirements of paragraph (a) or paragraph (b).

(a) A student who is a resident of this state, as determined in s. 1009.40 and rules of the State Board of Education, must:

1. Earn a standard Florida high school diploma or its equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282, or s. 1003.435 unless:
   a. The student completes a home education program according to s. 1002.41; or
   b. The student earns a high school diploma from a non-Florida school while living with a parent who is on military or public service assignment out of this state;
2. Be accepted by and enroll in a Florida public or independent postsecondary educational institution that is regionally accredited; and
3. Be enrolled full-time in a baccalaureate degree program at an eligible regionally accredited Florida public or independent postsecondary educational institution during the fall academic term following high school graduation.

(b) A student who initially enrolls in a baccalaureate degree program in the 2018-2019 academic year or later and who is not a resident of this state, as determined in s. 1009.40 and rules of the State Board of Education, must:

1. Physically reside in this state on or near the campus of the postsecondary educational institution in which the student
2. Earn a high school diploma from a school outside Florida which is comparable to a standard Florida high school diploma or its equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282, or s. 1003.435 or must complete a home education program in another state; and

3. Be accepted by and enrolled full-time in a baccalaureate degree program at an eligible regionally accredited Florida public or independent postsecondary educational institution during the fall academic term following high school graduation.

(5)(a)1. An eligible student who meets the requirements of paragraph (4)(a), who is a National Merit Scholar or National Achievement Scholar, and who attends a Florida public postsecondary educational institution shall receive a scholarship award equal to the institutional cost of attendance minus the sum of the student’s Florida Bright Futures Scholarship and National Merit Scholarship or National Achievement Scholarship.

2. An eligible student who meets the requirements of paragraph (4)(b), who is a National Merit Scholar, and who attends a Florida public postsecondary educational institution shall receive a scholarship award equal to the institutional cost of attendance for a resident of this state minus the student’s National Merit Scholarship. Such student is exempt from the payment of out-of-state fees.

(b) An eligible student who is a National Merit Scholar or National Achievement Scholar and who attends a Florida independent postsecondary educational institution shall receive a scholarship award equal to the highest cost of attendance for...
a resident of this state enrolled at a Florida public university, as reported by the Board of Governors of the State University System, minus the sum of the student’s Florida Bright Futures Scholarship and National Merit Scholarship or National Achievement Scholarship.

(6)(a) To be eligible for a renewal award, a student must be enrolled full-time, earn all credits for which he or she was enrolled, and maintain a 3.0 or higher grade point average. An eligible Benacquisto Scholar who has fewer than 12 credits to complete their first baccalaureate degree may receive funding for one term in order to complete their degree.

(b) A student’s renewal status is not affected by subsequent changes in the residency status of the student or residency status of the student’s family.

(c) A student may receive the scholarship award for a maximum of 100 percent of the number of credit hours required to complete a baccalaureate degree program, or until completion of a baccalaureate degree program, whichever comes first.

(d) A student may receive an award for up to 5 years following high school graduation and may not receive the award for more than 10 semesters.

(e) A student who receives an award under this program and fails to meet the renewal requirements due to a verifiable illness or other documented emergency may be granted an exception pursuant to s. 1009.40(1)(b)4.

Section 9. Section 1011.45, Florida Statutes, is amended to read:

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

(1) Each university shall maintain a minimum carry forward balance of at least 7 percent of its state operating budget. If a university fails to maintain a 7 percent balance in state operating funds, the university shall submit a plan to the Board of Governors to attain the 7 percent balance of state operating funds within the next fiscal year.

(2) Each university that retains a state operating fund carry forward balance in excess of the 7 percent minimum shall submit a spending plan for its excess carry forward balance. The spending plan shall be submitted to the university’s board of trustees for review, approval, or, if necessary, amendment by September 30, 2020, and each September 30 thereafter. The Board of Governors shall review, approve, and amend, if necessary, each university’s carry forward spending plan by November 15, 2020, and each November 15 thereafter.

