

1                                   A bill to be entitled  
 2           An act relating to the State University System; creating  
 3           s. 1004.635, F.S.; creating the State University System  
 4           Research and Economic Development Investment Program to be  
 5           administered by the Board of Governors of the State  
 6           University System and comprised of the Distinguished  
 7           Scholars Program and the Research and Economic Development  
 8           Infrastructure Program; specifying eligibility criteria  
 9           for state university participation; amending s. 1009.24,  
 10          F.S., relating to state university student fees; including  
 11          an academic enhancement fee; deleting certain fee increase  
 12          restrictions; authorizing university boards of trustees to  
 13          establish an academic enhancement fee under certain  
 14          conditions; amending s. 1009.26, F.S.; authorizing  
 15          university boards of trustees to waive tuition and out-of-  
 16          state fees for certain purposes; creating s. 1011.95,  
 17          F.S.; creating the Distinguished Scholars Program;  
 18          providing criteria for allocation of appropriated funds  
 19          and use of such funds; creating s. 1013.795, F.S.;  
 20          creating the Research and Economic Development  
 21          Infrastructure Program; providing for the matching of  
 22          appropriated funds and use of such funds; providing  
 23          appropriations; providing an effective date.

24  
 25   Be It Enacted by the Legislature of the State of Florida:

26  
 27           Section 1.   Section 1004.635, Florida Statutes, is created  
 28   to read:

HB 1229

2006

29           1004.635 State University System Research and Economic  
30 Development Investment Program.--

31           (1) LEGISLATIVE INTENT.--It is the intent of the  
32 Legislature to create an investment program in state  
33 universities that enhances graduate education, attracts and  
34 retains world-class scholars, and enables state universities to  
35 become nationally competitive in science and technology-based  
36 economic development.

37           (2) GENERAL PROVISIONS.--There is created the State  
38 University System Research and Economic Development Investment  
39 Program to be administered by the Board of Governors of the  
40 State University System. The program shall be comprised of two  
41 components:

42           (a) The Distinguished Scholars Program pursuant to s.  
43 1011.95.

44           (b) The Research and Economic Development Infrastructure  
45 Program pursuant to s. 1013.795.

46           (3) INSTITUTIONAL ELIGIBILITY CRITERIA.--To be eligible to  
47 participate in the State University System Research and Economic  
48 Development Investment Program, a state university must meet  
49 each of the following criteria:

50           (a) The number of nonprofessional doctoral degrees awarded  
51 each year must exceed 250. At least 25 percent of these degrees  
52 must be in a mathematics, science, technology, engineering, or  
53 health-related discipline as defined by Classification of  
54 Instructional Program codes.

55           (b) The number of postdoctoral appointees reported in the  
56 most recent NSF/NIH graduate student survey must exceed 200.

HB 1229

2006

57 (c) The 4-year undergraduate graduation rate must equal 40  
58 percent or higher.

59 (d) Expenditures from externally awarded contracts and  
60 grants must be a minimum of \$100 million per year.

61 (e) The university must have a proven track record of  
62 securing patents and licenses leading to products in the  
63 marketplace over the last 5 years.

64 (f) At least 75 percent of the entering freshmen each  
65 academic year must be eligible to receive Florida Bright Futures  
66 Scholarships.

67  
68 The Board of Governors of the State University System shall  
69 develop uniform guidelines, definitions, and reporting formats  
70 for a university to use to demonstrate that it meets each of the  
71 criteria described in this subsection.

72 Section 2. Subsection (3) of section 1009.24, Florida  
73 Statutes, is amended, and subsection (15) is added to that  
74 section, to read:

75 1009.24 State university student fees.--

76 (3) Within proviso in the General Appropriations Act and  
77 law, each board of trustees shall set university tuition and  
78 fees. The sum of the activity and service, health, ~~and~~ athletic,  
79 and academic enhancement fees a student is required to pay to  
80 register for a course shall not exceed 40 percent of the tuition  
81 established in law or in the General Appropriations Act. No  
82 university shall be required to lower any fee in effect on the  
83 effective date of this act in order to comply with this  
84 subsection. ~~Within the 40 percent cap, universities may not~~

HB 1229

2006

85 ~~increase the aggregate sum of activity and service, health, and~~  
86 ~~athletic fees more than 5 percent per year unless specifically~~  
87 ~~authorized in law or in the General Appropriations Act. A~~  
88 university may increase its athletic fee to defray the costs  
89 associated with changing National Collegiate Athletic  
90 Association divisions. Any such increase in the athletic fee may  
91 exceed ~~both the 40 percent cap and the 5 percent cap~~ imposed by  
92 this subsection. Any such increase must be approved by the  
93 athletic fee committee in the process outlined in subsection  
94 (11) and cannot exceed \$2 per credit hour. Notwithstanding the  
95 provisions of ss. 1009.534, 1009.535, and 1009.536, that portion  
96 of any increase in an athletic fee pursuant to this subsection  
97 that causes the sum of the activity and service, health, ~~and~~  
98 athletic, and academic enhancement fees to exceed the 40 percent  
99 cap ~~or the annual increase in such fees to exceed the 5 percent~~  
100 ~~cap~~ shall not be included in calculating the amount a student  
101 receives for a Florida Academic Scholars award, a Florida  
102 Medallion Scholars award, or a Florida Gold Seal Vocational  
103 Scholars award. This subsection does not prohibit a university  
104 from increasing or assessing optional fees related to specific  
105 activities if payment of such fees is not required as a part of  
106 registration for courses.

