<table>
<thead>
<tr>
<th>Tab 2</th>
<th>SB 4 by Galvano (CO-INTRODUCERS) Perry, Young, Bradley, Stewart, Stargel, Simpson, Steube, Passidomo, Bean, Baxley, Hukill, Benacquisto; (Identical to H 00423) Higher Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>312532</td>
<td>D S RCS AP, Galvano Delete everything after 12/06 03:31 PM</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tab 3</th>
<th>CS/SB 88 by ED, Hukill (CO-INTRODUCERS) Latvala, Rouson, Baxley, Benacquisto, Stewart, Rodriguez, Mayfield, Farmer, Book, Hutson, Perry, Powell, Gibson; (Identical to H 00323) High School Graduation Requirements</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Tab 4</th>
<th>SB 276 by Hutson (CO-INTRODUCERS) Baxley; (Identical to H 00085) Voter Registration List Maintenance</th>
</tr>
</thead>
<tbody>
<tr>
<td>928742</td>
<td>D S RCS AP, Braynon Delete everything after 12/06 03:35 PM</td>
</tr>
</tbody>
</table>
### Presentation on Governor's Fiscal Year 2018-2019 Budget Recommendations

**TAB** | **BILL NO. and INTRODUCER** | **BILL DESCRIPTION and SENATE COMMITTEE ACTIONS** | **COMMITTEE ACTION**
---|---|---|---
1 | | Presentation on Governor's Fiscal Year 2018-2019 Budget Recommendations | Presented

### SB 4

**Galvano**

(Identical H 423, Compare H 831, CS/S 540)

Higher Education; Citing this act as the "Florida Excellence in Higher Education Act of 2018"; establishing the World Class Faculty and Scholar Program; authorizing state university investments in certain faculty retention, recruitment, and recognition activities; establishing the State University Professional and Graduate Degree Excellence Program; authorizing a student to use Florida Bright Futures Scholarship Program awards for summer term enrollment; extending coverage of the Benacquisto Scholarship Program to include tuition and fees for qualified nonresident students, etc.

- **ED** 09/12/2017
- **ED** 10/09/2017 Favorable
- **AHE** 11/08/2017 Favorable
- **AP** 12/06/2017 Favorable/CSS

With subcommittee recommendation – Higher Education

### CS/SB 88

**Education / Hukill**

(Identical H 323)

High School Graduation Requirements; Revising the requirements for the Next Generation Sunshine State Standards to include financial literacy; revising the required credits for a standard high school diploma to include one-half credit of instruction in personal financial literacy and money management and seven and one-half, rather than eight, credits in electives, etc.

- **ED** 09/12/2017
- **ED** 10/09/2017 Favorable/CSS
- **AED** 11/08/2017 Favorable
- **AP** 12/06/2017 Favorable

With subcommittee recommendation – Pre-K – 12 Education
<table>
<thead>
<tr>
<th>TAB</th>
<th>BILL NO. and INTRODUCER</th>
<th>BILL DESCRIPTION and SENATE COMMITTEE ACTIONS</th>
<th>COMMITTEE ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>SB 276 Hutson</td>
<td>Voter Registration List Maintenance: Authorizing the Department of State to enter into certain interstate agreements or to become a member of a nongovernmental entity to verify voter registration information; requiring the Department of Highway Safety and Motor Vehicles to provide specified information to the Department of State, etc.</td>
<td>Fav/CS  Yeas 20 Nays 0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>EE 11/07/2017 Favorable</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>AP 12/06/2017 Fav/CS</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>RC</td>
<td></td>
</tr>
</tbody>
</table>

Other Related Meeting Documents
Policy and Budget Recommendations
GOVERNOR RICK SCOTT’S 2018–2019 BUDGET
SECURING FLORIDA’S FUTURE

1,448,300
PRIVATE SECTOR JOBS
CREATED OVER 6½ YEARS

PRIVATE SECTOR
1,448,300

Total Jobs Added (or Lost) Since December 2010
Data Source: Florida Department of Economic Opportunity and the U.S. Department of Labor, Bureau of Labor Statistics
State of Florida
Historical Debt Outstanding
Fiscal Years 1972 through 2017
(in Billions of Dollars)
Governor Scott’s priorities for Florida’s Future

<table>
<thead>
<tr>
<th>Priority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tax Cuts for Florida Families</td>
</tr>
<tr>
<td>Jobs for Florida Families</td>
</tr>
<tr>
<td>Education for Florida’s Students</td>
</tr>
<tr>
<td>Protecting Florida’s Environment</td>
</tr>
<tr>
<td>Keeping Florida’s Residents and Tourists Safe</td>
</tr>
<tr>
<td>Ensuring a Healthy Future</td>
</tr>
</tbody>
</table>
# Keeping Taxes Low for Florida’s Future

$ in millions

<table>
<thead>
<tr>
<th>Tax Type</th>
<th>Tax Cut Description</th>
<th>Taxpayer Saving</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sales Tax</td>
<td>Back-to-School Sales Tax Holiday - 10 Days</td>
<td>$73.4</td>
</tr>
<tr>
<td></td>
<td>Hurricane Preparedness Holidays - 3 One-Week</td>
<td>$14.8</td>
</tr>
<tr>
<td></td>
<td>Total Sales Tax Holidays</td>
<td>$88.2</td>
</tr>
<tr>
<td>Highway Safety Fees</td>
<td>Effective July 1, 2018:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Renewal Class E- $48 to $20</td>
<td>$67.3</td>
</tr>
<tr>
<td></td>
<td>Original Class E-$48 to $27</td>
<td>$19.6</td>
</tr>
<tr>
<td></td>
<td>Renewal CDL- $75 to $67</td>
<td>$0.6</td>
</tr>
<tr>
<td></td>
<td>Original CDL- $75 to $67</td>
<td>$0.3</td>
</tr>
<tr>
<td></td>
<td>Total Highway Safety Fees</td>
<td>$87.8</td>
</tr>
<tr>
<td>Article V Fees</td>
<td>18% Discount on tickets upon attending driving school</td>
<td>$4.0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>$180.0</strong></td>
</tr>
</tbody>
</table>
GOVERNOR RICK SCOTT’S 2018-2019 BUDGET
SECURING FLORIDA’S FUTURE

Total Budget
$87.4 Billion

General Revenue
$32.2 Billion
### Budget Savings

<table>
<thead>
<tr>
<th>#</th>
<th>Reduction</th>
<th>Positions</th>
<th>General Revenue</th>
<th>Trust Fund</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Administrative and Operational Efficiencies</td>
<td>(262)</td>
<td>(3,691,236)</td>
<td>(14,426,423)</td>
<td>(18,117,659)</td>
</tr>
<tr>
<td>2</td>
<td>Contract and Lease Savings</td>
<td></td>
<td>(1,786,800)</td>
<td>(4,246,480)</td>
<td>(6,033,280)</td>
</tr>
<tr>
<td>3</td>
<td>Debt Service Reduction</td>
<td></td>
<td>(2,300,000)</td>
<td>(73,944,223)</td>
<td>(76,244,223)</td>
</tr>
<tr>
<td>4</td>
<td>Equitable Treatment of Health Insurance Payments for All State Employees</td>
<td></td>
<td>(10,231,736)</td>
<td>(11,388,186)</td>
<td>(21,619,922)</td>
</tr>
<tr>
<td>5</td>
<td>Workload Adjustments</td>
<td></td>
<td>(2,375,045)</td>
<td>0</td>
<td>(2,375,045)</td>
</tr>
<tr>
<td>7</td>
<td>Subtotal</td>
<td>(262)</td>
<td>(20,384,817)</td>
<td>(104,005,312)</td>
<td>(124,390,129)</td>
</tr>
<tr>
<td>8</td>
<td>Unfunded Budget</td>
<td></td>
<td>(19,904,146)</td>
<td></td>
<td>(19,904,146)</td>
</tr>
<tr>
<td></td>
<td><strong>Grand Total</strong></td>
<td><strong>(262)</strong></td>
<td><strong>(20,384,817)</strong></td>
<td><strong>(123,909,458)</strong></td>
<td><strong>(144,294,275)</strong></td>
</tr>
</tbody>
</table>

**Unfunded Budget (19,904,146)**

**Grand Total (262) (20,384,817) (123,909,458) (144,294,275)**
### General Revenue Outlook

($ in millions) Recurring | Non-Recurring | Total
--- | --- | ---
1. **Balance Forward From FY 2017-18** | 1,458.5 | 1,458.5
2. **Estimated Revenues - August 15, 2017** | 31,951.5 | 374.5 | 32,326.0
3. **Total Revenue Estimate** | 31,951.5 | **1,901.7** | **33,853.2**
4. **Base Budget** | 30,743.6 | 0.0 | 30,743.6
5. **Available Revenues (after Funding Base Budget)** | **1,207.9** | **1,901.7** | **3,109.6**
6. **Less Adjustments:**
   - Shortfalls and Budget Amendments | (29.3) | (29.3)
   - Hurricane Projections | (177.5) | (177.5)
   - Trust Fund Sweeps | 160.8 | 160.8
   - Transfer to the BSF | (68.2) | (68.2)
   - FEFP Restore Non Recurring Funding | (127.8) | 127.8 | 0.0
7. **Tax Cuts:**
   - Sales Tax: Back to School 10 Days | 0.0 | (58.5) | (58.5)
   - Sales Tax: Disaster Preparedness | 0.0 | (11.7) | (11.7)
   - HSMV Fees Original Class E - $48 to $27 | (19.6) | 0.9 | (18.7)
   - HSMV Fees Original CDL - $75 to $67 | (0.3) | 0.0 | (0.3)
   - HSMV Fees Renewal CDL - $75 to $67 | (0.6) | 0.0 | (0.6)
   - HSMV Fees Renewal Class E - $48 to $20 | (67.3) | 2.8 | (64.5)
   - HSMV Fees Traffic Citation Discount | (4.2) | (4.2)
   - Department of Revenue Tax Holiday Administration | (92.0) | (66.5) | (158.5)
8. **Sub-Total Tax Cuts** | (92.0) | (66.5) | (158.5)
9. **Total Revenue Available after Adjustments** | **988.1** | **1,848.6** | **2,836.7**
10. **Appropriations Over Base Budget**
    - Education | 124.6 | 8.8 | 133.4
    - Health and Human Services | 421.9 | 27.9 | 449.8
    - Public Safety | 90.0 | 131.3 | 221.4
    - Transportation & Economic Development | 44.5 | 235.4 | 279.9
    - General Government | 2.0 | 54.2 | 56.2
    - Environment | 2.9 | 245.3 | 248.1
    - Statewide Issues | 26.5 | 3.0 | 29.5
    - Budget Savings | (20.4) | (20.4)
    - Funding Shifts | 39.9 | 0.0 | 39.9
11. **Total Appropriations Over Base Budget** | **732.1** | **705.9** | **1,438.0**
12. **General Revenue Balance** | 256.1 | 1,142.6 | 1,398.7
Actual and Anticipated Reserves

$ In Millions
## Declared Disasters - Budget Impacts

### Fiscal Year 2017-18 Expenditures and Fiscal Year 2018-19 Reimbursements

<table>
<thead>
<tr>
<th>#</th>
<th>Description</th>
<th>GR</th>
<th>TF</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>FEMA Public Assistance Hurricane Irma - State Agencies</td>
<td>362.0</td>
<td>318.2</td>
<td>680.2</td>
</tr>
<tr>
<td></td>
<td>Processed Budget Amendments</td>
<td>103.8</td>
<td>107.3</td>
<td>211.1</td>
</tr>
<tr>
<td></td>
<td>Potential Budget Amendments</td>
<td>258.2</td>
<td>210.9</td>
<td>469.1</td>
</tr>
<tr>
<td></td>
<td><strong>Anticipated Federal FEMA Reimbursement</strong></td>
<td>(343.7)</td>
<td>(284.9)</td>
<td>(628.6)</td>
</tr>
<tr>
<td></td>
<td>State Agencies Net Adjusted Costs For FEMA Public Assistance</td>
<td>18.3</td>
<td>33.3</td>
<td>51.6</td>
</tr>
<tr>
<td>2</td>
<td>FEMA Individual Assistance Hurricane Irma - Other Needs</td>
<td>59.1</td>
<td>0.0</td>
<td>59.1</td>
</tr>
<tr>
<td></td>
<td>Processed Budget Amendments</td>
<td>9.4</td>
<td>0.0</td>
<td>9.4</td>
</tr>
<tr>
<td></td>
<td>State's 25% Share of FEMA Individual Assistance - Other Needs</td>
<td>68.5</td>
<td>0.0</td>
<td>68.5</td>
</tr>
<tr>
<td>3</td>
<td>Bridge Loans Hurricane Irma</td>
<td>20.0</td>
<td>0.0</td>
<td>20.0</td>
</tr>
<tr>
<td></td>
<td>Bridge Loan for Small Businesses</td>
<td>25.0</td>
<td>0.0</td>
<td>25.0</td>
</tr>
<tr>
<td></td>
<td><strong>Anticipated Bridge Loan Repayments</strong></td>
<td>(18.0)</td>
<td>0.0</td>
<td>(18.0)</td>
</tr>
<tr>
<td></td>
<td>Total Bridge Loans After Repayments</td>
<td>27.0</td>
<td>0.0</td>
<td>27.0</td>
</tr>
<tr>
<td>4</td>
<td>Reserve for Additional Hurricane IRMA Impacts</td>
<td>100.0</td>
<td>0.0</td>
<td>100.0</td>
</tr>
<tr>
<td>5</td>
<td><strong>Anticipated Reimbursement for Hurricanes Hermine and Matthew</strong></td>
<td>(36.4)</td>
<td>(36.4)</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Sub-Total Hurricane Projections Included in Governor's Financial Outlook</td>
<td>177.4</td>
<td>44.2</td>
<td>221.6</td>
</tr>
</tbody>
</table>

### Fiscal Year 2018-19 Governor's Budget Recommendations

<table>
<thead>
<tr>
<th>#</th>
<th>Description</th>
<th>GR</th>
<th>TF</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>Open Federally Declared Disasters</td>
<td>84.5</td>
<td>1,150.9</td>
<td>1,235.4</td>
</tr>
<tr>
<td>9</td>
<td>Affordable Housing Initiatives</td>
<td>0.0</td>
<td>100.0</td>
<td>100.0</td>
</tr>
<tr>
<td>10</td>
<td>Hurricane Beach Recovery</td>
<td>50.0</td>
<td>0.0</td>
<td>50.0</td>
</tr>
<tr>
<td>11</td>
<td>Citrus Research</td>
<td>2.0</td>
<td>0.0</td>
<td>2.0</td>
</tr>
<tr>
<td>12</td>
<td>Search and Rescue Enhancements</td>
<td>2.2</td>
<td>0.0</td>
<td>2.2</td>
</tr>
<tr>
<td>13</td>
<td>Sub-Total Fiscal Year 2018-19 Governor's Budget Recommendation</td>
<td>138.7</td>
<td>1,250.9</td>
<td>1,389.6</td>
</tr>
<tr>
<td>14</td>
<td><strong>Total Hurricane Projections Included in the Governor's Recommended Budget</strong></td>
<td>316.1</td>
<td>1,295.1</td>
<td>1,611.2</td>
</tr>
</tbody>
</table>

*Numbers as of November 7, 2017*
Securing Florida Jobs

<table>
<thead>
<tr>
<th>Major Issues Funded</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida Job Growth Grant Fund</td>
<td>$85 Million</td>
</tr>
<tr>
<td>Economic Development Commitments</td>
<td>$43 Million</td>
</tr>
<tr>
<td>Florida Flex – Quick Response Training</td>
<td>$20 Million</td>
</tr>
<tr>
<td>VISIT Florida</td>
<td>$100 Million</td>
</tr>
<tr>
<td>State Transportation Work Program</td>
<td>$10.1 Billion</td>
</tr>
</tbody>
</table>

16
**Historic Level of Funding**

<table>
<thead>
<tr>
<th>Funding Level</th>
<th>Funding Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Voluntary Pre-Kindergarten – State Funding</td>
<td>$408.4 million</td>
</tr>
<tr>
<td>K-12 Public Schools – Total Funding</td>
<td>$21.41 billion</td>
</tr>
<tr>
<td>K-12 Public Schools – State Funding</td>
<td>$11.91 billion</td>
</tr>
<tr>
<td>K-12 Public Schools – Per-Student Funding</td>
<td>$7,497</td>
</tr>
<tr>
<td>Florida College System – State Operating</td>
<td>$1.24 billion</td>
</tr>
<tr>
<td>State University System – Total Operating</td>
<td>$4.26 billion</td>
</tr>
<tr>
<td>State University System – State Operating</td>
<td>$2.46 billion</td>
</tr>
</tbody>
</table>
Securing the Future Success of Florida’s Students

Historic Total, State, & Per Student K-12 Public School Funding and Student Enrollment
Securing the Future Success of Florida’s Students

Ten Year History of Florida College System Operating Funding and Student Enrollment

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Total Funds</th>
<th>State Operating Funds</th>
<th>Tuition</th>
<th>Total Funds Per FTE</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 09-10</td>
<td>$0.97B</td>
<td>$1.03B</td>
<td>$1.02B</td>
<td>$2.08B</td>
</tr>
<tr>
<td>FY 10-11</td>
<td>$0.86B</td>
<td>$0.89B</td>
<td>$0.89B</td>
<td>$1.68B</td>
</tr>
<tr>
<td>FY 11-12</td>
<td>$0.89B</td>
<td>$0.87B</td>
<td>$1.05B</td>
<td>$2.04B</td>
</tr>
<tr>
<td>FY 12-13</td>
<td>$0.85B</td>
<td>$1.11B</td>
<td>$1.14B</td>
<td>$2.15B</td>
</tr>
<tr>
<td>FY 13-14</td>
<td>$0.85B</td>
<td>$1.18B</td>
<td>$1.12B</td>
<td>$2.13B</td>
</tr>
<tr>
<td>FY 14-15</td>
<td>$0.87B</td>
<td>$1.24B</td>
<td>$1.21B</td>
<td>$2.31B</td>
</tr>
<tr>
<td>FY 15-16</td>
<td>$0.81B</td>
<td>$1.24B</td>
<td>$1.24B</td>
<td>$2.31B</td>
</tr>
<tr>
<td>FY 16-17</td>
<td>$0.81B</td>
<td>$1.24B</td>
<td>$1.24B</td>
<td>$2.31B</td>
</tr>
<tr>
<td>FY 17-18</td>
<td>$0.79B</td>
<td>$1.24B</td>
<td>$1.24B</td>
<td>$2.31B</td>
</tr>
<tr>
<td>FY 18-19</td>
<td>$0.79B</td>
<td>$1.24B</td>
<td>$1.24B</td>
<td>$2.31B</td>
</tr>
</tbody>
</table>
Securing the Future Success of Florida’s Students
Securing the Future Success of Florida’s Students

<table>
<thead>
<tr>
<th>Major Issue Funded</th>
<th>Funding Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Teacher Classroom Supply Assistance Program</td>
<td>$63 million</td>
</tr>
<tr>
<td>English Language Learners (ELL) Summer Academies</td>
<td>$12 million</td>
</tr>
<tr>
<td>Computer Coding and Professional Development Initiative</td>
<td>$15 million</td>
</tr>
<tr>
<td>Security Funding for Jewish Day Schools</td>
<td>$1 million</td>
</tr>
<tr>
<td>Performance Funding for Colleges</td>
<td>$120 million</td>
</tr>
<tr>
<td>Performance Funding for Universities</td>
<td>$670.6 million</td>
</tr>
<tr>
<td>Performance Funding for Workforce Programs</td>
<td>$20 million</td>
</tr>
<tr>
<td>Education Infrastructure</td>
<td>$473.1 million</td>
</tr>
</tbody>
</table>

The Governor’s budget recommends a zero percent tuition increase for State Universities, State Colleges, and School District Workforce Programs.
Securing the Protection of Florida’s Pristine Environment

<table>
<thead>
<tr>
<th>Major Issues Funded</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Everglades Restoration (including the Herbert Hoover Dike)</td>
<td>$355 Million</td>
</tr>
<tr>
<td>Beach Projects (including Hurricane Restoration)</td>
<td>$100 Million</td>
</tr>
<tr>
<td>State Park Enhancements</td>
<td>$50 Million</td>
</tr>
<tr>
<td>Springs</td>
<td>$55 Million</td>
</tr>
<tr>
<td>Florida Forever</td>
<td>$50 Million</td>
</tr>
<tr>
<td>Water Infrastructure Investment Initiative</td>
<td>$50 Million</td>
</tr>
<tr>
<td>Florida Resilient Coastline Initiative</td>
<td>$3.6 Million</td>
</tr>
<tr>
<td>Citrus Research, Management and Protection</td>
<td>$21 Million</td>
</tr>
<tr>
<td>Law Enforcement and Search and Rescue Enhancements</td>
<td>$7.5 Million</td>
</tr>
</tbody>
</table>

The Governor’s proposed budget fully complies with Amendment 1 by including over $800 million for land and water programs funded from documentary stamp tax revenues.
## Securing a Healthy Future for Florida

<table>
<thead>
<tr>
<th>Major Issues Funded</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Combatting the Opioid Epidemic</td>
<td>$53 Million</td>
</tr>
<tr>
<td>Enhancing the Child Welfare System</td>
<td>$30 Million</td>
</tr>
<tr>
<td>Child Protection Workforce</td>
<td>$10 Million</td>
</tr>
<tr>
<td>Supporting the Adoption of Florida’s Children in Foster Care</td>
<td>$200 Million</td>
</tr>
<tr>
<td>Enriching Seniors</td>
<td>$9 Million</td>
</tr>
<tr>
<td>Supporting Individuals with Disabilities</td>
<td>$18 Million</td>
</tr>
<tr>
<td>Florida’s Active Military, Veterans and their Families</td>
<td>$178 Million</td>
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</table>
## Securing a Safe Future for Florida’s Families

