

**STORAGE NAME:** h1785.sec.doc  
**DATE:** February 18, 2002

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
SELECT COMMITTEE ON SECURITY  
ANALYSIS**

**BILL #:** HB 1785  
**RELATING TO:** Foreign Students/Visa Information  
**SPONSOR(S):** Representative Bean  
**TIED BILL(S):**

**ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:**

- (1) SELECT COMMITTEE ON SECURITY
  - (2) COMMITTEE ON COLLEGES & UNIVERSITIES
  - (3) COUNCIL FOR LIFELONG LEARNING
  - (4)
  - (5)
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I. SUMMARY:

The bill requires schools to submit "visa information" to the Florida Department of Law Enforcement (FDLE) for foreign students who are 18 years of age or older and attend the school. Schools are defined as "any public or private educational institution, career educational institution, or association, corporation, person or organization providing education."

The bill has an indeterminate fiscal impact.

The bill provides the act will take effect July 1, 2002.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- |                                   |                              |  |                              |
|-----------------------------------|------------------------------|--|------------------------------|
| 1. <u>Less Government</u>         | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/> |
| 2. <u>Lower Taxes</u>             | Yes <input type="checkbox"/> | No <input type="checkbox"/>            | N/A <input type="checkbox"/> |
| 3. <u>Individual Freedom</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/>            | N/A <input type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/>            | N/A <input type="checkbox"/> |
| 5. <u>Family Empowerment</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/>            | N/A <input type="checkbox"/> |

For any principle that received a "no" above, please explain:

Less Government: The bill will increase the administrative responsibilities of public and private schools with students 18 years of age or older.

B. PRESENT SITUATION:

Postsecondary education in Florida is provided by 48 school district vocational-technical centers; 39 public community colleges, colleges, and universities; over 100 private colleges and universities; and over 500 private career schools. Nearly 2 million students are enrolled in various institutions of postsecondary education in this state (*Higher Education Resource Document*, Committee on Colleges & Universities, Florida House of Representatives, January 2001). According to the Florida Department of Education (DOE), there are over 58,000 foreign students over the age of 18 attending a State University System school or public high school.

There are many different types of visas a student may have while attending school that are not all "student" visas. Students with student visas "F," "J", or "M" must return to their country upon completion of study or expiration of the visa and must adhere to certain restrictions. All foreign students do not possess visas. Permanent resident aliens, asylees, parolees, and refugees may be considered foreign students, but do not possess visas and may be included in data regarding the number of foreign students enrolled.

Currently, there is not a state policy for tracking student visas. However, the federal government is in the process of implementing a visa-tracking system. In 1996, Congress passed a law requiring computerized tracking of students when they received visas, when they entered the country, and when they enrolled in college. The system is designed to allow the immigration service to quickly detect when a student has violated his or her visa conditions. The system is also designed to track a student's course of study and any change of address. Congress has twice delayed the start date for the system. It is now scheduled to be available in January 2003.

Representatives of the Division of Colleges & Universities in DOE report the new, mandated tracking system of students visas, known as the Student and Exchange Visitor Information System (SEVIS), may be implemented as early as June 2002 by the U.S. Immigration and Naturalization Service. In February-March 2002 there will be an opportunity for personnel from educational entities to attend 1-day workshops that will apprise them on the technology and business practices of SEVIS. They will also be able to discuss the challenges and development strategies for school-specific solutions for implementing SEVIS. The goal is to bring together key personnel (registrars,

admissions staff, international student and scholar advisors, information technology staff and data administrators) to brainstorm strategies for effective implementation and institutional compliance.

C. EFFECT OF PROPOSED CHANGES:

The bill requires schools to submit "visa information" to the Florida Department of Law Enforcement (FDLE) for foreign students who are 18 years of age or older and attend the school. Schools are defined as "any public or private educational institution, career educational institution, or association, corporation, person or organization providing education."

The bill provides the act will take effect July 1, 2002.

D. SECTION-BY-SECTION ANALYSIS:

Please refer to Effect of Proposed Changes for a description of the bill.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

Administration of a state visa-tracking system will have an indeterminate expense to the state.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

Local school districts may bear an administrative cost for the gathering and reporting of student visa information for foreign students older than 18 years of age.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Private educational facilities and businesses, which provide educational services to their employees, may bear a cost for gathering and reporting student visa information.

D. FISCAL COMMENTS:

The Florida DOE reports institutions will need to implement a tracking system in order to report student visa information.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill requires local school districts to take action that may require the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

The bill does not reduce the authority that counties and municipalities have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

The bill does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

The bill does not appear to violate any constitutional provisions.

B. RULE-MAKING AUTHORITY:

None

C. OTHER COMMENTS:

None

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None

VII. SIGNATURES:

COMMITTEE ON SELECT COMMITTEE ON SECURITY:

Prepared by:

Staff Director:

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C. Scott Jenkins

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Thomas J. Randle/Richard Hixson