(3) A university’s carry forward spending plan shall include the estimated cost per planned expenditure and a timeline for completion of the expenditure. Authorized expenditures in a carry forward spending plan may include:

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

(b) Completion of a renovation, repair, or maintenance project that is consistent with the provisions of s. 1013.64(1), up to $5 million per project, and replacement of a minor
facility that does not exceed 10,000 gross square feet in size up to $2 million;

(c) Completion of a remodeling or infrastructure project, including a project for a development research school, up to $10 million per project, if such project is survey recommended pursuant to s. 1013.31;

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

(e) Operating expenditures that support the university mission and that are nonrecurring; and

(f) Any purpose specified by the board or in the General Appropriations Act; and

(g) A commitment of funds to a contingency reserve to assist in addressing unforeseen circumstances that may arise, including natural disasters and other emergencies.

(4) Annually, by September 30, the chief financial officer of each university shall certify the unexpended amount of funds appropriated to the university from the General Revenue Fund, the Educational Enhancement Trust Fund, and the Education/General Student and Other Fees Trust Fund as of June 30 of the previous fiscal year.

(5) A university may spend the minimum carry forward balance of 7 percent if a demonstrated emergency exists and the plan is approved by the university’s board of trustees and the Board of Governors.

Section 10. Section 1013.841, Florida Statutes, is amended to read:

1013.841 End of year balance of Florida College System
(1) Unexpended amounts in any fund in any Florida College System institution current year state operating budget shall be carried forward and included as the balance forward for that fund in the approved operating budget for the following year.

(2)(a) Each Florida College System institution with a final FTE less than 15,000 for the prior year shall maintain a minimum carry forward balance of at least 5 percent of its state operating budget. If a Florida College System institution fails to maintain a 5 percent balance in state operating funds, the president shall provide written notification to the State Board of Education.

(b) Each Florida College System institution with a final FTE less than 15,000 for the prior year that retains a state operating fund carry forward balance in excess of the 5 percent minimum shall submit a spending plan for its excess carry forward balance. The spending plan shall include all excess carry forward funds from state operating funds. The spending plan shall be submitted to the Florida College System institution’s board of trustees for approval by September 30, 2020, and each September 30 thereafter. The State Board of Education shall review and publish each Florida College System institution’s carry forward spending plan by November 15, 2020, and each November 15 thereafter.

(3)(a) Each Florida College System institution with a final FTE of 15,000 or greater for the prior year shall maintain a minimum carry forward balance of at least 7 percent of its state operating budget. If a Florida College System institution fails to maintain a 7 percent balance in state operating funds, the
in institution shall submit a plan to the State Board of Education
to attain the minimum balance.

(b) Each Florida College System institution with a final
FTE of 15,000 or greater for the prior year that retains a state
operating fund carry forward balance in excess of the 7 percent
minimum shall submit a spending plan for its excess carry
forward balance. The spending plan shall include all excess
carry forward funds from state operating funds. The spending
plan shall be submitted to the Florida College System
institution’s board of trustees for approval by September 30, 2020,
and each September 30 thereafter. The State Board of
Education shall review and publish each Florida College System
institution’s carry forward spending plan by November 15, 2020,
and each November 15 thereafter.

(4) A Florida College System institution identified in
paragraph (3)(a) must include in its carry forward spending plan
the estimated cost per planned expenditure and a timeline for
completion of the expenditure. Authorized expenditures in a
carry forward spending plan may include:

(a) Commitment of funds to a public education capital
outlay project for which an appropriation was previously
provided, which requires additional funds for completion, and
which is included in the list required by s. 1001.03(18)(d);

(b) Completion of a renovation, repair, or maintenance
project that is consistent with the provisions of s. 1013.64(1),
up to $5 million per project;

(c) Completion of a remodeling or infrastructure project,
up to $10 million per project, if such project is survey
recommended pursuant to s. 1013.31;
(d) Completion of a repair or replacement project necessary due to damage caused by a natural disaster for buildings included in the inventory required pursuant to s. 1013.31;
(e) Operating expenditures that support the Florida College System institution’s mission which are nonrecurring; and
(f) Any purpose approved by the state board or specified in the General Appropriations Act; and
(g) A commitment of funds to a contingency reserve to assist in addressing unforeseen circumstances that may arise, including natural disasters and other emergencies.


Section 12. This act shall take effect July 1, 2020.