<table>
<thead>
<tr>
<th>Major Issues Funded</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Specialized Pay Increases:</strong></td>
<td></td>
</tr>
<tr>
<td>• Sworn Law Enforcement Officers</td>
<td>$30.0 Million</td>
</tr>
<tr>
<td>• Juvenile Detention and Probation Officers</td>
<td>$8 Million</td>
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<tr>
<td>• Florida Forest Service Firefighters</td>
<td>$2.4 Million</td>
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<tr>
<td><strong>Increase Juvenile Residential Capacity</strong></td>
<td>$14 Million</td>
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<tr>
<td><strong>Expand and Maintain Juvenile Prevention Programs</strong></td>
<td>$9.2 Million</td>
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<tr>
<td><strong>Continuing Reforms at the Department of Corrections:</strong></td>
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<tr>
<td>• Enhancing FDC’s Mental Health Units</td>
<td>$78 Million</td>
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<tr>
<td>• Improving FDC Services to Disabled Inmates</td>
<td>$6.5 Million</td>
</tr>
<tr>
<td>• Expanding Workforce Education Programs</td>
<td>$4 Million</td>
</tr>
<tr>
<td><strong>Correctional and Juvenile Facility Maintenance &amp; Repair</strong></td>
<td>$31 Million</td>
</tr>
<tr>
<td><strong>Strengthen Counterterrorism Operations</strong></td>
<td>$1.3 Million</td>
</tr>
<tr>
<td><strong>Improving Florida’s Crime Databases</strong></td>
<td>$10.5 Million</td>
</tr>
</tbody>
</table>
Office of Policy and Budget

Cynthia Kelly
Director

Cynthia.Kelly@laspbs.state.fl.us
(850)717-9506
THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/6/2017
Meeting Date

Bill Number (if applicable)

Amendment Barcode (if applicable)

Topic Governor's Budget

Name Cynthia Kelly

Job Title Director of Office of Policy and Budget

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Phone 850-717-9431
Email holli.mclanahan@laspbs.state.fl.us

Speaking: ☐ For ☐ Against ☑ Information
Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Executive Office of the Governor

Appearing at request of Chair: ☑ Yes ☐ No
Lobbyist registered with Legislature: ☑ Yes ☐ 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.
The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT
(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/SB 4

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on Higher Education); and Senator Galvano and others

SUBJECT: Higher Education

DATE: December 7, 2017

ANALYST STAFF DIRECTOR REFERENCE ACTION
1. Bouck Graf ED Favorable
2. Sikes Elwell AHE Recommend: Favorable
3. Sikes Hansen AP Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 4 establishes the “Florida Excellence in Higher Education Act of 2018” to expand financial aid provisions and incentivize postsecondary institutions to emphasize on-time graduation. The bill also expands policy and funding options for state universities to recruit and retain exemplary faculty and enhance the quality of professional and graduate schools. Specifically, the bill:

- Increases student financial aid and tuition assistance programs in the following ways:
  - Expands the Florida Bright Futures Scholarship Program Academic Scholars (FAS) award to cover 100 percent of tuition and specified fees plus $300 per semester for textbooks, and authorizes use of the award for summer term enrollment as funded by the Legislature.
  - Expands the Florida Bright Futures Scholarship Program Medallion Scholars (FMS) award to an amount equal to 75 percent of tuition and specified fees to pay for educational expenses, and authorizes use of the award for summer term enrollment, beginning in 2019, as funded by the Legislature.
  - Extends the Benacquisto Scholarship Program to eligible students from out of state.
  - Revises the state-to-private match requirements for contributions to the First Generation Matching Grant Program from 1:1 to 2:1.
  - Establishes the Florida Farmworker Student Scholarship Program for farmworkers and the children of farmworkers.
Requires each state university board of trustees to adopt, for implementation in the fall 2018 semester, a block tuition policy for full-time, first-time-in-college students.

- Modifies state university performance accountability metrics to promote on-time student graduation in 4 years.
- Establishes the World Class Faculty and Scholar Program to fund and support the efforts of state universities to recruit and retain exemplary faculty and research scholars.
- Establishes the State University Professional and Graduate Degree Excellence Program to enhance the quality of professional and graduate schools and degree programs in medicine, law, and business.
- Requires state universities to use data-driven gap analyses to identify internship opportunities in high-demand fields for students.
- Strengthens accountability of state university direct-support organizations.

The bill appropriates $129.3 million in recurring funds from the Educational Enhancement Trust Fund (EETF) and $1.7 million in recurring funds from the General Revenue Fund for the 2018-2019 fiscal year. From the appropriated EETF funds, $98.7 million is for Bright Futures awards, $27.6 million is for 2019 FMS summer term awards, and $3 million is for 2019 FAS summer term awards. From the appropriated General Revenue funds, $1.2 million is for the expansion of the Benaquisto Scholarship Program to students from out of state, and $500,000 is for the Florida Farmworker Student Scholarship Program.

The fiscal impacts relating to the World Class Faculty and Scholar and State University Professional and Graduate Degree Excellence programs are contingent upon appropriations provided by the Legislature.

The bill takes effect upon becoming a law.

II. **Present Situation:**

The present situation for the relevant portions of the bill is discussed in the Effect of Proposed Changes section of this bill analysis.

III. **Effect of Proposed Changes:**

The State University System of Florida (SUS) is established to achieve excellence through teaching students, advancing research, and providing public service for the benefit of Florida’s citizens, their communities and economies.¹ The Board of Governors of the State University System (BOG) must support, promote, and enhance accountability; fiscal responsibility; articulation among state universities and with public schools and other postsecondary educational institutions; and affordable access to postsecondary educational opportunities for Florida residents.²

The bill expands financial aid and tuition assistance programs, which may help to address financial insecurity concerns of students and their families and assist students to graduate on

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¹ Art. IX, Sec. 7(a), Fla. Const.
² Section 20.155(4)(b), F.S.
time. The bill also provides supports to enhance the national competitiveness of the state universities in Florida and modifies state university accountability mechanisms to emphasize on-time student graduation and institutional transparency.

**Institution Accountability (Sections 2, 3, 4, 5, and 8)**

The BOG has established the following accountability mechanisms to maintain a consistent focus on state university excellence:

- The annual *System Accountability Report* tracks performance trends on key metrics over five years.
- The 2025 *System Strategic Plan* provides a long-range roadmap for the SUS.
- The *University Work Plans* provide a three-year plan of action.

Additionally, the Legislature has established performance-based funding models in recent years to evaluate the performance of Florida’s state universities based on identified metrics and standards.

The bill strengthens institutional accountability by modifying state university performance and accountability metrics and standards to promote on-time student graduation in 4 years with a baccalaureate degree.

**State University System Performance-Based Incentive (Section 4)**

*Present Situation*

The SUS Performance-Based Incentive is awarded to state universities using performance-based metrics adopted by the BOG. The metrics include, but are not limited to, bachelor’s degree graduates’ employment and wages, average cost per bachelor’s degree, a 6-year graduation rate, academic progress rates, access for students with a Pell grant, and bachelor’s and graduate degrees in areas of strategic emphasis.

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5 Board of Governors, 2025 *System Strategic Plan*, available at [http://www.flbog.edu/board/_doc/strategicplan/2025_System_Strategic_Plan_Amended_FINAL.pdf](http://www.flbog.edu/board/_doc/strategicplan/2025_System_Strategic_Plan_Amended_FINAL.pdf).


8 Section 1001.92(1), F.S.

Currently, the 6-year and 4-year graduation rates for first-time-in-college (FTIC) students within the SUS are approximately 70 percent and 47 percent, respectively. During the 2015-2016 academic year, the 6-year graduation rate for such students ranged from approximately 87 percent at the University of Florida (UF) to 41 percent at Florida Agricultural and Mechanical University (FAMU). The 4-year graduation rate during the same period ranged from approximately 67 percent at UF to 18 percent at FAMU.

In comparison, the 4-year graduation rate for selected universities in other states during the same period was 86 percent at the University of Virginia; 81 percent at the University of North Carolina-Chapel Hill; 76 percent at the University of Michigan, Ann Arbor; 72 percent at the University of California, Berkeley; and 51 percent at the University of Texas at Austin.

Graduation rates are one of the key accountability measures that demonstrate how well an institution is serving its FTIC students. On-time graduation in 4 years with a baccalaureate degree may result in savings related to cost of attendance for students and their families. For example, nationally, every extra year beyond 4 years to graduate with a baccalaureate degree from a public 4-year college costs a student $22,826. This may also result in lost wages owing to delayed entrance into the workforce. The median wage of 2014-2015 baccalaureate degree graduates employed full-time one year after graduation was $38,000.

The BOG is required to adopt benchmarks to evaluate each state university’s performance on the metrics. The evaluation assists with measuring a state university’s achievement of institutional excellence or need for improvement, which determines the university’s eligibility to receive performance funding.

**Effect of Proposed Changes**

Section 4 amends s. 1001.92, F.S., to require that, beginning with the BOG’s determination of each university’s performance improvement and achievement rating for 2018 and related

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11 Id. at 15.
12 Id. at 7.
13 Id. at 15.
18 Section 1001.92(1), F.S.
19 Id.
distribution of the 2018-2019 fiscal year appropriation, the SUS performance-based metric for graduation rate must include a 4-year graduation rate.

The shift in focus from 6-year to 4-year graduation rate will likely prompt a modification to the SUS strategic plan, as well as state university accountability mechanisms, which may assist with elevating the prominence and national competitiveness of the state universities in Florida.

Additionally, section 4 specifies that the performance-based metric related to access must include benchmarks that reward institutions with access rates at or above 50 percent. In fall 2015, the access rate for the SUS was 39 percent. FAMU (at 65.4 percent) and Florida International University (at 51.4 percent) exceeded the specified access rate.\(^20\)

**Preeminent State Research Universities Program (Section 3)**

**Present Situation**

The Preeminent State Research Universities Program is a collaborative partnership between the BOG and the Legislature to raise the academic and research preeminence of the highest performing state research universities in Florida.\(^21\) A state university that meets 11 of the 12 academic and research excellent standards specified in law\(^22\) is designated a “preeminent state research university.”\(^23\) Currently, the University of Florida and the Florida State University are designated as preeminent state research universities.\(^24\)

A state research university that meets at least 6 of the 12 standards is designated as an “emerging preeminent state research university.”\(^25\) Currently, the University of Central Florida and the University of South Florida-Tampa are designated as emerging preeminent state research universities.\(^26\) Each designated emerging preeminent state research university receives an amount of funding that is equal to one-half of the total increased amount awarded to each designated preeminent state research university.\(^27\)

\(^{20}\) *Id.* at 8.

\(^{21}\) Section 1001.7065(1), F.S.

\(^{22}\) Section 1001.7065(2), F.S. The standards include: incoming freshman academic characteristics (average weighted GPA and average SAT score); institutional ranking nationally; freshman retention rate; 6-year graduation rate; national academy membership of institution faculty; research expenditures and patents awarded annually; doctoral degrees awarded annually; postdoctoral appointees annually; and institutional endowment.

\(^{23}\) Section 1001.7065(3)(a), F.S.


\(^{27}\) Section 1001.7065(5)(c)2., F.S. The 2017-2018 GAA appropriated $52,000,000 to fund the preeminent and emerging preeminent state research universities. Specific Appropriation 141, 2017-70, L.O.F.
Courses Unique to the Institution

A university designated as a preeminent state research university may require its incoming FTIC students to take a six-credit set of unique courses. Currently, UF lists two such courses and Florida State University lists 136 such courses. The university may stipulate that credit for such courses may not be earned through any acceleration mechanism or any other transfer credit specifically determined by the university.

Programs of National Excellence

The BOG is encouraged to establish standards and measures to identify individual programs in state universities that objectively reflect national excellence and make recommendations to the Legislature about ways to enhance and promote such programs.

Effect of Proposed Changes

Consistent with the emphasis on a 4-year graduation rate metric for the SUS Performance-Based Incentive program, section 3 amends s. 1001.7065, F.S., to revise the full-time FTIC student graduation rate metric for the preeminent state research university program from a rate of 70 percent or higher within 6 years to a rate of 60 percent or higher within four years. However, for the 2018 determination of a university’s preeminent designation and distribution of the 2018-2019 fiscal year appropriation, section 3 retains the current graduation rate metric (6-year graduation rate of 70 percent or higher) as of October 1, 2017. The BOG must confirm this 6-year graduation rate reported to the Integrated Postsecondary Education Data System (IPEDS).

Section 3 also revises the amount of funding provided to emerging preeminent state research universities from one-half to one-quarter of the total additional funding awarded to preeminent state research universities, beginning in the 2018-2019 fiscal year.

Courses Unique to the Institution

Section 3 eliminates the authority for the preeminent state research universities to require FTIC students to take a 6-credit set of courses unique to the institution. By deleting the authority for unique courses, the bill may provide to students flexibility in applying earned college credits.

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28 Section 1001.7065(6), F.S.
30 Acceleration mechanisms include Advanced Placement (AP), International Baccalaureate (IB), Advanced International Certificate of Education (AICE), credit by examination, and dual enrollment.
31 Section 1001.7065(6), F.S.
32 Section 1001.7065(8), F.S.
33 The bill also modifies the criterion for an increase in the tuition differential at a preeminent state research university from a 6-year to a 4-year graduation rate.
34 IPEDS is a system of surveys conducted annually by the National Center for Education Statistics, which is a part of the Institute for Education Sciences within the United States Department of Education. National Center for Education Statistics, IPEDS, https://nces.ed.gov/ipeds/ (last visited Oct. 6, 2017). Participation in the IPEDS surveys is mandatory for all institutions that participate in federal financial aid programs. 20 USC 1094, Section 487(a)(17) and 34 CFR 668.14(b)(19).
purposefully toward degree requirements, which may assist the students to graduate on time in 4 years with a baccalaureate degree.

Programs of National Excellence

Consistent with efforts to strengthen institutional accountability to elevate the prominence of state universities, section 3 requires, rather than merely permit, the BOG to establish standards and measures for programs of excellence throughout the SUS, including undergraduate, graduate, and professional degree programs. The BOG must make recommendations to the Legislature by September 1, 2018, regarding how these programs can be enhanced and promoted.

Experiential Learning Opportunities (Section 2)

Present Situation

The BOG is required to develop a strategic plan specifying goals and objectives for the State University System and each constituent university, including each university’s contribution to overall system goals and objectives.35

The strategic plan must include criteria for designating baccalaureate and master’s degree programs at specified universities as high-demand programs of emphasis.36 Fifty percent of the criteria for designation as high-demand programs of emphasis must be based on achievement of performance outcome thresholds determined by the BOG, and 50 percent of the criteria must be based on achievement of performance outcome thresholds specifically linked to:

- Job placement in employment of 36 hours or more per week and average full-time wages of graduates of the degree programs 1 year and 5 years after graduation.
- Data-driven gap analyses, conducted by the BOG, of the state’s job market demands and the outlook for jobs that require a baccalaureate or higher degree.

In 2012, in response to a call from the chair of the BOG, the Commission on Higher Education Access and Educational Attainment (Commission) examined the alignment between higher education and workforce, which resulted in a method for a gap analysis of baccalaureate-level workforce demand.38 In 2013, the Legislature appropriated $15 million to the BOG to provide competitive awards to address high demand program areas identified in the Commission’s gap analysis.39 The gap analysis identified computer information and technology, and accounting and finance as high demand programs, requiring at least a bachelor’s degree, with more than 1,000

35 Section 1001.706(5)(b), F.S.
36 Section 1001.706(5)(b)4., F.S.
37 Id.
39 Board of Governors, TEAm Grant Initiative Update (Sept. 21, 2016), available at http://www.flbog.edu/documents_meetings/0201_1005_7558_2.10.1%20ASA%2010a_TEAm%20Grant%20Initiative%20Update%20ai_JMI.pdf.
unfilled annual openings in Florida. In March 2014, the BOG approved four partnerships between universities and Florida College System institutions to receive $15 million in funding for the Targeted Educational Attainment Grant Program, also known as the TEAm Grant Initiative.

Effect of Proposed Changes

Section 2 amends s. 1001.706, F.S., to modify the requirements of the strategic plan, developed by the BOG, to require state universities to use data-driven gap analyses to identify internship opportunities in high-demand fields for students.

Developmental Education (Section 8)

Present Situation

Developmental education is instruction through which a high school graduate who applies for any college credit program may attain the communication and computation skills necessary to successfully complete college credit instruction. Developmental education may be delivered through a variety of strategies, including:

- Modularized instruction that is customized and targeted to address specific skills gaps.
- Compressed course structures that accelerate student progression from developmental instruction to college-level coursework.
- Contextualized developmental instruction that is related to meta-majors.
- Corequisite developmental instruction or tutoring that supplements credit instruction while a student is concurrently enrolled in a credit-bearing course.

Each FCS institution board of trustees is required to develop a plan to implement the developmental education strategies defined in law and rules of the SBE. A state university BOT may contract with a FCS institution to provide developmental education services for university students in need of developmental education. A state university that offered college-preparatory instruction as of January 1, 1996, is allowed to provide such services without contracting with a FCS institution. Currently, Florida Agricultural and Mechanical University (FAMU) is the only state university authorized to offer developmental education.

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41 Id.
42 Section 1008.02(1), F.S.
43 Id. Strategies include modularized instruction that is customized and targeted to address specific skills gaps, compressed course structures that accelerate student progression from developmental instruction to college level coursework, contextualized developmental instruction that is related to meta-majors, and corequisite developmental instruction or tutoring that supplements credit instruction while a student is concurrently enrolled in a credit-bearing course.
44 Id.
45 Rule 6A-14.030(12), F.A.C.
46 Section 1008.30(5)(a), F.S.
47 Section 1008.30(5)(c), F.S.
48 Board of Governors Regulation 6.008(1).
Effect of Proposed Changes

Section 8 amends s. 1008.30, F.S., to require a state university offering college-preparatory instruction to provide developmental education instruction as defined in s. 1008.02(1), F.S. As a result, FAMU may be required to revise its developmental education program to incorporate the developmental education strategies specified in law.

State University System Direct Support Organizations (Section 5)

Present Situation

Each of the 12 state universities has at least one direct-support organization (DSO).59 A state university DSO is:50

- A Florida corporation not for profit, incorporated under the provisions of chapter 617, and approved by the Department of State;
- Organized and operated exclusively to receive, hold, invest, and administer property and to make expenditures to, or for the benefit of, a state university; and
- An organization reviewed and certified by the state university board of trustees (BOT) to be operating in a manner consistent with the goals of the college or university and in the best interest of the state.

State university boards of trustees are currently authorized to permit the use of property, facilities, and personal services at their college or university by the university DSOs.51 “Personal services” includes full-time or part-time personnel as well as payroll processing.52 Each state university board of trustees must establish conditions with which a DSO must comply in order to use university property, facilities, or personal services and such additional conditions, controls, and requirements for support organizations as each board deems appropriate to provide for budget and audit review and oversight.53

State university DSOs are currently prohibited from giving, either directly or indirectly, any gift to a political committee for any purpose other than those certified by a majority roll call vote of the governing board of the DSO at a regularly scheduled meeting as being directly related to the educational mission of the institution.54

Currently, all records of the state university DSOs other than the auditor’s report, management letter, and any supplemental data requested by the BOG, university BOT, the Auditor General, and the Office of Program Policy Analysis and Government Accountability are confidential.55

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50 Section 1004.28(1)(a), F.S.
51 Id. at (2)(a). Currently, all state universities, except for New College of Florida, have at least one DSO that utilizes state university personal services. Board of Governors, 2018 Bill Analysis for SB 4 (Sept. 22, 2017), at 9.
52 Section 1004.28(1)(b).
53 Board of Governors Regulation 9.011(1).
54 Section 1004.28(4), F.S. Currently, state university DSOs do not give gifts to political committees. Board of Governors, 2018 Agency Bill Analysis for SB 4 (Sept. 22, 2017), at 10.
55 Id. at (5)(b).
Effect of Proposed Changes

Section 5 amends s. 1004.28, F.S., to enhance transparency and strengthen accountability for state university DSOs. Specifically, this section:

- Prohibits state university BOTs from permitting:
  - Any university DSO to use personal services beginning July 1, 2023.\(^{56}\)
  - The use of state funds for travel expenses by any university DSO.
- Excludes DSO records related to the expenditure of state funds, and records related to the expenditure of private funds for travel from the current public records exemption for other records of the DSO that are deemed confidential and exempt from public records requirements. Accordingly, this section narrows the scope of the exemption from public records requirements for a state university DSO.
- Eliminates the exception that allows gifts to be made to a political committee if the gift is certified by a majority roll call vote of the governing board of the DSO at a regularly scheduled meeting as being directly related to the educational mission of the university.

Institution Excellence (Sections 6 and 7)

The ability of the state universities to recruit talented faculty and researchers, make strategic investments in research infrastructure, and connect university research to economic development, is key to advancing Florida’s research and innovation competitiveness and effectiveness.\(^{57}\)

Present Situation

According to the BOG, for Florida to “secure its place as a national leader in the 21\(^{st}\) century, it must prove competitive in discovery and innovation.”\(^{58}\) The stronger the universities and the State of Florida are in research and development (R&D) performance and reputation, the more competitive Florida becomes in attracting and retaining the best and most promising faculty, students, staff, and companies.\(^{59}\)

In a 2014-15 National Science Foundation survey of R&D spending across the United States, the State of Florida ranked 4\(^{th}\) on total research and development expenditures among public universities, behind California, Texas, and Michigan.\(^{60}\) States with strong and competitive research enterprises support the research infrastructure in their state with a wide range of

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\(^{56}\) According to the BOG, the prohibition on the use of personal services by a state university DSO may limit or reduce the number of staff working for the state university DSOs. Board of Governors, *2018 Agency Bill Analysis for SB 4* (Sept. 22, 2017), at 9.

\(^{57}\) Board of Governors, *Draft of Advancing Research and Innovation Legislative Budget Request*, Presentation to the Board of Governors Task Force on University Research (Sept. 22, 2016), available at http://www.flbog.edu/documents_meetings/0201_1017_7616_10.3.2%20TF-RSRCH%2003b%20LBR%20Request%20VPRs%202017_18%201aug2016%20Form%201%20(002)_JMI.pdf.

\(^{58}\) Board of Governors, *Draft of Advancing Research and Innovation Legislative Budget Request*, Presentation to the Board of Governors Task Force on University Research (Sept. 22, 2016), available at http://www.flbog.edu/documents_meetings/0201_1017_7616_10.3.2%20TF-RSRCH%2003b%20LBR%20Request%20VPRs%202017_18%201aug2016%20Form%201%20(002)_JMI.pdf.