107 (15) If the Board of Governors of the State University  
108 System determines that a university is eligible to participate  
109 in the State University System Research and Economic Development  
110 Investment Program pursuant to s. 1004.635, the university board  
111 of trustees for the institution is authorized to establish an  
112 academic enhancement fee. Revenues from the academic enhancement

HB 1229

2006

113 fee shall be retained by the university, paid into a separate  
114 academic enhancement fee fund, and used to strengthen  
115 undergraduate and graduate education pursuant to guidelines of  
116 the Board of Governors of the State University System.

117 Section 3. Subsection (9) is added to section 1009.26,  
118 Florida Statutes, to read:

119 1009.26 Fee waivers.--

120 (9) Each university board of trustees is authorized to  
121 waive tuition and out-of-state fees for purposes which support  
122 and enhance the mission of the university. All fees waived must  
123 be based on policies which are adopted by university boards of  
124 trustees pursuant to rules adopted by the Board of Governors of  
125 the State University System. Each university shall report the  
126 purpose, number, and value of all fee waivers granted annually  
127 in a format prescribed by the Board of Governors.

128 Section 4. Section 1011.95, Florida Statutes, is created  
129 to read:

130 1011.95 Distinguished Scholars Program; recruitment and  
131 retention of prominent researchers.--

132 (1) There is created the Distinguished Scholars Program to  
133 promote excellence in graduate education at eligible state  
134 universities, strengthen the state's workforce, promote economic  
135 development, and accelerate Florida's innovation economy.

136 (2) A state university must meet the criteria in s.  
137 1004.635 to be eligible to participate in the program. The Board  
138 of Governors of the State University System shall determine the  
139 eligibility status of a state university to participate in the  
140 program.

141 (3) Funds appropriated for the Distinguished Scholars  
 142 Program shall be allocated by the Board of Governors to eligible  
 143 institutions on the following basis:

144 (a) To the extent appropriated funds are available, funds  
 145 raised by an eligible university from nonuniversity sources  
 146 shall be matched on a one-time dollar-for-dollar basis.

147 (b) Any remaining funds shall be allocated equally among  
 148 the institutions determined eligible by the Board of Governors  
 149 to participate in the program. Such funds may be used upon  
 150 approval of the Board of Governors for nonrecurring expenditures  
 151 to support graduate education and research efforts.

152 (4) Funds provided for the Distinguished Scholars Program  
 153 may be used for the purpose of recruiting and retaining  
 154 prominent researchers and supporting graduate fellowships,  
 155 graduate research, equipment and laboratories, and laboratory  
 156 experiences to promote excellence in graduate education.  
 157 Priority shall be placed on enhancing Florida's science and  
 158 technology base and building excellence in new fields of  
 159 research.

160 Section 5. Section 1013.795, Florida Statutes, is created  
 161 to read:

162 1013.795 Research and Economic Development Infrastructure  
 163 Program.--

164 (1) There is created the Research and Economic Development  
 165 Infrastructure Program to provide matching funds to eligible  
 166 institutions to construct and acquire cutting-edge, state-of-  
 167 the-art science and engineering research facilities and  
 168 specialized equipment to support research programs, foster

HB 1229

2006

169 economic development, and accelerate Florida's innovation  
170 economy.

171 (2) A state university must meet the criteria in s.  
172 1004.635 to be eligible to participate in the program. The Board  
173 of Governors of the State University System shall determine the  
174 eligibility status of a state university to participate in the  
175 program.

176 (3) Funds appropriated for the Research and Economic  
177 Development Infrastructure Program shall be used by the Board of  
178 Governors to match funds raised by an eligible university from  
179 nonuniversity sources on a one-time dollar-for-dollar basis.

180 Section 6. For the 2006-2007 fiscal year, the sum of  
181 \$100,000,000 is appropriated from recurring general revenue  
182 funds to the Board of Governors of the State University System  
183 for the Distinguished Scholars Program. The Board of Governors  
184 shall allocate these funds to institutions meeting the criteria  
185 in s. 1004.635, Florida Statutes, pursuant to the provisions of  
186 s. 1011.95, Florida Statutes.

187 Section 7. For the 2006-2007 fiscal year, the sum of  
188 \$250,000,000 is appropriated from nonrecurring general revenue  
189 funds to the Board of Governors of the State University System  
190 for the Research and Economic Development Infrastructure  
191 Program. The Board of Governors shall allocate these funds to  
192 institutions meeting the criteria in s. 1004.635, Florida  
193 Statutes, pursuant to the provisions of s. 1013.795, Florida  
194 Statutes.

195 Section 8. This act shall take effect July 1, 2006.