\(^{59}\) Id.

\(^{60}\) Email. Board of Governors (Jan. 12, 2017).
statewide grant programs to make their state universities more competitive for federal grant opportunities.\textsuperscript{61}

In Florida, the state universities have identified the need for funding to support university efforts to:\textsuperscript{62}

- Increase research capacity, output, and impact through targeted cluster hiring of talented faculty and strategic investments in research infrastructure.
- Increase and enhance undergraduate student participation in research through undergraduate research programs.
- Connect university research to Florida’s industry and economic development through industry-sponsored research at state universities and research commercialization activities.

\textit{Effect of Proposed Changes}

Sections 6 and 7 establish the World Class Faculty and Scholar Program and the State University Professional and Graduate Degree Excellence Program to advance the national competitiveness of the state universities in Florida.

\textbf{World Class Faculty and Scholar Program}

Section 6 creates s. 1004.6497, F.S., to establish the World Class Faculty and Scholar Program to elevate the national prominence of state universities in Florida. Specifically, this section:

- Authorizes state university investments in recruiting and retaining talented faculty; and specifies that funding for the program will be as provided by the Legislature, beginning in the 2017-2018 fiscal year.
- Specifies that such investments may include, but not be limited to, investments in research-centric cluster hires, faculty research and research commercialization efforts, instructional and research infrastructure, undergraduate student participation in research, professional development, awards for outstanding performance, and postdoctoral fellowships.
- Requires the BOG to, annually, by March 15, provide to the Governor, President of the Senate, and Speaker of the House of Representatives, an accountability report which includes specific expenditure information on program funds and the impact of those expenditures in elevating the national competitiveness of the universities, specifically relating to the:
  - Success in recruiting research faculty and the resulting research funding;
  - 4-year graduation rate;
  - Number of undergraduate courses offered with fewer than 50 students; and
  - Increased national academic standing of targeted programs.

Section 6 creates a funding mechanism to assist the state universities with faculty recruitment and retention efforts to attract exemplary faculty and research scholars to Florida, which may ultimately help Florida’s state universities improve their national competitiveness.

\textsuperscript{61} Board of Governors, \textit{Draft of Advancing Research and Innovation Legislative Budget Request}, Presentation to the Board of Governors Task Force on University Research (Sept. 22, 2016), \textit{available at} http://www.flbog.edu/documents_meetings/0201_1017_7616_10_3.2%20TFSRSRCH%20VPRs%202017_18%201aug2016%20Form%20002_JMI.pdf.

\textsuperscript{62} Id.
State University Professional and Graduate Degree Excellence Program

Section 7 creates s. 1004.6498, F.S., to establish the State University Professional and Graduate Degree Excellence Program (Degree Excellence Program) to fund and support the efforts of state universities to enhance the quality and excellence of professional schools and graduate degree programs in medicine, law, and business, and expand the economic impact of state universities. Specifically, this section:

- Authorizes quality improvement efforts of the state universities, and specifies that funding for the program will be as provided by the Legislature, beginning in the 2017-2018 fiscal year.
- Specifies that such efforts may include, but not be limited to, targeted investments in faculty, students, research, infrastructure, and other strategic endeavors to elevate the national and global prominence of state university medicine, law, and graduate-level business degree programs.
- Requires the BOG to, annually, by March 15, provide to the Governor, President of the Senate, and Speaker of the House of Representatives, an accountability report which includes specific expenditure information on program funds and the impact of those expenditures in elevating the national and global prominence of the university medicine, law, and graduate-level business programs, specifically relating to the:
  - First-time pass rate on the United States Medical Licensing Examination;
  - First-time pass rate on the Florida Bar Examination;
  - Percentage of graduates enrolled or employed at a wage threshold that reflects the added value of a graduate-level business degree;
  - Advancement in rankings of the state university medicine, law, and graduate-level business degree programs; and
  - Added economic benefit of the universities to the state.

The Degree Excellence Program creates a funding mechanism to boost the excellence of state university professional schools and graduate degree programs in specified areas. The Degree Excellence Program may bolster the state universities’ efforts to recruit and retain talented students and faculty, which may help to raise the national and international prominence of the state universities and the programs within such universities. The Degree Excellence Program may also assist in improving the national rankings of the state universities in medicine, law, and business. The table below lists the 2018 U.S. News and World Report rankings63 for such programs.

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<th>Institution</th>
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<th>Medicine (Primary Care)</th>
<th>Law</th>
<th>Business</th>
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<td>Florida State University</td>
<td>RNP</td>
<td>RNP</td>
<td>48</td>
<td>Unranked</td>
</tr>
<tr>
<td>University of Central Florida</td>
<td>RNP</td>
<td>RNP</td>
<td></td>
<td>Unranked</td>
</tr>
<tr>
<td>University of Florida</td>
<td>40</td>
<td>61</td>
<td>41</td>
<td>40</td>
</tr>
<tr>
<td>University of North Florida</td>
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<td></td>
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<tr>
<td>University of South Florida</td>
<td>56</td>
<td>77</td>
<td></td>
<td>Unranked</td>
</tr>
<tr>
<td>University of West Florida</td>
<td></td>
<td></td>
<td></td>
<td>Unranked</td>
</tr>
</tbody>
</table>

Access and Affordability

The Legislature has established various student financial aid and tuition assistance programs to assist students in accessing and pursuing higher education in Florida.

**Florida Bright Futures Scholarship Program (Sections 9, 10, 11, 12, 13, 14, 19, and 21)**

**Present Situation**

The Florida Bright Futures Scholarship (Bright Futures) Program was established in 1997\(^{70}\) as a lottery-funded scholarship program to reward a Florida high school graduate who merits recognition for high academic achievement. The student must enroll in a degree program, certificate program, or applied technology program at an eligible public or private postsecondary

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\(^{68}\) “Unranked” indicates a school or program attribute does not align with U.S. News & World Report ranking metrics.

\(^{69}\) “RNP” indicates a ranking not published, which indicates the program is in the bottom 25 percent of the U.S. News & World Report rankings.

\(^{70}\) Section 2, ch. 1997-77, L.O.F.
education institution in Florida after graduating from high school. The Bright Futures program consists of three types of awards:

- Florida Academic Scholars (FAS);
- Florida Medallion Scholars (FMS); and
- Florida Gold Seal Vocational Scholars and Florida Gold Seal CAPE Scholars.

Bright Futures program award amounts are specified annually in the General Appropriations Act (GAA). The 2017-2018 GAA provides FAS awards equal to 100 percent of tuition and applicable fees, and an additional $300 each fall and spring semester for textbooks and college-related expenses. The applicable fees include the activity and service fee, health fee, athletic fee, financial aid fee, capital improvement fee, campus access/transportation fee, technology fee, and the tuition differential fee. However, current law prohibits both the technology fee and tuition differential fee from being included in any Florida Bright Futures Scholarship Program award. The Department of Education (DOE) authorized these fees to be included in the 2017-2018 FAS awards as appropriated in the 2017-2018 GAA. Students attending a private postsecondary education institution receive a comparable amount.

A student may use a Bright Futures award for summer term enrollment if funds are available. Funds have not been appropriated for Bright Futures summer term awards since the 2000-2001

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71 A student who receives any award under the Florida Bright Futures Scholarship Program, who is enrolled in a nonpublic postsecondary education institution, and who is assessed tuition and fees that are the same as those of a full-time student at that institution, receives a fixed award calculated by using the average tuition and fee calculation as prescribed by the Department of Education for full-time attendance at a public postsecondary education institution at the comparable level. Section 1009.538, F.S.

72 Sections 1009.53(1) and 1009.531(2)(a)-(c), F.S. Starting with 2012-2013 graduates, a student graduating from high school is able to accept an initial award for 2 years following high school and to accept a renewal award for 5 years following high school graduation.

73 Section 1009.53(2), F.S.

74 Section 1009.534, F.S.

75 Section 1009.535, F.S.

76 Section 1009.536, F.S.

77 Sections 1009.534(2), 1009.535(2), and 1009.536(3), F.S.

78 Specific Appropriation 4, 2017-70, L.O.F. The 2017-2018 GAA also provides FMS awards at $77 at 4-year institutions, $63 at 2-year institutions, $53 for upper-division programs at Florida Colleges, and $39 for career and technical centers. Id.


80 Sections. 1009.22(7), 1009.23(10), 1009.24(13) and (16), F.S.


82 Id.

83 Section 1009.538, F.S.

84 Section 1009.53(9), F.S.
fiscal year. However, the 2017-2018 GAA provides funds for 2018 summer term FAS awards at an amount equal to 100 percent of tuition and applicable fees.

**Effect of Proposed Changes**

The bill modifies the awards for the Bright Futures FAS and FMS programs. Section 21 appropriates $129,292,554 from the Educational Enhancement Trust Fund for 2018-2019 Bright Futures awards, including $98,749,918 for program awards and $30,542,636 for 2019 summer term awards.

**Florida Bright Futures Scholarship Program – Florida Academic Scholars**

Section 13 amends s. 1009.534, F.S., to codify the FAS award amount to cover 100 percent of tuition and certain tuition-indexed fees plus $300 for textbooks and educational expenses during each fall and spring semester or the equivalent, beginning in the 2017-2018 academic year. The Legislature appropriated $397.3 million in the 2017-2018 GAA for the Bright Futures Program, which includes $274.1 million to provide FAS awards at an amount equal to 100 percent of tuition and specified fees, including a $300 per semester textbook stipend. Section 19 provides that section 13 applies retroactive to July 1, 2017.

Additionally, section 12 amends s. 1009.53, F.S., to limit the use of Florida Bright Futures Scholarship Program awards, including an FAS award, for summer term enrollment, only if such summer term awards are funded by the Legislature. In the 2017-2018 GAA, $39.5 million is appropriated for 2018 summer term FAS awards. Section 19 provides that section 12 applies retroactively to July 1, 2017. Section 21 appropriates an additional $2,959,916 for 2019 FAS summer term awards.

**Florida Bright Futures Scholarship Program – Florida Medallion Scholars**

Section 14 amends s. 1009.535, F.S., to increase the FMS award to an amount necessary to pay 75 percent of tuition and specified fees, beginning in the 2018 fall semester. Compared to 2017

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86 Specific Appropriation 4, 2017-70, L.O.F.

87 The 2017-2018 GAA provides that Florida Academic Scholars must receive an award equal to 100 percent of tuition and applicable fees, and an additional $300 each fall and spring semester for textbooks and college-related expenses. Specific Appropriation 4, 2017-70, L.O.F.

88 The tuition-indexed fees specified in SB 4 include financial aid, capital improvements, technology enhancements, equipping buildings, or the acquisition of improved real property, and technology (s. 1009.22, F.S.); activity and service, financial aid, technology, capital improvements, technology enhancements, and equipping student buildings or the acquisition of improved real property (s. 1009.23, F.S.); financial aid, Capital Improvement Trust Fund, activity and service, health, athletic, technology, transportation access, and includes the tuition differential (s. 1009.24, F.S.). The bill specifies that only university-wide transportation access fees may be included in any Bright Futures award.


90 Specific Appropriation 4, 2017-70 L.O.F.
FMS awards, the 75 percent award amount is projected to increase the per-credit-hour awards as shown in the table below:

<table>
<thead>
<tr>
<th></th>
<th>2017-2018 FMS Per-Credit-Hour Award⁹¹</th>
<th>Projected 2018-2019 FMS Per-Credit-Hour Award</th>
</tr>
</thead>
<tbody>
<tr>
<td>4-Year Institutions</td>
<td>$77</td>
<td>$159</td>
</tr>
<tr>
<td>2-Year Institutions</td>
<td>$63</td>
<td>$80</td>
</tr>
<tr>
<td>Upper Division in the FCS</td>
<td>$53</td>
<td>$92</td>
</tr>
<tr>
<td>Career/Technical Education</td>
<td>$39</td>
<td>$62</td>
</tr>
</tbody>
</table>

Accordingly, the expansion of the FMS program further facilitates higher education access and affordability for a projected 43,892⁹² eligible students.

Additionally, section 12 amends s. 1009.53, F.S., to authorize the use of an FMS award for summer term enrollment beginning in the 2019 summer term, only if such summer term awards are funded by the Legislature. Section 21 appropriates $27,582,720 for 2019 FMS summer term awards.

Sections 9 through 11 amend ss. 1009.22, 1009.23, 1009.24, F.S., to eliminate the prohibitions in Florida law⁹³ regarding the inclusion of the following fees in Florida Bright Futures Scholarship Program awards:

- Technology fees at state universities and Florida College System institutions, and for postsecondary workforce education provided by school districts and Florida College System institutions.
- The tuition differential fee at a state university.

Section 19 provides that sections 9 through 11 apply retroactively to July 1, 2017.

**Benacquisto Scholarship Program (Section 16 and 21)**

**Present Situation**

The Benacquisto Scholarship Program, created in 2014,⁹⁴ rewards any Florida high school graduate who receives recognition as a National Merit Scholar (NMS) or National Achievement Scholar (NAS) and who enrolls in a baccalaureate degree program at an eligible Florida public or independent postsecondary education institution.⁹⁵ Among other statutory eligibility

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⁹¹ Specific Appropriation 4, 2017-70, L.O.F.
⁹³ Sections 1009.22(7), 1009.23(10), and 1009.24(13), F.S.
⁹⁴ The Benacquisto Scholarship Program was formerly titled the Florida National Merit Scholar Incentive Program. Section 26, ch. 2016-237, L.O.F.
⁹⁵ Section 1009.893, F.S.
requirements, the student must earn a standard Florida high school diploma or equivalent and be a state resident.

The award amounts are as follows:

- At a Florida public postsecondary education institution the award is equal to the institutional cost of attendance less the sum of the student’s Bright Futures Scholarship and NMS or NAS award.
- At a Florida independent postsecondary education institution the award is equal to the highest cost of attendance at a Florida public university, as reported by the BOG, less the sum of the student’s Bright Futures Scholarship and NMS or NAS award.

In the 2015-2016 and 2016-2017 academic years, an estimated average of National Merit Scholars and National Achievement Scholars who initially enrolled in a Florida college or university graduated from out-of-state high schools.

**Effect of Proposed Changes**

Section 16 amends s. 1009.893, F.S., to modify eligibility requirements for the Benacquisto Scholarship Program to recruit talented and qualified students from out of state and assist out-of-state students to access higher education in Florida, graduate on time, and incur less education-related debt. Specifically, this section:

- Establishes student eligibility criteria, to apply to students who are not residents of the state and who initially enroll in a baccalaureate degree program in the 2018-2019 academic year or thereafter, requiring such students to:
  - Physically reside in Florida on or near the campus of the postsecondary education institution in which they enroll;
  - Earn a high school diploma or equivalent or complete a home education program, comparable to Florida; and
  - Be accepted by and enroll full-time in a baccalaureate degree program at an eligible regionally accredited public or private postsecondary education institution during the fall academic term following high school graduation.

- Provides that for an eligible student who is not a resident of the state and who attends:

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96 Section 1009.893(4), F.S.
97 Other graduation options include Academically Challenging Curriculum to Enhance Learning (ACCEL) options (s. 1002.3105, F.S.), early high school graduation (s. 1003.4281, F.S.), a high school equivalency diploma (s.1003.435, F.S.), completion of a home education program (s. 1002.41, F.S.), or earning a high school diploma from a school outside Florida while living with a parent or guardian who is on military or public service assignment outside Florida.
98 Section 1009.893(4)(a), F.S. Section 1009.40(1)(a)2., F.S., specifies that a student must meet the requirements of Florida residency for tuition purposes under s. 1009.21, F.S.; see also Rule 6A-10.044, F.A.C.
100 Section 1009.893(5)(a), F.S.
101 Id. at (5)(b).
A public postsecondary education institution, the award amount must be equal to the institutional cost of attendance for a resident of the state less the student’s National Merit Scholarship. The bill exempts such student from out-of-state fees.

A private postsecondary education institution, the award amount must be equal to the highest cost of attendance for a resident of the state enrolled at a state university, less the student’s National Merit Scholarship.

Section 21 appropriates $1,236,404 for the expansion of the Benacquisto Scholarship Program to eligible students who are not residents of the state.

First Generation Matching Grant Program (Section 15)

Present Situation

The First Generation Matching Grant Program (FGMG) was established in 2006 to enable each state university to provide donors with a matching grant incentive for contributions to create grant-based student financial aid for undergraduate students who demonstrate financial need and whose parents have not earned a baccalaureate degree. Funds appropriated for the program must be allocated by the Office of Student Financial Assistance (within the Florida Department of Education) to match private contributions on a dollar-for-dollar basis.

In the 2016-2017 fiscal year, 8,361 state university and Florida College System (FCS) students received an initial or renewal average award of $1,269.83. Additionally, there were 15,442 students who were eligible for the FGMG award but did not receive the award.

Although limited to state universities in the statutory provisions, the Legislature has expanded eligibility for participation to the FCS through proviso in the annual general appropriations acts since 2007. In the 2016-17 fiscal year, 51 percent (4,293) of all FGMG recipients were FCS students.

Effect of Proposed Changes

Section 15 amends s. 1009.701, F.S., to expand need-based financial aid by revising the state to private match requirements from a 1:1 match to a 2:1 match, beginning in the 2018-2019 fiscal year.

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103 The 2017-2018 cost of attendance on campus for full time undergraduate Florida resident students includes tuition and fees, books and supplies, room and board, transportation, and other expenses; the average annual cost of attendance for the State University System is $21,790.31. Board of Governors, Fall/Spring Cost of Attendance On-Campus for Full-Time Undergraduate Florida Residents 2017-2018, available at http://www.flbog.edu/board/office/budget/_doc/attendance/CostAttendance2017_18_FINAL.xlsx.

104 The highest State University System cost of attendance in 2017-2018 is $23,960 at Florida Atlantic University.

105 Section 1, ch. 2006-73, L.O.F.

106 Section 1009.701(1), F.S.

107 Id. at (2).


109 Id.
To the extent that an increase in the state matching contribution rate results in the availability of more funds for this purpose, the award amount may be increased, more eligible students may receive and an award, or a combination of the two.

Section 15 also codifies the authority for FCS institutions to raise funds to match the state appropriations for FGMG to provide need-based financial assistance to students attending FCS institutions.

**Florida Farmworker Student Scholarship Program (Section 17 and 21)**

**Present Situation**

Student eligibility requirements for state financial aid awards and tuition assistance grants typically include, but are not limited to, residency in this state for no less than one year preceding the award of aid or a tuition assistance grant for specific programs established in law. Residency in this state must be for purposes other than to obtain an education. The residency status for financial aid awards and tuition assistance must be determined in the same manner as resident status for tuition purposes.

A dependent child who is a United States citizen may not be denied classification as a resident for tuition purposes based solely upon the immigration status of his or her parent.

**Effect of Proposed Changes**

Section 17 creates s. 1009.894, F.S., to establish the Florida Farmworker Scholarship Program (Farmworker Scholarship) administered by the Department of Education (DOE). Beginning in the 2017-2018 academic year, up to 50 scholarships must be awarded annually to farmworkers, as defined in s. 420.503, F.S., and the children of such farmworkers, who meet the scholarship eligibility criteria. To be eligible for an initial scholarship, a student must, at a minimum:

- Have resident status as required by s. 1009.40 and rules of the State Board of Education;
- Earn a minimum cumulative 3.5 weighted grade point average (GPA) for all high school courses creditable towards a diploma;
- Complete a minimum of 30 hours of community service; and

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110 See section 1009.40, F.S.
111 Id. at (1)(a)2., F.S. The residency requirement applies to programs under ss. 1009.50, 1009.505, 1009.51, 1009.52, 1009.53, 1009.60, 1009.62, 1009.72, 1009.73, 1009.77, 1009.89, and 1009.89, F.S.
112 Id.
113 Id.
114 Section 1009.21(2)(d), F.S.
115 A “Farmworker” is a laborer who is employed on a seasonal, temporary, or permanent basis in the planting, cultivating, harvesting, or processing of agricultural or aquacultural products and who derived at least 50 percent of her or his income in the immediately preceding 12 months from such employment. Section 420.503(18)(a), F.S.
116 Students must meet the requirement related to residency in this state for no less than 1 year preceding the award. Residency must be for purposes other than to obtain an education and the student’s resident status must be determined in the same manner as the resident status for tuition purposes pursuant to s. 1009.21, F.S. Section 1009.40(1)(a)2., F.S.
- Have at least a 90 percent attendance rate and not have had any disciplinary action brought against him or her, as documented on the student’s high school transcript.

A Farmworker Scholarship recipient, who is enrolled full-time, is eligible for an award equal to 100 percent of tuition and specified fees at a public postsecondary education institution. A scholarship recipient must maintain at least a cumulative 2.5 college GPA to renew the award, and may receive funding for a maximum of 100 percent of the number of credit hours required to complete an associate or baccalaureate degree program. The bill specifies that funding for the Farmworker Scholarship is contingent upon an appropriation by the Legislature. Section 21 appropriates $500,000 for the Farmworker Scholarship. Undocumented immigrants are not eligible for a Farmworker Scholarship award.

**William L. Boyd, IV, Florida Resident Access Grant (Section 20)**

*Present Situation*

The William L. Boyd, IV, Florida Resident Access Grant (FRAG) is a tuition assistance program that is available to full-time degree-seeking undergraduate students registered at an independent nonprofit college or university which is located in and chartered by the state; which is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools; which grants baccalaureate degrees; which is not a state university or FCS institution; and which has a secular purpose.

*Effect of Proposed Changes*

Section 20 directs the Division of Law Revision and Information to substitute the term “Effective Access to Student Education Grant Program” for “Florida Resident Access Grant Program” wherever that term appears in the Florida Statutes, effectively renaming the FRAG Program as the William L. Boyd, IV, Effective Access to Student Education (EASE) Grant Program.

**Stanley G. Tate Florida Prepaid College Program (Section 18)**

*Present Situation*

The Florida Prepaid College Program (Prepaid Program) provides families an affordable and secure way to save for tuition and specified fees at Florida’s postsecondary institutions. The Prepaid Program allows a family to pay for tuition and specified fees in advance of enrollment in a state postsecondary institution at a rate lower than the projected corresponding cost at the time of actual enrollment. These payments are invested in a manner that yields sufficient interest to generate the difference between the prepaid amount and the cost of tuition and specified fees at the time of actual enrollment. For the fall 2015 semester, 59,019 students used a Florida Prepaid College Plan at a state university.

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117 The 2017-2018 GAA appropriated $500,000 to the Florida Farmworker Scholarship Program.
118 Section 1009.89(1) and (3), F.S.
120 Section 1009.98, F.S.
Effect of Proposed Changes

Section 18 amends s. 1009.98, F.S., to allow a Florida Prepaid College Program plan (Prepaid Plan), purchased prior to July 1, 2024, to pay only for the credit hours in which a student is enrolled. In effect, this provision maximizes the number of credit hours a Prepaid Plan will fund under a block tuition plan but may shift costs to the student to the extent the student enrolls in fewer credit hours than the rate at which the block tuition is set.

Block Tuition (Section 11)

Present Situation

The BOG is authorized to approve a proposal from a university board of trustees to implement flexible tuition policies including, but not limited to, block tuition. The block tuition policy for resident undergraduate students or undergraduate-level courses must be based on the established per-credit-hour undergraduate tuition. The block tuition policy for nonresident undergraduate students must be based on the established per-credit-hour undergraduate tuition and out-of-state fee. The BOG has not received a block tuition policy proposal for approval from any state university.

Institutions in other states that have implemented a block tuition policy include, but are not limited to, the University of Michigan, the Ohio State University and the University of North Carolina at Chapel Hill. Additionally, the University of Oklahoma and Oklahoma State University have implemented block tuition policies that incentivize students to complete 15 credits in each of the fall and spring semesters, or 30 credits in the fall, spring, and summer semesters.

Under current law, each state university must publicly notice and notify all enrolled students of any proposal to increase tuition and fees. Such notice must be given at least 28 days before the board of trustees considers such proposal.

Effect of Proposed Changes

Section 11 amends s. 1009.24, F.S., to require each state university boards of trustees (BOT) to adopt, for implementation beginning in the fall 2018 academic semester, a block tuition policy

122 Section 1009.01, F.S., defines tuition as the basic fee charged to a student for instruction provided by a public postsecondary education institution in this state.
123 Section 1009.24(15)(a), F.S.
124 Id. at 3.
125 Id.
129 Oklahoma State University, Block Rate Information, http://blockrate.okstate.edu/faq (last visited Oct. 6, 2017).
for the entering freshman class of full-time, FTIC students. Such policy may provide students with a financial incentive to enroll in additional courses and graduate in 4 years with a baccalaureate degree. Each block tuition policy must, at a minimum:

- Include block tuition and any required fees;
- Require the university to maximize the application of appropriate acceleration credits; and
- Enable students to have the flexibility to earn at least 30 credits in any combination of fall, spring, and summer academic semesters or terms.

Each state university BOT must submit to the BOG its block tuition policy by April 1, 2018, along with information on the potential impact of such policy on students. By August 1, 2018, the Chancellor of the State University System must submit to the Governor and the Legislature a summary of the block tuition policies, the status of the BOG’s review and approval of such policies, and the BOG’s recommendations for improving block tuition and fee benefits for students.

Section 11 also expands the public notification requirements placed upon state universities related to tuition and fees to include any changes to tuition and fees rather than just increases to tuition and fees.

Section 22 provides that the bill takes effect upon becoming a law.

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:

   CS/SB 4 increases financial aid and tuition assistance to students. Specifically, the bill:
   - Modifies the Florida Medallion Scholars (FMS) award to an amount equal to 75 percent of public postsecondary education institution tuition and specified fees for

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130 Section 1009.24(20), F.S.
educational expenses. The increase in the FMS award to cover 75 percent of tuition and specified fees may increase the current average FMS award per academic year by approximately:

- $2,000 if the student is enrolled at a 4-year institution.
- $300 if the student is enrolled at a 2-year institution.

- Expands the Benacquisto Scholarship Program to include out-of-state National Merit Scholar students who meet the specified eligibility criteria, which is likely to provide a significant cost savings to such students. Such students may be eligible for an annual award of approximately $21,148.

- Doubles the state match for the First Generation in College Matching Grant, which may make the matching grant available to more students, result in an increased award amount for eligible students, or a combination of the two.

- Establishes the Florida Farmworker Student Scholarship Program for farmworkers and the children of farmworkers. Scholarship recipients are eligible for an award equal to 100 percent of tuition and specified fees at a public postsecondary institution. A scholarship recipient who enrolls in 30 credit hours per academic year at a state university is estimated to receive an award of approximately $6,000.

- Requires state universities to adopt and implement a block tuition policy. The impact on students will depend upon the parameters of the various policies implemented and the number of credits in which a particular student enrolls.

C. Government Sector Impact:

Section 21 appropriates $129.3 million in recurring funds from the Educational Enhancement Trust Fund (EETF) and $1.7 million in recurring funds from the General Revenue Fund for the 2018-2019 fiscal year.

From the appropriated EETF funds,

- $98.7 million is for Bright Futures awards, which includes
  - $77 million for the FMS award to cover 75 percent of tuition and specified fees for an estimated 43,892 FMS-eligible students,\(^\text{131}\) and
  - $21.7 million for the FAS award to cover the workload increase associated with 3,510 additional FAS students.\(^\text{132}\)
- $27.6 million for 2019 FMS summer term awards, and
- $3 million for 2019 FAS summer term awards.

From the appropriated General Revenue funds, $1.2 million is for the expansion of the Benacquisto Scholarship Program Fund for a projected 59 additional scholars\(^\text{133}\)


from out of state and $500,000 is for the Florida Farmworker Student Scholarship Program.

Additionally, the following provisions are expected to have an indeterminate impact on state revenues and expenditures:

- Section 11, which requires state universities to adopt and implement a block tuition policy for resident and non-resident undergraduate students at the state universities.
- Section 6, which establishes the World Class Faculty and Scholar Program and specifies that funding will be as provided by the Legislature.
- Section 7, which establishes the State University Professional and Graduate Degree Excellence programs and specifies that funding will be as provided by the Legislature.

VI. Technical Deficiencies:

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1001.706, 1001.7065, 1001.92, 1004.28, 1008.30, 1009.22, 1009.23, 1009.24, 1009.53, 1009.534, 1009.535, 1009.701, 1009.893, and 1009.98.

This bill creates the following sections of the Florida Statutes: 1004.6497, 1004.6498, and 1009.894.

This bill creates three undesignated sections 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 Appropriations on December 6, 2017:**

The committee substitute:

- Appropriates $129,292,554 in recurring funds from the Educational Enhancement Trust Fund to implement the Florida Bright Futures Scholarship Program provisions in the bill.
- Appropriates $1,236,404 in recurring General Revenue funds for the expansion of the Benacquisto Scholarship Program to students from out of state.
- Appropriates $500,000 in recurring General Revenue funds for the Florida Farmworker Student Scholarship Program.
- Authorizes the use of Florida Bright Futures Medallion Scholars awards for summer term enrollment beginning in the 2019 summer term if funded by the Legislature.
• Specifies that the Preeminent State Research Universities Program, State University System Performance-Based Incentive, World Class Faculty and Scholar Program, State University Professional and Graduate Degree Excellence Program, Florida Farmworker Student Scholarship Program, and Florida Bright Futures Scholarship Program summer awards are contingent upon an appropriation by the Legislature rather than an appropriation in the General Appropriations Act.
• Clarifies that a block tuition policy must be adopted by each university board of trustees and approved by the Board of Governors.

B. Amendments:

None.
The Committee on Appropriations (Galvano) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. This act shall be cited as the “Florida Excellence in Higher Education Act of 2018.”

Section 2. Paragraph (b) of subsection (5) of section 1001.706, Florida Statutes, is amended to read:

1001.706 Powers and duties of the Board of Governors.—

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—
(b) The Board of Governors shall develop a strategic plan specifying goals and objectives for the State University System and each constituent university, including each university’s contribution to overall system goals and objectives. The strategic plan must:

1. Include performance metrics and standards common for all institutions and metrics and standards unique to institutions depending on institutional core missions, including, but not limited to, student admission requirements, retention, graduation, percentage of graduates who have attained employment, percentage of graduates enrolled in continued education, licensure passage, average wages of employed graduates, average cost per graduate, excess hours, student loan burden and default rates, faculty awards, total annual research expenditures, patents, licenses and royalties, intellectual property, startup companies, annual giving, endowments, and well-known, highly respected national rankings for institutional and program achievements.

2. Consider reports and recommendations of the Higher Education Coordinating Council pursuant to s. 1004.015 and the Articulation Coordinating Committee pursuant to s. 1007.01.

3. Include student enrollment and performance data delineated by method of instruction, including, but not limited to, traditional, online, and distance learning instruction.

4. Include criteria for designating baccalaureate degree and master’s degree programs at specified universities as high-demand programs of emphasis. Fifty percent of the criteria for designation as high-demand programs of emphasis must be based on achievement of performance outcome thresholds determined by the Board of Governors.
Board of Governors, and 50 percent of the criteria must be based on achievement of performance outcome thresholds specifically linked to:

a. Job placement in employment of 36 hours or more per week and average full-time wages of graduates of the degree programs 1 year and 5 years after graduation, based in part on data provided in the economic security report of employment and earning outcomes produced annually pursuant to s. 445.07.

b. Data-driven gap analyses, conducted by the Board of Governors, of the state’s job market demands and the outlook for jobs that require a baccalaureate or higher degree. Each state university must use the gap analyses to identify internship opportunities for students to benefit from mentorship by industry experts, earn industry certifications, and become employed in high-demand fields.

Section 3. Paragraph (d) of subsection (2), paragraph (c) of subsection (5), and subsections (6), (7), and (8) of section 1001.7065, Florida Statutes, are amended to read:

1001.7065 Preeminent state research universities program.—
(2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The following academic and research excellence standards are established for the preeminent state research universities program:

(d) A 4-year graduation rate of 60 percent or higher for full-time, first-time-in-college students, as reported annually to the IPEDS. However, for the 2018 determination of a state university’s preeminence designation and the related distribution of the 2018-2019 fiscal year appropriation associated with preeminence and emerging preeminence, a
university is considered to have satisfied this graduation rate measure by attaining a 6-year graduation rate of 70 percent or higher by October 1, 2017, for full-time, first-time-in-college students, as reported annually to the IPEDS and confirmed by the Board of Governors.

(5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM SUPPORT.—

(c) The award of funds under this subsection is contingent upon funding provided by the Legislature in the General Appropriations Act to support the preeminent state research universities program created under this section. Funding increases appropriated beyond the amounts funded in the previous fiscal year shall be distributed as follows:

1. Each designated preeminent state research university that meets the criteria in paragraph (a) shall receive an equal amount of funding.

2. Each designated emerging preeminent state research university that meets the criteria in paragraph (b) shall, beginning in the 2018-2019 fiscal year, receive an amount of funding that is equal to one-fourth one-half of the total increased amount awarded to each designated preeminent state research university.

(6) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE REQUIREMENT AUTHORITY.—In order to provide a jointly shared educational experience, a university that is designated a preeminent state research university may require its incoming first-time-in-college students to take a six-credit set of unique courses specifically determined by the university and published on the university’s website. The university may
stipulate that credit for such courses may not be earned through any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271 or any other transfer credit. All accelerated credits earned up to the limits specified in ss. 1007.27 and 1007.271 shall be applied toward graduation at the student’s request.

(6) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY AUTHORITY.—The Board of Governors is encouraged to identify and grant all reasonable, feasible authority and flexibility to ensure that each designated preeminent state research university and each designated emerging preeminent state research university is free from unnecessary restrictions.

(7) PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE UNIVERSITY SYSTEM.—The Board of Governors shall establish standards and measures whereby individual undergraduate, graduate, and professional degree programs in state universities which objectively reflect national excellence can be identified and make recommendations to the Legislature by September 1, 2018, as to how any such programs could be enhanced and promoted.

Section 4. Subsections (1), (2), and (4) of section 1001.92, Florida Statutes, are amended to read:

1001.92 State University System Performance-Based Incentive.—

(1) A State University System Performance-Based Incentive shall be awarded to state universities using performance-based metrics adopted by the Board of Governors of the State University System. Beginning with the Board of Governors’ determination of each university’s performance improvement and achievement ratings for 2018, and the related distribution of
the 2018-2019 fiscal year appropriation, the performance-based metrics must include 4-year graduation rates; retention rates; postgraduation education rates; degree production; affordability; postgraduation employment and salaries, including wage thresholds that reflect the added value of a baccalaureate degree; access, with benchmarks that reward institutions with access rates at or above 50 percent; and other metrics approved by the board in a formally noticed meeting. The board shall adopt benchmarks to evaluate each state university’s performance on the metrics to measure the state university’s achievement of institutional excellence or need for improvement and minimum requirements for eligibility to receive performance funding.  

(2) Each fiscal year, the amount of funds available for allocation to the state universities based on the performance-based funding model shall consist of the state’s investment in performance funding plus institutional investments consisting of funds deducted from the base funding of each state university in the State University System in an amount provided by the Legislature in the General Appropriations Act. The Board of Governors shall establish minimum performance funding eligibility thresholds for the state’s investment and the institutional investments. A state university that meets the minimum institutional investment eligibility threshold, but fails to meet the minimum state investment eligibility threshold, shall have its institutional investment restored but is ineligible for a share of the state’s investment in performance funding. The institutional investment shall be restored for each institution eligible for the state’s investment under the performance-based funding model.
(4) Distributions of performance funding, as provided in this section, shall be made by the Legislature to each of the state universities listed in the Education and General Activities category in the General Appropriations Act.

Section 5. Subsections (2), (3), and (4) and paragraph (b) of subsection (5) of section 1004.28, Florida Statutes, are amended to read:

1004.28 Direct-support organizations; use of property; board of directors; activities; audit; facilities.—

(2) USE OF PROPERTY.—

(a) Each state university board of trustees is authorized to permit the use of property, facilities, and personal services at any state university by any university direct-support organization, and, subject to the provisions of this section, direct-support organizations may establish accounts with the State Board of Administration for investment of funds pursuant to part IV of chapter 218. Beginning July 1, 2023, a state university board of trustees may not permit any university direct-support organization to use personal services.

(b) The board of trustees, in accordance with regulations and guidelines of the Board of Governors, shall prescribe by regulation rule conditions with which a university direct-support organization must comply in order to use property, facilities, or personal services at any state university. Such regulations rules shall provide for budget and audit review and oversight by the board of trustees.

(c) The board of trustees shall not permit the use of property, facilities, or personal services at any state university by any university direct-support organization that
does not provide equal employment opportunities to all persons regardless of race, color, religion, gender, age, or national origin.

(d) The board of trustees may not permit the use of state funds for travel expenses by any university direct-support organization.

(3) BOARD OF DIRECTORS.—The chair of the university board of trustees shall appoint at least one representative to the board of directors and the executive committee of any direct-support organization established under this section. The president of the university for which the direct-support organization is established, or his or her designee, shall also serve on the board of directors and the executive committee of any direct-support organization established to benefit that university.

(4) ACTIVITIES; RESTRICTION.—A university direct-support organization is prohibited from giving, either directly or indirectly, any gift to a political committee as defined in s. 106.011 for any purpose other than those certified by a majority roll call vote of the governing board of the direct-support organization at a regularly scheduled meeting as being directly related to the educational mission of the university.

(5) ANNUAL AUDIT; PUBLIC RECORDS EXEMPTION; PUBLIC MEETINGS EXEMPTION.—

(b) All records of the organization other than the auditor’s report, management letter, any records related to the expenditure of state funds, any records related to the expenditure of private funds for travel, and any supplemental data requested by the Board of Governors, the university board
of trustees, the Auditor General, and the Office of Program Policy Analysis and Government Accountability shall be confidential and exempt from s. 119.07(1).

Section 6. Section 1004.6497, Florida Statutes, is created to read:

1004.6497 World Class Faculty and Scholar Program.—

(1) PURPOSE AND LEGISLATIVE INTENT.—The World Class Faculty and Scholar Program is established to fund, beginning in the 2017-2018 fiscal year, and support the efforts of state universities to recruit and retain exemplary faculty and research scholars. It is the intent of the Legislature to elevate the national competitiveness of Florida’s state universities through faculty and scholar recruitment and retention.

(2) INVESTMENTS.—Retention, recruitment, and recognition efforts, activities, and investments may include, but are not limited to, investments in research-centric cluster hires, faculty research and research commercialization efforts, instructional and research infrastructure, undergraduate student participation in research, professional development, awards for outstanding performance, and postdoctoral fellowships.

(3) FUNDING AND USE.—Funding for the program shall be as provided by the Legislature. Each state university shall use the funds only for the purpose and investments authorized under this section. These funds may not be used to construct buildings.

(4) ACCOUNTABILITY.—By March 15 of each year, the Board of Governors shall provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report summarizing information from the universities in the State
University System, including, but not limited to:

(a) Specific expenditure information as it relates to the investments identified in subsection (2).

(b) The impact of those investments in elevating the national competitiveness of the universities, specifically relating to:

1. The success in recruiting research faculty and the resulting research funding;
2. The 4-year graduation rate for undergraduate students;
3. The number of undergraduate courses offered with fewer than 50 students; and
4. The increase in national academic standing of targeted programs, specifically advancement in ranking of the targeted programs among top 50 universities in well-known and highly respected national public university rankings, including, but not limited to, the U.S. News and World Report rankings, which reflect national preeminence, using the most recent rankings.

Section 7. Section 1004.6498, Florida Statutes, is created to read:

1004.6498 State University Professional and Graduate Degree Excellence Program.—

(1) PURPOSE.—The State University Professional and Graduate Degree Excellence Program is established to fund, beginning in the 2017-2018 fiscal year, and support the efforts of state universities to enhance the quality and excellence of professional and graduate schools and degree programs in medicine, law, and business and expand the economic impact of state universities.

(2) INVESTMENTS.—Quality improvement efforts may include,
but are not limited to, targeted investments in faculty, students, research, infrastructure, and other strategic endeavors to elevate the national and global prominence of state university medicine, law, and graduate-level business programs.

(3) FUNDING AND USE.—Funding for the program shall be as provided by the Legislature. Each state university shall use the funds only for the purpose and investments authorized under this section. These funds may not be used to construct buildings.

(4) ACCOUNTABILITY.—By March 15 of each year, the Board of Governors shall provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report summarizing information from the universities in the State University System, including, but not limited to:

(a) Specific expenditure information as it relates to the investments identified in subsection (2).

(b) The impact of those investments in elevating the national and global prominence of the state university medicine, law, and graduate-level business programs, specifically relating to:

1. The first-time pass rate on the United States Medical Licensing Examination;

2. The first-time pass rate on The Florida Bar Examination;

3. The percentage of graduates enrolled or employed at a wage threshold that reflects the added value of a graduate-level business degree;

4. The advancement in the rankings of the state university medicine, law, and graduate-level programs in well-known and highly respected national graduate-level university rankings, including, but not limited to, the U.S. News and World Report...
rankings, which reflect national preeminence, using the most recent rankings; and

5. The added economic benefit of the universities to the state.

Section 8. Paragraph (c) of subsection (5) of section 1008.30, Florida Statutes, is amended to read:

1008.30 Common placement testing for public postsecondary education.—

(5)

(c) A university board of trustees may contract with a Florida College System institution board of trustees for the Florida College System institution to provide developmental education on the state university campus. Any state university in which the percentage of incoming students requiring developmental education equals or exceeds the average percentage of such students for the Florida College System may offer developmental education without contracting with a Florida College System institution; however, any state university offering college-preparatory instruction as of January 1, 1996, may continue to provide developmental education instruction as defined in s. 1008.02(1) such services.

Section 9. Subsection (7) of section 1009.22, Florida Statutes, is amended to read:

1009.22 Workforce education postsecondary student fees.—

(7) Each district school board and Florida College System institution board of trustees is authorized to establish a separate fee for technology, not to exceed 5 percent of tuition per credit hour or credit-hour equivalent for resident students and not to exceed 5 percent of tuition and the out-of-state fee
per credit hour or credit-hour equivalent for nonresident students. Revenues generated from the technology fee shall be used to enhance instructional technology resources for students and faculty and shall not be included in any award under the Florida Bright Futures Scholarship Program. Fifty percent of technology fee revenues may be pledged by a Florida College System institution board of trustees as a dedicated revenue source for the repayment of debt, including lease-purchase agreements, not to exceed the useful life of the asset being financed. Revenues generated from the technology fee may not be bonded.

Section 10. Subsection (10) of section 1009.23, Florida Statutes, is amended to read:

1009.23 Florida College System institution student fees.—
(10) Each Florida College System institution board of trustees is authorized to establish a separate fee for technology, which may not exceed 5 percent of tuition per credit hour or credit-hour equivalent for resident students and may not exceed 5 percent of tuition and the out-of-state fee per credit hour or credit-hour equivalent for nonresident students. Revenues generated from the technology fee shall be used to enhance instructional technology resources for students and faculty. The technology fee may apply to both college credit and developmental education and shall not be included in any award under the Florida Bright Futures Scholarship Program. Fifty percent of technology fee revenues may be pledged by a Florida College System institution board of trustees as a dedicated revenue source for the repayment of debt, including lease-purchase agreements, not to exceed the useful life of the asset.
being financed. Revenues generated from the technology fee may not be bonded.

Section 11. Subsection (13), paragraph (r) of subsection (14), paragraphs (a) and (b) of subsection (15), paragraphs (a), (b), and (e) of subsection (16), and subsection (20) of section 1009.24, Florida Statutes, are amended to read:

1009.24 State university student fees.—

(13) Each university board of trustees may establish a technology fee of up to 5 percent of the tuition per credit hour. The revenue from this fee shall be used to enhance instructional technology resources for students and faculty. The technology fee may not be included in any award under the Florida Bright Futures Scholarship Program established pursuant to ss. 1009.53-1009.538.

(14) Except as otherwise provided in subsection (15), each university board of trustees is authorized to establish the following fees:

(r) Traffic and parking fines, charges for parking decals, and transportation access fees. Only universitywide transportation access fees may be included in any state financial assistance award authorized under part III of this chapter, as specifically authorized by law or the General Appropriations Act.

With the exception of housing rental rates and except as otherwise provided, fees assessed pursuant to paragraphs (h)-(s) shall be based on reasonable costs of services. The Board of Governors shall adopt regulations and timetables necessary to implement the fees and fines authorized under this subsection.
The fees assessed under this subsection may be used for debt only as authorized under s. 1010.62.

(15)(a) Unless otherwise required, a university board of trustees may adopt, and the Board of Governors may approve:

1. A proposal from a university board of trustees to establish a new student fee that is not specifically authorized by this section.

2. A proposal from a university board of trustees to increase the current cap for an existing fee authorized pursuant to paragraphs (14)(a)-(g).

3.a. A proposal from a university board of trustees to implement flexible tuition policies, such as undergraduate or graduate block tuition, block tuition differential, or market tuition rates for graduate-level online courses or graduate-level courses offered through a university’s continuing education program. A block tuition policy for resident undergraduate students or undergraduate-level courses must be based on the per-credit-hour undergraduate tuition established under subsection (4). A block tuition policy for nonresident undergraduate students must be based on the per-credit-hour undergraduate tuition and out-of-state fee established under subsection (4). Flexible tuition policies, including block tuition, may not increase the state’s fiscal liability or obligation.

   b. A block tuition policy, which must be adopted by each university board of trustees for implementation beginning in the fall 2018 academic semester. The policy must apply to the entering freshman class of full-time, first-time-in-college students and may be extended to include other enrolled students.
The policy must, at a minimum:

(I) Include block tuition and any required fees, including, but not limited to, tuition differential fees, activity and service fees, financial aid fees, capital improvement fees, athletic fees, health fees, and technology fees.

(II) Require the university to maximize the application of appropriate accelerated credits to minimize unnecessary credits and excess hours.

(III) Enable students to have the flexibility to earn at least 30 credits per academic year in any combination of fall, spring, and summer academic terms or semesters.

(b) A proposal developed pursuant to paragraph (a) shall be submitted in accordance with the public notification requirements of subsection (20) and guidelines established by the Board of Governors. Approval by the Board of Governors of such proposals must be made in accordance with the provisions of this subsection. Each state university board of trustees must, by April 1, 2018, submit to the Board of Governors its board-approved block tuition policy, adopted pursuant to subparagraph (a)3., along with information on the potential impact of the policy on students. By August 1, 2018, the Chancellor of the State University System must submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a summary report of such policies, the status of the board’s review and approval of such policies, and the board’s recommendations for improving block tuition and fee benefits for students.

(16) Each university board of trustees may establish a tuition differential for undergraduate courses upon receipt of
approval from the Board of Governors. However, beginning July 1, 2014, the Board of Governors may only approve the establishment of or an increase in tuition differential for a state research university designated as a preeminent state research university pursuant to s. 1001.7065(3). The tuition differential shall promote improvements in the quality of undergraduate education and shall provide financial aid to undergraduate students who exhibit financial need.

(a) Seventy percent of the revenues from the tuition differential shall be expended for purposes of undergraduate education. Such expenditures may include, but are not limited to, increasing course offerings, improving graduation rates, increasing the percentage of undergraduate students who are taught by faculty, decreasing student-faculty ratios, providing salary increases for faculty who have a history of excellent teaching in undergraduate courses, improving the efficiency of the delivery of undergraduate education through academic advisement and counseling, and reducing the percentage of students who graduate with excess hours. This expenditure for undergraduate education may not be used to pay the salaries of graduate teaching assistants. Except as otherwise provided in this subsection, the remaining 30 percent of the revenues from the tuition differential, or the equivalent amount of revenue from private sources, shall be expended to provide financial aid to undergraduate students who exhibit financial need, including students who are scholarship recipients under s. 1009.984, to meet the cost of university attendance. This expenditure for need-based financial aid shall not supplant the amount of need-based aid provided to undergraduate students in the preceding
fiscal year from financial aid fee revenues, the direct 
appropriation for financial assistance provided to state 
universities in the General Appropriations Act, or from private 
ources. The total amount of tuition differential waived under 
paragraph (b)7. may be included in calculating the 
expenditures for need-based financial aid to undergraduate 
students required by this subsection. If the entire tuition and 
fee costs of resident students who have applied for and received 
Pell Grant funds have been met and the university has excess 
funds remaining from the 30 percent of the revenues from the 
tuition differential required to be used to assist students who 
exhibit financial need, the university may expend the excess 
portion in the same manner as required for the other 70 percent 
of the tuition differential revenues.

(b) Each tuition differential is subject to the following 
conditions:

1. The tuition differential may be assessed on one or more 
undergraduate courses or on all undergraduate courses at a state 
university.

2. The tuition differential may vary by course or courses, 
by campus or center location, and by institution. Each 
iversity board of trustees shall strive to maintain and 
crease enrollment in degree programs related to math, science, 
high technology, and other state or regional high-need fields 
when establishing tuition differentials by course.

3. For each state university that is designated as a 
reminent state research university by the Board of Governors, 
pursuant to s. 1001.7065, the aggregate sum of tuition and the 
tuition differential may be increased by no more than 6 percent
of the total charged for the aggregate sum of these fees in the
preceding fiscal year. The tuition differential may be increased
if the university meets or exceeds performance standard targets
for that university established annually by the Board of
Governors for the following performance standards, amounting to
no more than a 2-percent increase in the tuition differential
for each performance standard:
   a. An increase in the 4-year 6-year graduation rate for
full-time, first-time-in-college students, as reported annually
to the Integrated Postsecondary Education Data System.
   b. An increase in the total annual research expenditures.
   c. An increase in the total patents awarded by the United
States Patent and Trademark Office for the most recent years.

4. The aggregate sum of undergraduate tuition and fees per
credit hour, including the tuition differential, may not exceed
the national average of undergraduate tuition and fees at 4-year
degree-granting public postsecondary educational institutions.

5. The tuition differential shall not be included in any
award under the Florida Bright Futures Scholarship Program
established pursuant to ss. 1009.53-1009.538.

5. Beneficiaries having prepaid tuition contracts
pursuant to s. 1009.98(2)(b) which were in effect on July 1,
2007, and which remain in effect, are exempt from the payment of
the tuition differential.

6. The tuition differential may not be charged to any
student who was in attendance at the university before July 1,
2007, and who maintains continuous enrollment.

7. The tuition differential may be waived by the
Subject to approval by the Board of Governors, the tuition differential authorized pursuant to this subsection may take effect with the 2009 fall term.

(e) The Board of Governors shall submit a report to the President of the Senate, the Speaker of the House of Representatives, and the Governor describing the implementation of the provisions of this subsection no later than February 1 of each year. The report shall summarize proposals received by the board during the preceding fiscal year and actions taken by the board in response to such proposals. In addition, the report shall provide the following information for each university that has been approved by the board to assess a tuition differential:

1. The course or courses for which the tuition differential was assessed and the amount assessed.

2. The total revenues generated by the tuition differential.

3. With respect to waivers authorized under subparagraph (b)7., (b)8., the number of students eligible for a waiver, the number of students receiving a waiver, and the value of waivers provided.

4. Detailed expenditures of the revenues generated by the tuition differential.

5. Changes in retention rates, graduation rates, the percentage of students graduating with more than 110 percent of the hours required for graduation, pass rates on licensure examinations, the number of undergraduate course offerings, the percentage of undergraduate students who are taught by faculty,
student-faculty ratios, and the average salaries of faculty who teach undergraduate courses.

(20) Each state university shall publicly notice and notify all enrolled students of any proposal to change increase tuition or fees at least 28 days before its consideration at a board of trustees meeting. The notice must:

(a) Include the date and time of the meeting at which the proposal will be considered.

(b) Specifically outline the details of existing tuition and fees, the rationale for the proposed change increase, and how the funds from the proposed change increase will be used.

(c) Be posted on the university’s website and issued in a press release.

Section 12. Subsection (9) of section 1009.53, Florida Statutes, is amended to read:

1009.53 Florida Bright Futures Scholarship Program.—

(9) A student may use a Florida Academic Scholars award for summer term enrollment beginning in the 2018 summer term, as funded by the Legislature. A student may use a Florida Medallion Scholars award for summer term enrollment beginning in the 2019 summer term, as funded by the Legislature. A student may use other Florida Bright Futures Scholarship Program awards for summer term enrollment, if funded by the Legislature if funds are available.

Section 13. Subsection (2) of section 1009.534, Florida Statutes, is amended to read:

1009.534 Florida Academic Scholars award.—

(2) A Florida Academic Scholar who is enrolled in a certificate, diploma, associate, or baccalaureate degree program
at a public or nonpublic postsecondary education institution is eligible, beginning in the 2017-2018 academic year, for an award equal to the amount necessary to pay 100 percent of tuition and fees established under ss. 1009.22(3), (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-(13), (14)(r), and (16), as applicable, and is eligible for an additional $300 each fall and spring academic semester or the equivalent for textbooks, specified in the General Appropriations Act to assist with the payment of educational expenses.

Section 14. Subsection (2) of section 1009.535, Florida Statutes, is amended to read:

1009.535 Florida Medallion Scholars award.—
(2) A Florida Medallion Scholar who is enrolled in a certificate, diploma, associate, or baccalaureate degree program at a public or nonpublic postsecondary education institution is eligible, beginning in the fall 2018 semester, for an award equal to the amount necessary to pay 75 percent of tuition and fees established under ss. 1009.22(3), (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-(13), (14)(r), and (16), as applicable specified in the General Appropriations Act to assist with the payment of educational expenses.

Section 15. Subsections (1), (2), and (4) and paragraph (c) of subsection (5) of section 1009.701, Florida Statutes, are amended to read:

1009.701 First Generation Matching Grant Program.—
(1) The First Generation Matching Grant Program is created to enable each state university and Florida College System
institution to provide donors with a matching grant incentive for contributions that will create grant-based student financial aid for undergraduate students who demonstrate financial need and whose parents, as defined in s. 1009.21(1), have not earned a baccalaureate degree. In the case of any individual who regularly resided with and received support from only one parent, an individual whose only such parent did not complete a baccalaureate degree would also be eligible.

(2) Funds appropriated by the Legislature for the program shall be allocated by the Office of Student Financial Assistance to match private contributions on a dollar-for-dollar basis; however, beginning in the 2018-2019 fiscal year, such funds shall be allocated at a ratio of $2 of state funds to $1 of private contributions. Contributions made to a state university or a Florida College System institution and pledged for the purposes of this section are eligible for state matching funds appropriated for this program and are not eligible for any other state matching grant program. Pledged contributions are not eligible for matching prior to the actual collection of the total funds. The Office of Student Financial Assistance shall reserve a proportionate allocation of the total appropriated funds for each state university and Florida College System institution on the basis of full-time equivalent enrollment. Funds that remain unmatched as of December 1 shall be reallocated to state universities and colleges that have remaining unmatched private contributions for the program on the basis of full-time equivalent enrollment.

(4) Each participating state university and Florida College System institution shall establish an application process,
determine student eligibility for initial and renewal awards in 
conformance with subsection (5), identify the amount awarded to 
each recipient, and notify recipients of the amount of their 
awards.

(5) In order to be eligible to receive a grant pursuant to 
this section, an applicant must:

(c) Be accepted at a state university or Florida College 
System institution.

Section 16. Subsections (2), (4), and (5) 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 any Florida 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 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 the state, Be a state 
resident 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. 2. 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. (e) Be accepted by and enroll in a Florida public or
independent postsecondary educational institution that is
regionally accredited; and
  3. (e) 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
is enrolled;
  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 under 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.

Section 17. Section 1009.894, Florida Statutes, is created to read:

1009.894 Florida Farmworker Student Scholarship Program.— The Legislature recognizes the vital contribution of farmworkers to the economy of this state. The Florida Farmworker Student Scholarship Program is created to provide scholarships for farmworkers, as defined in s. 420.503, and the children of such farmworkers.
(1) The Department of Education shall administer the Florida Farmworker Student Scholarship Program according to rules and procedures established by the State Board of Education. Beginning in the 2017-2018 academic year, up to 50 scholarships shall be awarded annually according to the criteria established in subsection (2) and contingent upon an appropriation by the Legislature.

(2)(a) To be eligible for an initial scholarship, a student must, at a minimum:

1. Have a resident status as required by s. 1009.40 and rules of the State Board of Education;
2. Earn a minimum cumulative weighted grade point average of 3.5 for all high school courses creditable toward a diploma;
3. Complete a minimum of 30 hours of community service; and
4. Have at least a 90 percent attendance rate and not have had any disciplinary action brought against him or her, as documented on the student’s high school transcript.

For purposes of this section, students who are undocumented for federal immigration purposes are not eligible for an award.

(b) The department shall rank eligible initial applicants for the purposes of awarding scholarships based on need, as determined by the department.

(c) To renew a scholarship awarded pursuant to this section, a student must maintain at least a cumulative grade point average of 2.5 or higher on a 4.0 scale for college coursework.

(3) A scholarship recipient must enroll in a minimum of 12 credit hours per term, or the equivalent, at a public
postsecondary educational institution in this state to receive funding.

(4) A scholarship recipient may receive an award for a maximum of 100 percent of the number of credit hours required to complete an associate or baccalaureate degree program or receive an award for a maximum of 100 percent of the credit hours or clock hours required to complete up to 90 credit hours of a program that terminates in a career certificate. The scholarship recipient is eligible for an award equal to the amount required to pay the tuition and fees established under ss. 1009.22(3), (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-(13), (14)(r), and (16), as applicable, at a public postsecondary educational institution in this state. Renewal scholarship awards must take precedence over new scholarship awards in a year in which funds are not sufficient to accommodate both initial and renewal awards. The scholarship must be prorated for any such year.

(5) Subject to appropriation by the Legislature, the department shall annually issue awards from the scholarship program. Before the registration period each semester, the department shall transmit payment for each award to the president or director of the postsecondary educational institution, or his or her representative. However, the department may withhold payment if the receiving institution fails to submit the following reports or make the following refunds to the department:

(a) Each institution shall certify to the department the eligibility status of each student to receive a disbursement within 30 days before the end of its regular registration
period, inclusive of a drop and add period. An institution is not required to reevaluate the student eligibility after the end of the drop and add period.

(b) An institution that receives funds from the scholarship program must certify to the department the amount of funds disbursed to each student and remit to the department any undisbursed advance within 60 days after the end of the regular registration period.

(6) The department shall allocate funds to the appropriate institutions and collect and maintain data regarding the scholarship program within the student financial assistance database as specified in s. 1009.94.

Section 18. Present paragraphs (e) and (f) of subsection (10) of section 1009.98, Florida Statutes, are redesignated as paragraphs (f) and (g), respectively, and a new paragraph (e) is added to that subsection, to read:

1009.98 Stanley G. Tate Florida Prepaid College Program.—
(10) PAYMENTS ON BEHALF OF QUALIFIED BENEFICIARIES.—
(e) Notwithstanding the number of credit hours used by a state university to assess the amount for registration fees, tuition, tuition differential, or local fees, the amount paid by the board to any state university on behalf of a qualified beneficiary of an advance payment contract purchased before July 1, 2024, may not exceed the number of credit hours taken by that qualified beneficiary at the state university.

Section 19. The provisions of this act creating ss. 1004.6497, 1004.6498, and 1009.894, Florida Statutes, and the provisions amending ss. 1009.22, 1009.23, 1009.24, 1009.53, and 1009.534(2), Florida Statutes, apply retroactively to July 1,
2017.

Section 20. The Division of Law Revision and Information is directed to substitute the term “Effective Access to Student Education Grant Program” for “Florida Resident Access Grant Program” and the term “Effective Access to Student Education grant” for “Florida resident access grant” wherever those terms appear in the Florida Statutes.

Section 21. For the 2018-2019 fiscal year, $129,292,554 in recurring funds from the Educational Enhancement Trust Fund and $1,736,404 in recurring funds from the General Revenue Fund are appropriated to the Department of Education to implement this act. Of these funds, $2,959,916 from the Educational Enhancement Trust Fund shall be used for 2019 summer term awards for Florida Bright Futures Academic Scholars, $27,582,720 from the Educational Enhancement Trust Fund shall be used for 2019 summer term awards for Florida Bright Futures Medallion Scholars, $98,749,918 from the Educational Enhancement Trust Fund shall be used for Florida Bright Futures Scholarship Program awards, $1,236,404 from the General Revenue Fund shall be used for the Benacquisto Scholarship Program, and $500,000 from the General Revenue Fund shall be used for the Florida Farmworker Student Scholarship Program.

Section 22. This act shall take effect upon becoming a law.

================= T I T L E A M E N D M E N T =================
And the title is amended as follows:
Delete everything before the enacting clause and insert:
A bill to be entitled
An act relating to higher education; providing a short title; amending s. 1001.706, F.S.; requiring state universities to identify internship opportunities in high-demand fields; amending s. 1001.7065, F.S.; revising the preeminent state research universities program graduation rate requirements and funding distributions; specifying funding as provided by the Legislature; deleting the authority for such universities to stipulate a special course requirement for incoming students; requiring the Board of Governors to establish certain standards by a specified date; amending s. 1001.92, F.S.; requiring certain performance-based metrics to include specified graduation rates and access benchmarks; specifying funding as provided by the Legislature; amending s. 1004.28, F.S.; directing a state university board of trustees to limit the services, activities, and expenses of its direct-support organizations; requiring the chair of the board of trustees to appoint at least one representative to the board of directors and executive committee of a university direct-support organization; requiring the disclosure of certain financial documents; creating s. 1004.6497, F.S.; establishing the World Class Faculty and Scholar Program; providing the purpose and intent; authorizing state university investments in certain faculty retention, recruitment, and recognition activities; specifying funding as provided by the Legislature; requiring an annual report to the Governor and the
Legislature by a specified date; creating s. 1004.6498, F.S.; establishing the State University Professional and Graduate Degree Excellence Program; providing the purpose; listing the quality improvement efforts that may be used to elevate the prominence of state university medicine, law, and graduate-level business programs; specifying funding as provided by the Legislature; requiring an annual report to the Governor and the Legislature by a specified date; amending s. 1008.30, F.S.; authorizing certain state universities to continue to provide developmental education instruction; amending s. 1009.22, F.S.; removing the prohibition on the inclusion of a technology fee in the funds for the Florida Bright Futures Scholarship Program award; amending s. 1009.23, F.S.; removing the prohibition on the inclusion of a technology fee in the funds for the Florida Bright Futures Scholarship Program award; amending s. 1009.24, F.S.; removing the prohibition on the inclusion of a technology fee and a tuition differential fee in the funds for the Florida Bright Futures Scholarship Program award; requiring each state university board of trustees to implement a block tuition policy for specified undergraduate students beginning in a specified academic semester; requiring the Chancellor of the State University System to submit a report to the Governor and the Legislature by a specified date; amending s. 1009.53, F.S.; authorizing students to use certain Florida
Bright Futures Scholarship Program awards for summer term enrollment beginning in specified years; specifying funding as provided by the Legislature; amending s. 1009.534, F.S.; specifying Florida Academic Scholars award amounts to cover tuition, fees, textbooks, and other educational expenses; amending s. 1009.535, F.S.; specifying Florida Medallion Scholars award amounts to cover specified tuition and fees; amending s. 1009.701, F.S.; revising the state-to-private match requirement for contributions to the First Generation Matching Grant Program beginning in a specified fiscal year; extending the program to include Florida College System institution students; amending s. 1009.893, F.S.; extending coverage of the Benacquisto Scholarship Program to include tuition and fees for qualified nonresident students; creating s. 1009.894, F.S.; creating the Florida Farmworker Student Scholarship Program; providing a purpose; requiring the Department of Education to administer the scholarship program; providing student eligibility criteria; specifying award amounts and distributions; amending s. 1009.98, F.S.; providing that certain payments from the Florida Prepaid College Board to a state university on behalf of a qualified beneficiary may not exceed a specified amount; providing for retroactive application; providing a directive to the Division of Law Revision and Information; providing appropriations; providing an effective date.
A bill to be entitled
An act relating to higher education; providing a short
title; amending s. 1001.706, F.S.; requiring state
universities to identify internship opportunities in
high-demand fields; amending s. 1001.7065, F.S.;
revising the preeminent state research universities
program graduation rate requirements and funding
distributions; deleting the authority for such
universities to stipulate a special course requirement
for incoming students; requiring the Board of
Governors to establish certain standards by a
specified date; amending s. 1001.92, F.S.; requiring
certain performance-based metrics to include specified
graduation rates and access benchmarks; amending s.
1004.28, F.S.; directing a state university board of
trustees to limit the services, activities, and
expenses of its direct-support organizations;
requiring the chair of the board of trustees to
appoint at least one representative to the board of
directors and executive committee of a university
direct-support organization; requiring the disclosure
of certain financial documents; creating s. 1004.6497,
F.S.; establishing the World Class Faculty and Scholar
Program; providing the purpose and intent; authorizing
state university investments in certain faculty
retention, recruitment, and recognition activities;
specifying funding as provided in the General
Appropriations Act; requiring an annual report to the
Governor and the Legislature by a specified date;
creating s. 1004.6498, F.S.; establishing the State
University Professional and Graduate Degree Excellence
Program; providing the purpose; listing the quality
improvement efforts that may be used to elevate the
prominence of state university medicine, law, and
graduate-level business programs; specifying funding
as provided in the General Appropriations Act;
requiring an annual report to the Governor and the
Legislature by a specified date; amending s. 1008.30,
F.S.; authorizing certain state universities to
continue to provide developmental education
instruction; amending ss. 1009.22 and 1009.23, F.S.;
removing the prohibition on the inclusion of a
technology fee in the Florida Bright Futures
Scholarship Program award; amending s. 1009.24, F.S.;
removing the prohibition on the inclusion of a
technology fee and a tuition differential fee in the
Florida Bright Futures Scholarship Program award;
requiring each state university board of trustees to
implement a block tuition policy for specified
undergraduate students beginning in a specified
academic semester; requiring the Chancellor of the
State University System to submit a report to the
Governor and the Legislature by a specified date;
amending s. 1009.53, F.S.; authorizing a student to
use Florida Bright Futures Scholarship Program awards
for summer term enrollment; amending s. 1009.534,
F.S.; specifying Florida Academic Scholars award
amounts to cover tuition, fees, textbooks, and other
Section 1. This act shall be cited as the "Florida Excellence in Higher Education Act of 2018."

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

Section 2. Paragraph (b) of subsection (5) of section 1001.706, Florida Statutes, is amended to read:  

(b) The Board of Governors shall develop a strategic plan specifying goals and objectives for the State University System and each constituent university, including each university's contribution to overall system goals and objectives. The strategic plan must:  

1. Include performance metrics and standards common for all institutions and metrics and standards unique to institutions depending on institutional core missions, including, but not limited to, student admission requirements, retention, graduation, percentage of graduates who have attained employment, percentage of graduates enrolled in continued education, licensure passage, average wages of employed graduates, average cost per graduate, excess hours, student loan burden and default rates, faculty awards, total annual research expenditures, patents, licenses and royalties, intellectual property, startup companies, annual giving, endowments, and well-known, highly respected national rankings for institutional and program achievements.

2. Consider reports and recommendations of the Higher Education Coordinating Council pursuant to s. 1004.015 and the Articulation Coordinating Committee pursuant to s. 1007.01.

3. Include student enrollment and performance data delineated by method of instruction, including, but not limited to, traditional, online, and distance learning instruction.

4. Include criteria for designating baccalaureate degree programs and student eligibility.
Section 3. Paragraph (d) of subsection (2), paragraph (c) of subsection (5), and subsections (6), (7), and (8) of section 1001.7065, Florida Statutes, are amended to read:

1001.7065 Preeminent state research universities program.—

(2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The following academic and research excellence standards are established for the preeminent state research universities program:

(d) A 4-year graduation rate of 60 percent or higher for full-time, first-time-in-college students, as reported annually to the IPEDS. However, for the 2018 determination of a state university’s preeminence designation and the related distribution of the 2018-2019 fiscal year appropriation associated with preeminence and emerging preeminence, a university is considered to have satisfied this graduation rate measure by attaining a 6-year graduation rate of 70 percent or higher by October 1, 2017, for full-time, first-time-in-college students, as reported annually to the IPEDS and confirmed by the Board of Governors.

(5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM SUPPORT.—

(c) The award of funds under this subsection is contingent upon funding provided in the General Appropriations Act to support the preeminent state research universities program created under this section. Funding increases appropriated beyond the amounts funded in the previous fiscal year shall be distributed as follows:

1. Each designated preeminent state research university that meets the criteria in paragraph (a) shall receive an equal amount of funding.

2. Each designated emerging preeminent state research university that meets the criteria in paragraph (b) shall, beginning in the 2018-2019 fiscal year, receive an amount of funding that is equal to one-fourth one-half of the total increased amount awarded to each designated preeminent state research university.

(6) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE REQUIREMENT AUTHORITY.—In order to provide a jointly shared educational experience, a university that is designated —

CODING: Words underlined are additions.
preeminent state research university may require its incoming 
first-time-in-college students to take a six-credit set of 
unique courses specifically determined by the university and 
published on the university’s website. The university may 
stipulate that credit for such courses may not be earned through 
any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271 
or any other transfer credit. All accelerated credits earned up 
to the limits specified in ss. 1007.27 and 1007.271 shall be 
applied toward graduation at the student’s request.

(6) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY 

AUTHORITY.—The Board of Governors is encouraged to identify and 
grant all reasonable, feasible authority and flexibility to 
ensure that each designated preeminent state research university 
and each designated emerging preeminent state research 
university is free from unnecessary restrictions.

(7) PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE 

UNIVERSITY SYSTEM.—The Board of Governors shall be encouraged to 
establish standards and measures whereby individual 
undergraduate, graduate, and professional degree programs in 
state universities which effectively reflect national 
excellence can be identified and make recommendations to the 
Legislature by September 1, 2018, as to how any such programs 
could be enhanced and promoted.

Section 4. Subsection (1) of section 1001.92, Florida 
Statutes, is amended to read:

1001.92 State University System Performance-Based 
Incentive.—

(1) A State University System Performance-Based Incentive 
shall be awarded to state universities using performance-based 

metrics adopted by the Board of Governors of the State 
University System. Beginning with the Board of Governors’ 
determination of each university’s performance improvement and 
achievement ratings for 2018, and the related distribution of 
of the 2018-2019 fiscal year appropriation, the performance-based 
metrics must include 4-year graduation rates; retention rates; 
postgraduation education rates; degree production; 
affordability; postgraduation employment and salaries, including 
wage thresholds that reflect the added value of a baccalaureate 
degree; access, with benchmarks that reward institutions with 
access rates at or above 50 percent; and other metrics approved 
by the board in a formally noticed meeting. The board shall 
adopt benchmarks to evaluate each state university’s performance 
on the metrics to measure the state university’s achievement of 
institutional excellence or need for improvement and minimum 
requirements for eligibility to receive performance funding.

Section 5. Subsections (2), (3), and (4) and paragraph (b) 
of subsection (5) of section 1004.28, Florida Statutes, are 
amended to read:

1004.28 Direct-support organizations; use of property; 
board of directors; activities; audit; facilities.—

(2) USE OF PROPERTY.—

(a) Each state university board of trustees is authorized 
to permit the use of property, facilities, and personal services 
at any state university by any university direct-support 
organization, and, subject to the provisions of this section, 
direct-support organizations may establish accounts with the 
State Board of Administration for investment of funds pursuant 
to part IV of chapter 218. Beginning July 1, 2023, a state
A university direct-support organization is prohibited from giving, either directly or indirectly, any gift to a political committee as defined in s. 106.011 for any purpose other than those certified by a majority vote of the governing board of the direct-support organization at a regularly scheduled meeting as being directly related to the educational mission of the university.

(5) ANNUAL AUDIT; PUBLIC RECORDS EXEMPTION; PUBLIC MEETINGS EXEMPTION.—

(b) All records of the organization other than the auditor’s report, management letter, any records related to the expenditure of state funds, any records related to the expenditure of private funds for travel, and any supplemental data requested by the Board of Governors, the university board of trustees, the Auditor General, and the Office of Program Policy Analysis and Government Accountability shall be confidential and exempt from s. 119.07(1).

Section 6. Section 1004.6497, Florida Statutes, is created to read:

1004.6497 World Class Faculty and Scholar Program.—

(1) PURPOSE AND LEGISLATIVE INTENT.—The World Class Faculty and Scholar Program is established to fund, beginning in the 2017-2018 fiscal year, and support the efforts of state universities to recruit and retain exemplary faculty and research scholars. It is the intent of the Legislature to elevate the national competitiveness of Florida’s state universities through faculty and scholar recruitment and retention.

(2) INVESTMENTS.—Retention, recruitment, and recognition efforts, activities, and investments may include, but are not limited to, investments in research-centric cluster hires,
funding and research commercialization efforts,
instructional and research infrastructure, undergraduate student
takeparticipation in research, professional development, awards for
outstanding performance, and postdoctoral fellowships.

(3) FUNDING AND USE.—Funding for the program shall be as
provided in the General Appropriations Act. Each state
university shall use the funds only for the purpose and
investments authorized under this section. These funds may not
be used to construct buildings.

(4) ACCOUNTABILITY.—By March 15 of each year, the Board of
Governors shall provide to the Governor, the President of the
Senate, and the Speaker of the House of Representatives a report
summarizing information from the universities in the State
University System, including, but not limited to:
   (a) Specific expenditure information as it relates to the
investments identified in subsection (2).
   (b) The impact of those investments in elevating the
national competitiveness of the universities, specifically
relating to:
      1. The success in recruiting research faculty and the
resulting research funding;
      2. The 4-year graduation rate for undergraduate students;
      3. The number of undergraduate courses offered with fewer
than 50 students; and
      4. The increase in national academic standing of targeted
programs, specifically advancement in ranking among top 50
universities in the targeted programs in well-known and highly
respected national public university rankings, including, but
not limited to, the U.S. News and World Report rankings, which

reflect national preeminence, using the most recent rankings.

Section 7. Section 1004.6498, Florida Statutes, is created
to read:

1004.6498 State University Professional and Graduate Degree Excellence Program.—

(1) PURPOSE.—The State University Professional and Graduate
Degree Excellence Program is established to fund, beginning in
the 2017-2018 fiscal year, and support the efforts of state
universities to enhance the quality and excellence of
professional and graduate schools and degree programs in
medicine, law, and business and expand the economic impact of
state universities.

(2) INVESTMENTS.—Quality improvement efforts may include,
but are not limited to, targeted investments in faculty,
students, research, infrastructure, and other strategic
deavors to elevate the national and global prominence of state
university medicine, law, and graduate-level business programs.

(3) FUNDING AND USE.—Funding for the program shall be as
provided in the General Appropriations Act. Each state
university shall use the funds only for the purpose and
investments authorized under this section. These funds may not
be used to construct buildings.

(4) ACCOUNTABILITY.—By March 15 of each year, the Board of
Governors shall provide to the Governor, the President of the
Senate, and the Speaker of the House of Representatives a report
summarizing information from the universities in the State
University System, including, but not limited to:
   (a) Specific expenditure information as it relates to the
investments identified in subsection (2).
(b) The impact of those investments in elevating the
national and global prominence of the state university medicine, law, and graduate-level business programs, specifically relating
to:
1. The first-time pass rate on the United States Medical
Licensing Examination;
2. The first-time pass rate on The Florida Bar Examination;
3. The percentage of graduates enrolled or employed at a
wage threshold that reflects the added value of a graduate-level
business degree;
4. The advancement in the rankings of the state university
medicine, law, and graduate-level programs in well-known and
highly respected national graduate-level university rankings,
including, but not limited to, the U.S. News and World Report
rankings, which reflect national preeminence, using the most
recent rankings; and
5. The added economic benefit of the universities to the
state.
Section 8. Paragraph (c) of subsection (5) of section
1008.30, Florida Statutes, is amended to read:
1008.30 Common placement testing for public postsecondary
education.—
(5)
(c) A university board of trustees may contract with a
Florida College System institution board of trustees for the
Florida College System institution to provide developmental
education on the state university campus. Any state university
in which the percentage of incoming students requiring
developmental education equals or exceeds the average percentage
of such students for the Florida College System may offer
developmental education without contracting with a Florida
College System institution; however, any state university
offering college-preparatory instruction as of January 1, 1996,
may continue to provide developmental education instruction as
defined in s. 1008.02(1) such services.
Section 9. Subsection (7) of section 1009.22, Florida
Statutes, is amended to read:
1009.22 Workforce education postsecondary student fees.—
(7) Each district school board and Florida College System
institutions board of trustees is authorized to establish a
separate fee for technology, not to exceed 5 percent of tuition
per credit hour or credit-hour equivalent for resident students
and not to exceed 5 percent of tuition and the out-of-state fee
per credit hour or credit-hour equivalent for nonresident
students. Revenues generated from the technology fee shall be
used to enhance instructional technology resources for students
and faculty and shall not be included in any award under the
Florida Bright Futures Scholarship Program. Fifty percent of
technology fee revenues may be pledged by a Florida College
System institution board of trustees as a dedicated revenue
source for the repayment of debt, including lease-purchase
agreements, not to exceed the useful life of the asset being
financed. Revenues generated from the technology fee may not be
bonded.
Section 10. Subsection (10) of section 1009.23, Florida
Statutes, is amended to read:
1009.23 Florida College System institution student fees.—
(10) Each Florida College System institution board of
Section 11. Subsection (13), paragraph (r) of subsection (14), paragraphs (a) and (b) of subsection (15), paragraphs (a), (b), and (e) of subsection (16), and subsection (20) of section 1009.24, Florida Statutes, are amended to read:

1009.24 State university student fees.—
(13) Each university board of trustees may establish a technology fee of up to 5 percent of the tuition per credit hour. The revenue from this fee shall be used to enhance instructional technology resources for students and faculty. The technology fee may not be included in any award under the Florida Bright Futures Scholarship Program established pursuant to ss. 1009.53-1009.538.

(14) Except as otherwise provided in subsection (15), each university board of trustees is authorized to establish the following fees:

(r) Traffic and parking fines, charges for parking decals, and transportation access fees. Only universitywide transportation access fees may be included in any state financial assistance award authorized under part III of chapter 1009, as specifically authorized by law or the General Appropriations Act.

With the exception of housing rental rates and except as otherwise provided, fees assessed pursuant to paragraphs (h)-(s) shall be based on reasonable costs of services. The Board of Governors shall adopt regulations and timetables necessary to implement the fees and fines authorized under this subsection. The fees assessed under this subsection may be used for debt only as authorized under s. 1010.62.

(15)(a) The Board of Governors may approve:
1. A proposal from a university board of trustees to establish a new student fee that is not specifically authorized by this section.
2. A proposal from a university board of trustees to increase the current cap for an existing fee authorized pursuant to paragraphs (14)(a)-(g).
3. A proposal from a university board of trustees to implement flexible tuition policies, such as undergraduate or graduate block tuition, block tuition differential, or market tuition rates for graduate-level online courses or graduate-level courses offered through a university’s continuing education program. A block tuition policy for resident
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undergraduate students or undergraduate-level courses must be based on the per-credit-hour undergraduate tuition established under subsection (4). A block tuition policy for nonresident undergraduate students must be based on the per-credit-hour undergraduate tuition and out-of-state fee established under subsection (4). Flexible tuition policies, including block tuition, may not increase the state's fiscal liability or obligation.

b. A block tuition policy, which must be adopted by each university board of trustees for implementation beginning in the fall 2018 academic semester. The policy must apply to the entering freshman class of full-time, first-time-in-college students and may be extended to include other enrolled students. The policy must, at a minimum:

(I) Include block tuition and any required fees, including, but not limited to, tuition differential fees, activity and service fees, financial aid fees, capital improvement fees, athletic fees, health fees, and technology fees.

(II) Require the university to maximize the application of appropriate accelerated credits to minimize unnecessary credits and excess hours.

(III) Enable students to have the flexibility to earn at least 30 credits per academic year in any combination of fall, spring, and summer academic terms or semesters.

(b) A proposal developed pursuant to paragraph (a) shall be submitted in accordance with the public notification requirements of subsection (20) and guidelines established by the Board of Governors. Approval by the Board of Governors of such proposals must be made in accordance with the provisions of this subsection. By April 1, 2018, each state university board of trustees must submit to the Board of Governors its block tuition policy, adopted pursuant to subparagraph (a)3., along with information on the potential impact of the policy on students. By August 1, 2018, the Chancellor of the State University System must submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a summary report of such policies, the status of the board’s review and approval of such policies, and the board’s recommendations for improving block tuition and fee benefits for students.

16. Each university board of trustees may establish a tuition differential for undergraduate courses upon receipt of approval from the Board of Governors. However, beginning July 1, 2014, the Board of Governors may only approve the establishment of or an increase in tuition differential for a state research university designated as a preeminent state research university pursuant to s. 1001.7065(3). The tuition differential shall promote improvements in the quality of undergraduate education and shall provide financial aid to undergraduate students who exhibit financial need.

(a) Seventy percent of the revenues from the tuition differential shall be expended for purposes of undergraduate education. Such expenditures may include, but are not limited to, increasing course offerings, improving graduation rates, increasing the percentage of undergraduate students who are taught by faculty, decreasing student-faculty ratios, providing salary increases for faculty who have a history of excellent teaching in undergraduate courses, improving the efficiency of
(b) Each tuition differential is subject to the following conditions:

1. The tuition differential may be assessed on one or more undergraduate courses or on all undergraduate courses at a state university.

2. The tuition differential may vary by course or courses, by campus or center location, and by institution. Each university board of trustees shall strive to maintain and increase enrollment in degree programs related to math, science, high technology, and other state or regional high-need fields when establishing tuition differentials by course.

3. For each state university that is designated as a preeminent state research university by the Board of Governors, pursuant to s. 1001.7065, the aggregate sum of tuition and the tuition differential may be increased by no more than 6 percent of the total charged for the aggregate sum of these fees in the preceding fiscal year. The tuition differential may be increased if the university meets or exceeds performance standard targets for that university established annually by the Board of Governors for the following performance standards, amounting to no more than a 2-percent increase in the tuition differential for each performance standard:

   a. An increase in the 4-year graduation rate for full-time, first-time-in-college students, as reported annually to the Integrated Postsecondary Education Data System.

   b. An increase in the total annual research expenditures.

   c. An increase in the total patents awarded by the United States Patent and Trademark Office for the most recent years.

4. The aggregate sum of undergraduate tuition and fees per credit hour, including the tuition differential, may not exceed the national average of undergraduate tuition and fees at 4-year
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581 degree-granting public postsecondary educational institutions.
582
583 8. The tuition differential shall not be included in any
584 award under the Florida Bright Futures Scholarship Program
585 established pursuant to ss. 1009.53-1009.538.
586
587 5.4 Beneficiaries having prepaid tuition contracts
588 pursuant to s. 1009.98(2)(b) which were in effect on July 1,
589 2007, and which remain in effect, are exempt from the payment of
590 the tuition differential.
591
592 6. The tuition differential may not be charged to any
593 student who was in attendance at the university before July 1,
594 2007, and who maintains continuous enrollment.
595
596 7. The tuition differential may be waived by the
597 university for students who meet the eligibility requirements
598 for the Florida public student assistance grant established in
599 s. 1009.50.
600
601 8. Subject to approval by the Board of Governors, the
602 tuition differential authorized pursuant to this subsection may
603 take effect with the 2009 fall term.
604
605 (e) The Board of Governors shall submit a report to the
606 President of the Senate, the Speaker of the House of
607 Representatives, and the Governor describing the implementation
608 of the provisions of this subsection no later than February 1 of
609 each year. The report shall summarize proposals received by the
610 board during the preceding fiscal year and actions taken by the
611 board in response to such proposals. In addition, the report
612 shall provide the following information for each university that
613 has been approved by the board to assess a tuition differential:
614 1. The course or courses for which the tuition differential
615 was assessed and the amount assessed.

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2. The total revenues generated by the tuition
616 differential.
617
618 3. With respect to waivers authorized under subparagraph
619 (b)7., the number of students eligible for a waiver, the
620 number of students receiving a waiver, and the value of waivers
621 provided.
622
623 4. Detailed expenditures of the revenues generated by the
624 tuition differential.
625
626 5. Changes in retention rates, graduation rates, the
627 percentage of students graduating with more than 110 percent of
628 the hours required for graduation, pass rates on licensure
629 examinations, the number of undergraduate course offerings, the
630 percentage of undergraduate students who are taught by faculty,
631 student-faculty ratios, and the average salaries of faculty who
632 teach undergraduate courses.
633
634 (20) Each state university shall publicly notice and notify
635 all enrolled students of any proposal to change the tuition
636 or fees at least 28 days before its consideration at a board of
637 trustees meeting. The notice must:
638
639 (a) Include the date and time of the meeting at which the
640 proposal will be considered.
641
642 (b) Specifically outline the details of existing tuition
643 and fees, the rationale for the proposed change, and
644 how the funds from the proposed change will be used.
645
646 (c) Be posted on the university’s website and issued in a
647 press release.
648
649 Section 12. Subsection (9) of section 1009.53, Florida
650 Statutes, is amended to read:

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

Page 22 of 31
(9) A student may use a Florida Academic Scholar award for summer term enrollment beginning in the 2018 summer term, as funded in the General Appropriations Act. A student may use other Florida Bright Futures Scholarship Program awards for summer term enrollment, if funded in the General Appropriations Act if funds are available.

Section 13. Subsection (2) of section 1009.534, Florida Statutes, is amended to read:

1009.534 Florida Academic Scholars award.—

(2) A Florida Academic Scholar who is enrolled in a certificate, diploma, associate, or baccalaureate degree program at a public or nonpublic postsecondary education institution is eligible, beginning in the 2017-2018 academic year, for an award equal to the amount required to pay 100 percent of tuition and fees established under ss. 1009.22(3), (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-(13), (14)(r), and (16), as applicable, and is eligible for an additional $300 each fall and spring academic semester or the equivalent for textbooks and specified in the General Appropriations Act to assist with the payment of educational expenses.

Section 14. Subsection (2) of section 1009.535, Florida Statutes, is amended to read:

1009.535 Florida Medallion Scholars award.—

(2) A Florida Medallion Scholar who is enrolled in a certificate, diploma, associate, or baccalaureate degree program at a public or nonpublic postsecondary education institution is eligible, beginning in the fall 2018 semester, for an award equal to the amount required to pay 75 percent of tuition and fees established under ss. 1009.22(3), (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-(13), (14)(r), and (16), as applicable specified in the General Appropriations Act to assist with the payment of educational expenses.

(1) The First Generation Matching Grant Program is created to enable each state university and Florida College System institution to provide donors with a matching grant incentive for contributions that will create grant-based student financial aid for undergraduate students who demonstrate financial need and whose parents, as defined in s. 1009.21(1), have not earned a baccalaureate degree. In the case of any individual who regularly resided with and received support from only one parent, an individual whose only such parent did not complete a baccalaureate degree would also be eligible.

(2) Funds appropriated by the Legislature for the program shall be allocated by the Office of Student Financial Assistance to match private contributions on a dollar-for-dollar basis; however, beginning in the 2018-2019 fiscal year, such funds shall be allocated at a ratio of $2 of state funds to $1 of private contributions. Contributions made to a state university or a Florida College System institution and pledged for the purposes of this section are eligible for state matching funds appropriated for this program and are not eligible for any other state matching grant program. Pledged contributions are not
(4) In order to be eligible for an 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 the state, Be a state resident 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 is enrolled;

2. Earn a high school diploma from a school outside Florida.
2. 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) An eligible student who meets the requirements of paragraph (4)(b), 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 under 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.

Section 17. Section 1009.894, Florida Statutes, is created to read:

1009.894 Florida Farmworker Student Scholarship Program.—

The Legislature recognizes the vital contribution of farmworkers to the economy of this state. The Florida Farmworker Student Scholarship Program is created to provide scholarships for farmworkers, as defined in s. 420.503, and the children of such farmworkers.

1. The Department of Education shall administer the Florida Farmworker Student Scholarship Program according to rules and procedures established by the State Board of Education. Beginning in the 2017-2018 academic year, up to 50 scholarships shall be awarded annually according to the criteria established in subsection (2) and contingent upon an appropriation in the General Appropriations Act.

2. (a) To be eligible for an initial scholarship, a student must, at a minimum:

1. Have a resident status as required by s. 1009.40 and rules of the State Board of Education;

2. Earn a minimum cumulative weighted grade point average of 3.5 for all high school courses creditable toward a diploma;

3. Complete a minimum of 30 hours of community service; and

4. Have at least a 90 percent attendance rate and not have had any disciplinary action brought against him or her, as documented on the student’s high school transcript.
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must be prorated for any such year. 

(5) Subject to appropriation in the General Appropriations Act.

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paragraphs (f) and (g), respectively, and a new paragraph (e) is added to that subsection, to read: 

(a) Each institution shall certify to the department the eligibility status of each student to receive a disbursement within 30 days before the end of its regular registration period, inclusive of a drop and add period. An institution is not required to reevaluate the student eligibility after the end of the drop and add period.

(b) An institution that receives funds from the scholarship program must certify to the department the amount of funds disbursed to each student and remit to the department any undisbursed advance within 60 days after the end of the regular registration period.

(6) The department shall allocate funds to the appropriate institutions and collect and maintain data regarding the scholarship program within the student financial assistance database as specified in s. 1009.94.

(7) Funding for this program shall be as provided in the General Appropriations Act.

Section 18. Present paragraphs (e) and (f) of subsection (10) of section 1009.98, Florida Statutes, are redesignated as paragraphs (f) and (g), respectively, and a new paragraph (e) is added to that subsection, to read:
1009.98 Stanley G. Tate Florida Prepaid College Program.—
(10) PAYMENTS ON BEHALF OF QUALIFIED BENEFICIARIES.—
(e) Notwithstanding the number of credit hours used by a
state university to assess the amount for registration fees,
tuition, tuition differential, or local fees, the amount paid by
the board to any state university on behalf of a qualified
beneficiary of an advance payment contract purchased before July
1, 2024, may not exceed the number of credit hours taken by that
qualified beneficiary at the state university.

Section 19. The provisions of this act creating ss.
1004.6497, 1004.6498, and 1009.894, Florida Statutes, and the
provisions amending ss. 1009.22, 1009.23, 1009.24, 1009.53, and
1009.534(2), Florida Statutes, apply retroactively to July 1,
2017.

Section 20. The Division of Law Revision and Information is
directed to substitute the term “Effective Access to Student
Education Grant Program” for “Florida Resident Access Grant
Program” and the term “Effective Access to Student Education
grant” for “Florida resident access grant” wherever those terms
appear in the Florida Statutes.

Section 21. This act shall take effect upon becoming a law.
THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date: 12/6/17

Bill Number (if applicable): 4

Amendment Barcode (if applicable):

Topic: Higher Education

Name: Marshall Criser

Job Title: Chancellor

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Speaking: ☑ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against

(The Chair will read this information into the record.)

Representing: State University System of Florida

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☑ Yes ☐ 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.
I. Summary:

CS/SB 88 specifies financial literacy standards and instruction for students entering grade 9 in the 2018-2019 school year and thereafter. Specifically, the bill revises:

- The Next Generation Sunshine State Standards to establish requirements for financial literacy distinct from the existing financial literacy requirements specified under the economics curricular content within the standards for social studies; and
- The requirements for a student to earn a standard high school diploma to:
  - Establish a separate one-half credit requirement in personal financial literacy and specifying related instruction.
  - Reduce the number of required elective credits from eight to seven and one-half.

The bill has no additional impact on state funds. School districts are provided funding for instructional materials through the instructional materials allocation within the Florida Education Finance Program (FEFP). According to the Department of Education, the projected costs to school districts range between $131,560 and $8,830,516 for the first year of implementation, depending on the manner in which the financial literacy course is implemented. However, no new state funds are specifically appropriated for the implementation of these requirements.

The bill takes effect July 1, 2018.
II. Present Situation:

Florida law requires the adoption of standards for core curricula content taught in public schools and specifies the requirements that students must meet to earn a standard high school diploma.¹

Next Generation Sunshine State Standards

The Next Generation Sunshine State Standards (NGSSS) establish the core curricula content to be taught in Florida and specify the core content knowledge and skills that K-12 public school students are expected to acquire prior to graduation.² The standards must be rigorous and relevant to incrementally increase a student’s core content knowledge and skills over time.³ The curricular content for each subject must integrate critical-thinking, problem-solving, and workforce literacy skills; communication, reading, and writing skills; mathematics skills; collaboration skills; contextual and applied-learning skills; technology-literacy skills; information and media-literacy skills; and civic-engagement skills.⁴ The standards applicable to high school students in grades 9 through 12 may be organized by grade clusters that include more than one grade level, except as otherwise provided for visual performing arts, physical education, health, and foreign language standards.⁵

The State Board of Education (SBE) is responsible for adopting the NGSSS and subsequent revisions to such standards in rule.⁶ Currently, the NGSSS must meet the following requirements:⁷

- English Language Arts must establish specific curricular content for, at a minimum, reading, writing, speaking and listening, and language.
- Science standards must establish specific curricular content for, at a minimum, the nature of science, earth and space science, physical science, and life science.
- Mathematics standards must establish curricular content for, at a minimum, algebra, geometry, statistics and probability, number and quantity, functions, and modeling.
- Social Studies standards must establish curricula content for, at a minimum, geography, U.S. and world history, government, civics, humanities, and economics, including financial literacy.
- Visual and performance arts, physical education, health, and foreign language standards must establish specific curricular content and include distinct grade level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 5. The standards for grades 6 through 12 may be organized by grade clusters of more than one grade level.

¹ Sections 1003.41 and 1003.4282(3)(d), F.S.
² Section 1003.41(1), F.S.
³ Id.
⁴ Id.
⁵ Id.
⁶ Section 1003.41(4), F.S.
⁷ Section 1003.41(2), F.S.
Financial Literacy

Curricular content for financial literacy includes the knowledge, understanding, skills, behaviors, attitudes, and values to enable a student to make responsible and effective financial decisions on a daily basis. Financial literacy instruction must be an integral part of instruction throughout the entire economics course and include information regarding:

- Earning income;
- Buying goods and services;
- Saving and financial investing;
- Taxes;
- The use of credit and credit cards;
- Budgeting and debt management, including student loans and secured loans;
- Banking and financial services;
- Planning for one’s financial future, including higher education and career planning;
- Credit reports and scores; and
- Fraud and identity theft prevention.

The Course Code Directory (CCD) lists at least five one-half credit economics with personal financial literacy courses and two separate one-half credit courses in personal financial literacy.

Credits Required to Earn a Standard High School Diploma

To graduate from high school with a standard high school diploma, a student must successfully complete 24 credits, an International Baccalaureate curriculum, or an Advanced International Certificate of Education curriculum.

A student must successfully complete 24 credits in the following subject areas:

- Four credits in English Language Arts (ELA) I, II, III, and IV.
- Four credits in mathematics, including one each in Algebra I and Geometry. Industry certifications earned by students may substitute for up to two mathematics credits, except for Algebra I and Geometry.

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8 Section 1003.41(2)(d), F.S.
9 Id.
10 The Course Code Directory (CCD) lists all public preK-12 and postsecondary career and technical education courses that are available for use by school districts. Programs and courses that are funded through the Florida Education Finance Program and courses or programs for which students may earn credit toward high school graduation must be listed in the CCD. The CCD maintains course listings for administration and service assignments, K-12 education, exceptional student education, career and technical education, and adult education, with details regarding appropriate teacher certification levels. The CCD provides course information to schools, districts, and the state. Rule 6A-1.09441, F.A.C.
13 Section 1003.4282(1)(a), F.S.
14 Section 1003.4282(3), F.S.
• Three credits in science, including one credit in Biology I and two credits in equally rigorous courses.\textsuperscript{15} Industry certifications earned by students may substitute for one science credit, except for Biology I.
• Three credits in social studies, including one credit each in U.S. history and world history; one-half in credit in economics, which must include financial literacy; and one-half credit in U.S. Government.
• One credit in fine or performing arts, speech and debate, or practical arts that incorporates artistic content and techniques of creativity, interpretation, and imagination.
• One credit in physical education that must include the integration of health.
• Eight credits in electives. School districts are required to develop and offer coordinated electives to enable a student to develop knowledge and skills in his or her area of interest and such electives must include opportunities for students to earn college credit.

III. **Effect of Proposed Changes:**

This bill specifies financial literacy standards and instruction for students entering grade 9 in the 2018-2019 school year and thereafter. Specifically, the bill revises:

• The Next Generation Sunshine State Standards to establish requirements for financial literacy distinct from the existing financial literacy requirements specified under the economics curricular content within the standards for social studies; and

• The requirements for a student to earn a standard high school diploma to:
  o Establish a separate one-half credit requirement in personal financial literacy.
  o Reduce the number of required elective credits from eight to seven and one-half.

**Next Generation Sunshine State Standards (Section 1)**

Section 1 amends s. 1003.41, F.S., to revise the Next Generation Sunshine State Standards (NGSSS) to establish requirements for financial literacy distinct from the existing financial literacy requirements specified under the economics curricular content within the standards for social studies, beginning with students entering grade 9 in the 2018-2019 school year. Additionally, this section clarifies that the current requirements for financial literacy, embedded within the social studies standards, do not apply to students entering grade 9 in the 2018-2019 school year and thereafter.

The new financial literacy standards must establish specific curricular content that must include, but is not limited to, personal financial literacy and money management. Accordingly, the NGSSS may need to be revised to include an understanding of how to balance a checkbook and the implications of receiving an inheritance.\textsuperscript{16} In addition, CPALMS, the State of Florida’s official source for standards information and course descriptions, may need to be updated to reflect the financial literacy standards that apply to students entering grade 9 in the 2018-2019 school year.\textsuperscript{17} Consequently, modifications to the Course Code Directory may be required to report additional personal financial literacy courses.\textsuperscript{18}

\textsuperscript{15} Two of the three science credits must have a laboratory component. Section 1003.4282(3)(c), F.S.
\textsuperscript{17} CPALMS is the State of Florida’s official source for information on standards and course descriptions. CPALMS, *Homepage*, [http://www.cpalms.org/Public/](http://www.cpalms.org/Public/) (last visited October 6, 2017).
Credits Required to Earn a Standard High School Diploma (Section 2)

Section 2 amends s. 1003.4282, F.S., to require that, beginning with students entering grade 9 in the 2018-2019 school year, students must earn one-half credit in personal financial literacy, in addition to the required three social studies credits, in order to receive a standard high school diploma.

Section 2 requires that personal financial literacy instruction include:
- Types of bank accounts offered, opening and managing a bank account, and assessing the quality of a depository institution’s services.
- Balancing a checkbook.
- Basic principles of money management, such as spending, credit, credit scores, and managing debt, including retail and credit card debt.
- Completing a loan application.
- Receiving an inheritance and related implications.
- Basic principles of personal insurance policies.
- Computing federal income taxes.
- Local tax assessments.
- Computing interest rates by various mechanisms.
- Simple contracts.
- Contesting an incorrect billing statement.
- Types of savings and investment.
- State and federal laws concerning finance.

The required personal financial literacy instruction is similar to the financial literacy instruction currently specified in Florida law for the economics course (e.g., credit cards, credit scores, taxes, banking, loans and debt management) with some additions (i.e., balancing a checkbook, receiving an inheritance and related implications, basic principles of personal insurance policies, simple contracts, and state and federal laws concerning finance).

This section also reduces the current number of elective credits required to earn a standard high school diploma from eight to seven and one-half. As such, the bill maintains the total number of credits (i.e., 24) that students must successfully complete to earn a standard high school diploma.

This 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:
As noted below, under CS/SB 88, school districts may incur aggregate costs ranging from $131,000 to $8,830,000 in the first year of implementation of the requirements set forth in this act, depending upon the manner of implementation. However, no new state funds are specifically appropriated for the implementation of these requirements.

According to the Florida Department of Education (DOE), the implementation of a new course in financial literacy may result in expenses associated with instructional materials and the provision, documentation, and monitoring of professional development for teachers.19 The DOE projected four cost scenarios for implementing a required financial literacy course.

- Scenarios one and two assume that teachers who are currently employed by the district are trained to teach the financial literacy course.20
  - Scenario one assumes one set of textbooks per classroom, amounting to an estimated implementation cost of $2,894,320 for the first year and a total cost of $4,594,480 for the first five years.21
  - Scenario two assumes an individual textbook used by each student in the course, amounting to an estimated implementation cost of $8,830,516 for the first year and a total cost of $14,049,890 for the first five years.22
- Scenario three assumes that financial literacy instruction is taken electronically through an online course, amounting to an estimated implementation cost of $152,056 for the first year with no additional costs after the first year for teacher training and travel.23
- Scenario four assumes that financial literacy instruction is obtained through a free curriculum, amounting to an estimated first year implementation cost of $131,560, with no additional costs after the first year.24

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20 Id.
21 Id.
22 Id.
23 Id., at 5.
24 Id.
VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1003.41 and 1003.4282.

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 October 9, 2017:
The committee substitute clarifies data in the whereas clause in the title to reflect that the adoption of this act will make Florida the sixth state in the nation to require a stand-alone course in personal financial literacy as a prerequisite for high school graduation and a standard high school diploma.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.
By the Committee on Education; and Senators Hukill, Latvala, Rouson, Baxley, Benacquisto, Stewart, Rodriguez, Mayfield, Farmer, and Book

A bill to be entitled

An act relating to high school graduation requirements; amending s. 1003.41, F.S.; revising the requirements for the Next Generation Sunshine State Standards to include financial literacy; amending s. 1003.4282, F.S.; revising the required credits for a standard high school diploma to include one-half credit of instruction in personal financial literacy and money management and seven and one-half, rather than eight, credits in electives; providing an effective date.

WHEREAS, many young people in this state graduate from high school without having a basic knowledge of financial literacy and money management, and

WHEREAS, the Legislature finds that, in light of the recent economic challenges nationwide, sound financial management skills are vitally important to all Floridians, particularly high school students, and

WHEREAS, the Legislature also finds that requiring educational instruction in financial literacy and money management as a prerequisite to high school graduation will better prepare young people in this state for adulthood by providing them with the requisite knowledge to achieve financial stability and independence, and

WHEREAS, Florida is one of 17 states in the nation to require financial literacy instruction as a prerequisite for high school graduation and a standard high school diploma and the adoption of this act will make it the sixth state in the nation to require a stand-alone course in personal financial literacy as a prerequisite for high school graduation and a standard high school diploma, NOW, THEREFORE,

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

Section 1. Paragraph (d) of subsection (2) of section 1003.41, Florida Statutes, is amended and paragraph (f) is added to that subsection, to read:

1003.41 Next Generation Sunshine State Standards.— (2) Next Generation Sunshine State Standards must meet the following requirements:

(d) Social Studies standards must establish specific curricular content for, at a minimum, geography, United States and world history, government, civics, humanities, and economics, including financial literacy. Financial literacy includes the knowledge, understanding, skills, behaviors, attitudes, and values that will enable a student to make responsible and effective financial decisions on a daily basis. Financial literacy instruction shall be an integral part of instruction throughout the entire economics course and include information regarding earning income; buying goods and services; saving and financial investing; taxes; the use of credit and credit cards; budgeting and debt management, including student loans and secured loans; banking and financial services; planning for one’s financial future, including higher education and career planning; credit reports and scores; and fraud and identity theft prevention. The requirements for financial literacy specified under this paragraph do not apply to students
Section 2. Paragraphs (d) and (g) of subsection (3) of section 1003.4282, Florida Statutes, are amended, and paragraph (h) is added to that subsection, to read:

(3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT REQUIREMENTS.—

(d) Three credits in social studies.—A student must earn one credit in United States History; one credit in World History; one-half credit in economics, which must include financial literacy; and one-half credit in United States Government. The United States History EOC assessment constitutes 30 percent of the student’s final course grade. However, for a student entering grade 9 in the 2018–2019 school year or thereafter, financial literacy is not a required component of the one-half credit in economics.

(g) Eight Credits in Electives.—School districts must develop and offer coordinated electives so that a student may develop knowledge and skills in his or her area of interest, such as electives with a STEM or liberal arts focus. Such electives must include opportunities for students to earn college credit, including industry-certified career education programs or series of career-themed courses that result in industry certification or articulate into the award of college credit, including industry-certified career education programs or series of career-themed courses that result in college credit. A student entering grade 9 before the 2018–2019 school year must earn eight credits in electives. A student entering grade 9 in the 2018–2019 school year or thereafter must earn seven and one-half credits in electives.

(h) One-half credit in personal financial literacy.—Beginning with students entering grade 9 in the 2018–2019 school year, each student shall earn one-half credit in personal financial literacy and money management. This instruction must include discussion of or instruction in the following:

1. Types of bank accounts offered, opening and managing a bank account, and assessing the quality of a depository institution’s services.
2. Balancing a checkbook.
3. Basic principles of money management, such as spending, credit, credit scores, and managing debt, including retail and credit card debt.
4. Completing a loan application.
5. Receiving an inheritance and related implications.
6. Basic principles of personal insurance policies.
7. Computing federal income taxes.
8. Local tax assessments.
9. Computing interest rates by various mechanisms.
10. Simple contracts.
12. Types of savings and investments.
Section 3. This act shall take effect July 1, 2018.
THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/6/17

Meeting Date

88

Bill Number (if applicable)

Topic

High School Graduation Requirements

Name

Karl Rasmussen

Job Title

Government Relations Consultant

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State

Zip

Phone (850) 425-4000

Email karl@meenanlawfirm.com

Speaking: □ For □ Against □ Information

Waive Speaking: ✓ In Support □ Against
(The Chair will read this information into the record.)

Representing

Nationwide Insurance

Appearing at request of Chair: □ Yes ✓ No

Lobbyist registered with Legislature: ✓ Yes □ 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.
12/6/2017
Meeting Date

Topic High School Graduation Requirements

Name Katie Crofoot

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Phone 850.224.2265

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Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [x] In Support [ ] Against
(The Chair will read this information into the record.)

Representing Florida Bankers Association

Appearing at request of Chair: [ ] Yes [x] No

Lobbyist registered with Legislature: [x] Yes [ ] 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.
APPEARANCE RECORD

12/10/17

Meeting Date

Bill Number (if applicable)

88

Topic: High School Grad Requirements

Name: Carolyn Johnson

Job Title: Policy Director

Address: 130 S Bronough St

Street: Tallahassee, FL 32301

City: State: Zip:

Phone: 521-1200

Email: carolyn@flchamber.com

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [x] In Support [ ] Against

(The Chair will read this information into the record.)

Representing: FL Chamber of Commerce

Appearing at request of Chair: [ ] Yes [x] No

Lobbyist registered with Legislature: [x] Yes [ ] 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)
THE FLORIDA SENATE

APPEARANCE RECORD

December 6, 2017

Meeting Date

Topic: High School Graduation Requirements (Financial Literacy)

Name: Bob Nave

Job Title: Vice President, Research, Florida TaxWatch

Address: 106 N. Bronough St.
          Tallahassee, Florida 32301

Phone: 850.222.5052

Email: bnavetaxwatch.org

Speaking: [ ] For [ ] Against [ ] Information

Representing: Florida TaxWatch

Appearing at request of Chair: [ ] Yes [ ] No

Lobbyist registered with Legislature: [ ] Yes [ ] 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.
The Florida Senate

Appearance Record

Meeting Date: 12/6/17

Bill Number (if applicable): SB 89

Amendment Barcode (if applicable):

Topic: Financial Literacy

Name: Mark Anderson

Job Title: 

Address: 106 S. Monroe St.

Phone: 813-205-0658

Email: Markedconsultanderson.com

City: Tallahassee

State: FL

Zip: 32301

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against

(The Chair will read this information into the record.)

Representing: Florida Council on Economic Education

 Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ 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.
THE FLORIDA SENATE
APPEARANCE RECORD

Meeting Date: 12-6-17

Bill Number (if applicable): SB 88

Amendment Barcode (if applicable):

Topic: High School Graduation Requirements

Name: Jennifer Martin

Job Title: Sr. Dir. of Governmental Affairs

Address: 3696 Coolidge Ct

City: TLH

State: FL

Zip: 32311

Phone: 850-558-1150

Email: Jennifer.Martin@1scu.coop

Speaking: □ For □ Against □ Information
Waive Speaking: □ In Support □ Against
(The Chair will read this information into the record.)

Representing: Florida Credit Union Association

Appearing at request of Chair: □ Yes □ No

Lobbyist registered with Legislature: □ Yes □ 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.
THE FLORIDA SENATE

APPEARANCE RECORD

12/6/17

Meeting Date

SB 88

Bill Number (if applicable)

Amendment Barcode (if applicable)

High School Grad Requirements

Topic

Brewster Bevis

Name

Senior Vice President

Job Title

516 W Adams St

Address

Tallahassee, FL 32301

City State Zip

Phone 224-7173

Email brewer.carrie

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against (The Chair will read this information into the record.)

Representing Associated Industries of Florida

Appearing at request of Chair: [ ] Yes [x] No

Lobbyist registered with Legislature: [ ] Yes [ ] 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.
November 8, 2017

The Honorable Rob Bradley
414 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399-1100

Re: CS/SB 88 – High School Graduation Requirements (Financial Literacy)

Dear Chairman Bradley:

CS/SB 88, relating to High School Graduation Requirements (Financial Literacy), has been referred to the Senate Committee on Appropriations. I respectfully request that CS/SB 88 be placed on the committee agenda at your earliest possible convenience.

Should you need any additional information, please do not hesitate to contact my office.

Thank you for your consideration.

Sincerely,

[Signature]

Dorothy L. Hukill
State Senator, District 14

Cc: Mike Hansen, Staff Director, Senate Committee on Appropriations
    Alicia Weiss, Administrative Assistant, Senate Committee on Appropriations
I. Summary:

CS/SB 276 authorizes the Department of State (DOS) to join a nongovernmental entity for the purpose of verifying voter registration information. The bill requires the Department of Highway Safety and Motor Vehicles to provide driver license or identification information to the DOS for the purpose of sharing and exchanging voter registration information with the nongovernmental entity. The bill allows the DOS to share confidential and exempt information pursuant to participation in a nongovernmental entity as long as there is agreement or a requirement to keep the information confidential.

The bill allows Florida to join a nongovernmental entity, designed to help states improve the accuracy of their voter rolls through data match identification of problematic registrations and to increase access to voter registration for all eligible citizens. The bill requires the Secretary of State, or his or her designee, be on the board of directors of any entity the DOS joins.

The actual expenses to the state are indeterminate. If the DOS joins a nongovernmental entity, then there may be costs to the state and local governments associated with using the information or data shared to verify voter registration information.

The DOS may incur costs related to the initial membership fee and annual user fees if the DOS elects to participate in a nongovernmental entity. For example, the one-time membership fee for a state to join the Electronic Registration Information Center (ERIC), a private, non-profit entity, is $25,000. In addition, each ERIC member pays annual dues which are determined by a formula...
set by the ERIC board of directors, with larger states paying a bit more than smaller states. Any cost to the Department of Highway Safety and Motor Vehicles to provide the information is indeterminate.

Counties (supervisors of elections) may incur expenses related to any shared information and data received if the supervisor of elections uses such information and data to perform voter list maintenance activity, including outreach to voters to confirm addresses or eligibility. However, counties may also experience long-term cost savings due to more efficient processes and reliable sources of data to maintain the voter rolls. The actual expenses and cost savings to counties are indeterminate.

The bill will take effect on January 1, 2019.

II. Present Situation:

No complete national system currently exists to identify duplicate voter registrations across state lines. While there is no criminal or civil penalty for being registered in two states simultaneously, it is important to identify voters registered in multiple jurisdictions to ensure the accuracy of the voter rolls. However, being registered to vote in multiple jurisdictions does not mean that the voter is casting ballots in two states in the same election.¹

The Florida Secretary of State, as the chief election officer, is responsible for the operation and maintenance of the statewide voter registration system² and each county’s Supervisor of Elections is primarily responsible for the registration of voters and records maintenance activities, including removal of voters.³ Supervisors of Elections are the only election officials with authority to register and remove voters from the registration rolls.

Florida Voter List Maintenance Information

The Florida Department of State’s Division of Elections and county Supervisors of Elections offices perform ongoing records maintenance activities to protect the integrity of the electoral process by working to keep current and accurate records and ensure that only eligible voters are registered in the statewide voter registration system. Any maintenance program or activity must be uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965, the National Voter Registration Act of 1993, and the Help America Vote Act of 2002.⁴ As part of the records maintenance activities, the elections offices may receive and use information from a variety of sources, including other Florida state and local agencies, the federal government, and other states’ elections officials, that may be useful in ensuring the accuracy of the registration system.

Currently in Florida there are two ways in which the state knows that a voter is registered in multiple jurisdictions: when the voter voluntarily notifies Florida election officials that he or she has moved and registered to vote in a new state; and when another state’s voting officials notify

¹ Under s. 104.18, F.S., it is a third degree felony to willfully vote more than one ballot at any election.
² Implemented as part of the Help America Vote Act of 2002. Section 98.035, F.S.
³ Section 98.015(3), F.S. See also ss. 98.045, 98.065, and 98.075, F.S.
⁴ Section 98.065(1), F.S.
Florida election officials that the voter has registered in that other state. There is no requirement that a registered voter must notify a state that he or she has moved out of the state and may have registered elsewhere.

When Florida election officials receive notice from another state’s election officials that a Florida voter has registered in the other state, Florida law requires that notification to be treated as a request from the voter to have his or her name removed from the Florida voter registration system. If the Division of Elections is notified that a Florida registered voter may have registered elsewhere, the information is processed and forwarded to the county Supervisor of Elections to take appropriate action to remove the voter. Sometimes the out-of-state cancellation information is forwarded directly to the county Supervisor of Elections.

If Florida election officials do not receive notice that the voter has moved, that voter will eventually be put into an inactive status pursuant to the county supervisors of elections biennial voter list maintenance efforts and culled from the state’s rolls by the second subsequent general election. Because of the timing of these efforts, a voter who has moved can remain on Florida’s voter rolls for up to four years after moving.

Additionally, if a registered Florida voter indicates that he or she was previously registered in another state, then Florida will notify the other state within two weeks of registration to take appropriate action.

**Electronic Registration Information Center (ERIC)**

The Electronic Registration Information Center, Inc., (ERIC) is a non-profit organization created to assist “states to improve the accuracy of America’s voter rolls and increase access to voter registration for all eligible citizens.” The ERIC provides sophisticated data matching services to the member states in order to improve a state’s ability to identify inaccurate and out-of-date voter registration records, as well as eligible, but unregistered residents.

The ERIC was formed in 2012 and is governed by states who choose to join. As of July 2016, the ERIC had 20 state members, plus the District of Columbia, including: Alabama, Alaska, Colorado, Connecticut, Delaware, Louisiana, Illinois, Maryland, Minnesota, Nevada, New Mexico, Ohio, Oregon, Pennsylvania, Rhode Island, Utah, Virginia, Washington, West Virginia,

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5 A voter may voluntarily indicate on the voter registration application in the other state that he or she was previously registered elsewhere. Additionally, this information could be supplied by the voter at the initial registration or on subsequent registration updates.

6 Section 98.045(2)(b), F.S.

7 The biennial voter list maintenance efforts are based on procedures that rely upon change-of-address information, obtained from the U.S. Postal Service or through returned address confirmation requests sent to voters. See s. 98.065, F.S.

8 Section 97.073(2), F.S.


11 Id.
and Wisconsin. Member states pay a one-time initial fee of $25,000 and annual dues, based upon a formula that includes voting age population as a factor.

The first 20 states to join the ERIC make up the 20 voting members of its board of directors. Board members serve 2-year terms, and rotate off the board, with the most senior member rotating off first, which would allow for other states to have membership on the board, if additional states join.

By joining the ERIC, each member state agrees to submit its voter registration and motor vehicle licensee data (which the state must update every 60 days), including voter names, addresses, dates of birth, and last four digits of social security numbers. However, the ERIC does not require information such as race, religion, political party affiliation, or other information that can be used for purposes of discrimination and does not require records that are confidential or protected from disclosure by law or that are unrelated to voter eligibility (like a person’s driving record). Sensitive, private data is anonymized by the state (“one-way hashing”) and then transmitted to the ERIC, which anonymizes the data again for use in the data matching process. The ERIC assures that all data received is collected, matched, and stored in an environment with state-of-the-art security. The ERIC Board of Directors appointed a 3-person Privacy and Technology Advisory Board made up of leading experts in the data security and encryption fields to advise and review the ERIC’s security protections.

From the data collected, the ERIC provides each member state with “reports that show voters who have moved within their state, voters who have moved out of state, voters who have died, duplicate registrations in the same state and individuals who are potentially eligible to vote but are not yet registered.” Using this information, supervisors of elections can confirm the eligibility of a voter and accuracy of the voter roll and, if necessary, either remove the voter or correct the inaccuracy on the roll, as appropriate (the ERIC does not purge voters from individual states’ voter rolls); and the state can send voter registration forms to eligible voters before the voter registration closing date for the next federal election.

III. Effect of Proposed Changes:

The bill authorizes the Department of State (DOS) to join a nongovernmental entity whose membership is composed entirely of state elections officials and the District of Columbia, to

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12 Id. The most-recent census data indicates that the top states with residents immigrating to Florida include California, Georgia, North Carolina, New Jersey, New York, Ohio, Pennsylvania, Virginia, and Texas. US Census Bureau, State-to-State Migration Flows (2016), available at https://www.census.gov/data/tables/time-series/demo/geographic-mobility/state-to-state-migration.html (last accessed on November 13, 2017).
13 The dues are determined by the Board of Directors. The annual budget for ERIC in their FY 2016-2017 was about $785,000. ERIC, Bylaws: Article II, s. 4. ERIC, Frequently Asked Questions, available at http://www.ericstates.org/faq (last accessed November 28, 2017).
14 ERIC, Bylaws: Article III.
15 ERIC, Bylaws: Exhibit A Membership Agreement, s. 2.b. and Exhibit B. A member can apply to submit an “alternative data source” for the motor vehicle licensing data if it can prove to ERIC that the data is equivalent or better.
16 ERIC, Technology and Security Overview. ERIC, Bylaws: Exhibit A Membership Agreement, s. 2.b.
17 ERIC, Technology and Security Overview.
18 ERIC, Frequently Asked Questions.
19 ERIC, Bylaws: Exhibit A Membership Agreement, s. 5.a. and b.
share information or data with other states in order to verify voter registration information. The entity cannot be operated or controlled by the federal government, or any entity acting on the federal government’s behalf, and Florida must be allowed to withdraw from the entity at any time.

If the DOS decides to join a nongovernmental entity, the Secretary of State, or his or her designee, must serve as a full, voting member on the board of directors of the entity within 12 months of Florida’s joining the entity.

The bill requires the Department of Highway Safety and Motor Vehicles to provide driver license or identification information to the DOS for the purpose of sharing and exchanging voter registration information pursuant the membership in the nongovernmental entity. The DOS must enter into an agreement with the Department of Highway Safety and Motor Vehicles for such purposes.

The bill allows the DOS to share confidential and exempt information pursuant to the membership in a nongovernmental entity if either of the following occurs:

- All states that are members of the nongovernmental entity agree to maintain the confidentiality of the information or data.
- The bylaws of the nongovernmental entity require member states and the entity to maintain the confidentiality of the information as required by the laws of the state providing the information.

The bill requires the DOS to provide an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives that describes the membership and provides information on the number of registered voters removed from the Florida Voter Registration system as a result of participation in the nongovernmental entity, as well as the reasons for the removals.

The bill takes effect on January 1, 2019.

IV. **Constitutional Issues:**

A. **Municipality/County Mandates Restrictions:**

None.

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

The bill permits the Department of State to share confidential and exempt information under certain circumstances. Under Florida law, most voter registration information is public record pursuant to ch. 119, F.S. The social security number, the driver license number or state identification card number, where the voter submitted his or her registration information, and whether the voter declined to register or update voter registration information are exempt from public disclosure.\(^\text{20}\) Additionally, while a

\(^{20}\) Section 97.0585, F.S.
voter’s signature can be viewed or inspected, it cannot be copied.\textsuperscript{21} Further, personal information of certain current and former government employees and their spouses and children may be exempt from public records, such as addresses, phone numbers, and dates of birth.\textsuperscript{22} Additionally, the names, addresses, and telephone numbers of actual or threatened victims who participate in the Attorney General’s Address Confidentiality Program for Victims of Domestic Violence are exempt from public records.\textsuperscript{23} The confidentiality and disclosure of such information must be maintained if the state becomes a member of a nongovernmental entity as permitted by this bill.

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 allows the DOS to join a nongovernmental entity to share information or data with other states in order to verify voter registration information. If the DOS joins a nongovernmental entity, then there may be costs associated with using the information or data shared to verify voter registration information.

Local Government Expenditures

Counties (supervisors of elections) may incur expenses related to any shared information and data received when the supervisor of elections uses such information and data to perform voter list maintenance activity, especially if such information triggers a significant amount of activity that needs to be processed including outreach to voters to confirm addresses or eligibilities. However, the counties may also incur long-term cost savings due to more efficient processes and reliable sources of data helping to maintain the voter rolls. The extent of the potential costs and savings is currently indeterminate.

For example, if Florida joins the ERIC, the ERIC’s membership agreement encourages member states to “establish a regular schedule for requesting ERIC data with a minimum of one request every calendar year.” If the state fails to make a request for 425 days, then the ERIC will automatically send data to the state and require the state to use the data as discussed above in the Present Situation.

\textsuperscript{21} Id.
\textsuperscript{22} Section 119.071(4)(d)1., F.S.
\textsuperscript{23} Section 741.4651, F.S.
State Government

The DOS may incur expenses related to working with the data sets provided through a membership in a nongovernmental entity.

Further, participation may require the payment of fees or membership dues by the DOS. For example, the ERIC charges a one-time membership fee of $25,000 to join and annual dues. The precise amount of annual dues is indeterminate and will vary from year-to-year. If other states join the ERIC after Florida, that could affect the cost for annual dues.

Any costs to the Department of Highway Safety and Motor Vehicles is indeterminate at this time.

VI. Technical Deficiencies:

None.

VII. Related Issues:

SB 278 is tied to this bill (effective upon the date that this bill or similar legislation is effective) and creates an exemption from the public records disclosure and inspection requirements for voter registration information received by the DOS pursuant membership in a nongovernmental entity.

The bill requires the Secretary of State, or his or her designee, to serve as a full member with voting rights on the nongovernmental entity’s board of directors within 12 months after joining the entity. The Board of Directors for the ERIC has 20 members that serve terms of two-years, which begin when an additional state becomes a member to allow for member states to rotate membership on the Board of Directors. The bylaws of the ERIC allow the Board of Directors to vote to increase the membership of the board. If Florida joins the ERIC, it would be the 21st state to join, and therefore it could be up to two years before the Secretary of State could be a member of the ERIC Board of Directors.

VIII. Statutes Affected:

This bill substantially amends section 98.075 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:
   (Summarizing differences between the Committee Substitute and the prior version of the bill.)

   CS by Appropriations on December 6, 2017:
   The committee substitute:
   • Requires that any nongovernmental entity that the DOS chooses must be made up of other states and the District of Columbia.
• Removes the ability of the state to enter into an interstate agreement to share and exchange information in order to verify voter registration information.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.
The Committee on Appropriations (Braynon) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. Subsection (2) of section 98.075, Florida Statutes, is amended to read:

98.075 Registration records maintenance activities; ineligibility determinations.—

(2) DUPLICATE REGISTRATION.—

(a) The department shall identify those voters who are
registered more than once within the state or those applicants
whose registration applications within the state would result in
duplicate registrations. The most recent application shall be
deemed an update to the voter registration record.

(b)1. The department may become a member of a
nongovernmental entity whose membership is composed solely of
election officials of state governments and the District of
Columbia if the sole purpose of the membership is to share and
exchange information in order to verify voter registration
information. If the department intends to become a member of
such a nongovernmental entity, the agreement to join the entity
must require that the Secretary of State, or his or her
designee, serve as a full member with voting rights on the
nongovernmental entity’s board of directors within 12 months
after joining the entity.

2. The department may share confidential and exempt
information after becoming a member of a nongovernmental entity
as provided in subparagraph 1. if:

a. Each member of the nongovernmental entity agrees to
maintain the confidentiality of such information as required by
the laws of the jurisdiction providing the information; or

b. The bylaws of the nongovernmental entity require member
jurisdictions and the entity to maintain the confidentiality of
information as required by the laws of the jurisdiction
providing the information.

3. The department may only become a member of a
nongovernmental entity as provided in subparagraph 1. if the
entity is controlled and operated by the participating
jurisdictions. The entity may not be operated or controlled by
the Federal Government or any other entity acting on behalf of
the Federal Government. The department must be able to withdraw
at any time from any such membership entered into.

4. If the department becomes a member of a nongovernmental
ter entity as provided in subparagraph 1., the Department of Highway
Safety and Motor Vehicles must, pursuant to a written agreement
with the department, provide driver license or identification
card information to the department for the purpose of sharing
and exchanging voter registration information with the
nongovernmental entity.

5. If the department becomes a member of a nongovernmental
entity as provided in subparagraph 1., the department must
submit a report to the Governor, the President of the Senate,
and the Speaker of the House of Representatives by December 1 of
each year. The report must describe the terms of the
nongovernmental entity membership and provide information on the
total number of voters removed from the voter registration
system as a result of the membership and the reasons for their
removal.

Section 2. This act shall take effect January 1, 2019.

And the title is amended as follows:

A bill to be entitled
An act relating to voter registration list
maintenance; amending s. 98.075, F.S.; authorizing the
Department of State to become a member of a
nongovernmental entity to verify voter registration information; establishing requirements for such memberships; requiring the Department of Highway Safety and Motor Vehicles to provide specified information to the Department of State; establishing reporting requirements; providing an effective date.
Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (2) of section 98.075, Florida Statutes, is amended to read:

98.075 Registration records maintenance activities; ineligibility determinations.—
(2) DUPLICATE REGISTRATION.—
(a) The department shall identify those voters who are registered more than once within the state or those applicants whose registration applications within the state would result in duplicate registrations. The most recent application shall be deemed an update to the voter registration record.
(b) The department may enter into interstate agreements or become a member of a nongovernmental entity whose membership is comprised solely of state government election officials if the sole purpose of the agreement or membership is to share and exchange information in order to verify voter registration information. If the department intends to become a member of such a nongovernmental entity, the agreement to join the entity must require that the Secretary of State, or his or her designee, serve as a full member with voting rights on the nongovernmental entity’s board of directors within 12 months after joining the entity.

2. The department may share confidential and exempt information pursuant to an interstate agreement or after becoming a member of a nongovernmental entity as provided in subparagraph 1. if:
   a. Each state that is a participant in the interstate agreement or each member of the nongovernmental entity agrees to maintain the confidentiality of such information; or
   b. The bylaws of the nongovernmental entity require member states and the entity to maintain the confidentiality of information as required by the laws of the state providing the information.

3. The department may only enter into an interstate agreement or become a member of a nongovernmental entity as provided in subparagraph 1. if the agreement or entity is controlled and operated by the participating states. The interstate agreement or entity may not be operated or controlled by the Federal Government or any other entity acting on behalf of the Federal Government. The department must be able to withdraw at any time from such interstate agreement or membership entered into.

4. If the department enters into an interstate agreement or becomes a member of a nongovernmental entity as provided in subparagraph 1., the Department of Highway Safety and Motor Vehicles must provide specified information to the Department of State; establishing reporting requirements; providing an effective date.
Vehicles must, pursuant to a written agreement with the department, provide driver license or identification information to the department for the purpose of sharing and exchanging voter registration information pursuant to an interstate agreement or with the nongovernmental entity.

5. If the department enters into an interstate agreement or becomes a member of a nongovernmental entity as provided in subparagraph 1., the department must submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 1 of each year. The report must describe the interstate agreement or nongovernmental entity membership and provide information on the total number of voters removed from the voter registration system as a result of the agreement or membership and the reasons for their removal.

Section 2. This act shall take effect January 1, 2019.
THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date
12/6/2017

Bill Number (if applicable)
276

Amendment Barcode (if applicable)
928742

Topic
VOTER LISTS MAINTENANCE

Name
DAVID RAMBA

Job Title
ATTORNEY

Address
120 S MONROE ST
TALLAHASSEE, FL 32301

Phone
850.727.7087

Email

Speaking:
☑ For  ☐ Against  ☐ Information

Waive Speaking:
☐ In Support  ☐ Against
(The Chair will read this information into the record.)

Representing
FLORIDA SUPERVISORS OF ELECTIONS

Appearing at request of Chair:
☐ Yes  ☑ No
Lobbyist registered with Legislature:
☑ Yes  ☐ 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)
12.6.19
Meeting Date

Topic: Vote Reg List Maintenance

Name: Pamela Goodman

Job Title: President

Address:

Phone:

Email:

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [X] In Support [ ] Against
(The Chair will read this information into the record.)

Representing: LWV

Appearing at request of Chair: [ ] Yes [X] No

Lobbyist registered with Legislature: [ ] Yes [ ] 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.
November 28, 2017

The Honorable Rob Bradley
414 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399-1100

Dear Chairman,

I respectfully request permission to be excused from our committee meeting on Wednesday, December 6, 2017.

Thank you for your consideration.

Sincerely,

Denise Grimsley
State Senator, District 26

DG/mm
CourtSmart Tag Report

Room: KN 412
Case No.:
Type:
Caption: Senate Appropriations Committee
Judge:

Started: 12/6/2017 1:31:36 PM
Ends: 12/6/2017 2:51:55 PM
Length: 01:20:20

1:31:45 PM Sen. Bradley (Chair)
1:33:20 PM S 276
1:33:26 PM Sen. Hutson
1:34:17 PM Sen. Bradley
1:34:45 PM Am. 928742
1:34:54 PM Sen. Bradley
1:35:00 PM Sen. Hutson
1:35:40 PM Sen. Bradley
1:35:52 PM S 276 (cont.)
1:36:02 PM Sen. Bean
1:36:36 PM Sen. Bradley
1:36:53 PM Sen. Hutson
1:37:15 PM Sen. Bradley
1:37:44 PM David Ramba, Attorney, Florida Supervisors of Elections (waives in support)
1:37:53 PM Sen. Baxley
1:39:04 PM Pamela Goodman, President, League of Women Voters (waives in support)
1:39:09 PM Sen. Bradley
1:39:14 PM Sen. Hutson
1:40:12 PM S 88
1:40:43 PM Sen. Hukill
1:41:04 PM Sen. Bradley
1:41:23 PM Karl Rasmussen, Govt. Relations Consultant, Nationwide Insurance (waives in support)
1:41:39 PM Katie Crofoot, Asst. VP of Govt. Affairs, Florida Bankers Association (waives in support)
1:41:55 PM Carolyn Johnson, Policy Director, FL Chamber of Commerce (waives in support)
1:42:08 PM Bob Nave, VP Research, Florida TaxWatch (waives in support)
1:42:16 PM Mark Anderson, Florida Council on Economic Education (waives in support)
1:42:27 PM Jennifer Martin, Sr. Director of Govt. Affairs, Florida Credit Union Association (waives in support)
1:42:35 PM Brewster Bevis, Senior Vice President, Associated Industries of Florida (waives in support)
1:42:41 PM Sen. Montford
1:43:13 PM Sen. Bradley
1:43:20 PM Sen. Hukill
1:44:29 PM TAB 1 - Presentation of Governors Fiscal Year 2018-2019 Budget Recommendations
1:44:34 PM Sen. Bradley
1:45:13 PM Cynthia Kelly, Director of Office Policy and Budget, Executive Office of the Governor
1:58:22 PM Sen. Bradley
1:58:31 PM Sen. Stewart
1:58:54 PM C. Kelly
1:59:22 PM Sen. Gibson
1:59:47 PM Sen. Bradley
1:59:50 PM Sen. Gibson
2:00:13 PM C. Kelly
2:00:41 PM Sen. Gibson
2:01:05 PM C. Kelly
2:02:04 PM Sen. Gibson
2:02:07 PM Sen. Bradley
2:02:18 PM Sen. Montford
2:03:34 PM C. Kelly
2:04:08 PM Sen. Montford
2:04:17 PM Sen. Bradley
2:04:24 PM C. Kelly
2:05:18 PM Sen. Powell
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2:49:31 PM Marshall Criser, Chancellor, State University System of Florida (waives in support)
2:49:50 PM Sen. Galvano
2:50:25 PM Sen. Bradley
2:51:23 PM Sen. Bean
2:51:33 PM Sen. Bradley
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