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581-02115-13

Proposed Committee Substitute by the Committee on Education

A bill to be entitled

An act relating to college tuition; amending s.  
1009.24, F.S.; providing that resident undergraduate  
tuition and student fees at a state university remain  
unchanged for certain undergraduate students;  
providing an effective date.

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

Section 1. Present subsection (19) of section 1009.24,  
Florida Statutes, is redesignated as subsection (20) of that  
section, a new subsection (19) is added to that section, and  
subsection (4) of that section is amended, to read:

1009.24 State university student fees.—

(4) (a) Effective July 1, 2011, the resident undergraduate  
tuition for lower-level and upper-level coursework shall be  
\$103.32 per credit hour.

(b) Beginning with the 2008-2009 fiscal year and each year  
thereafter, the resident undergraduate tuition per credit hour  
shall increase at the beginning of each fall semester at a rate  
equal to inflation, unless:

1. Otherwise provided in the General Appropriations Act.  
The Office of Economic and Demographic Research shall report the  
rate of inflation to the President of the Senate, the Speaker of  
the House of Representatives, the Governor, and the Board of  
Governors each year prior to March 1. For purposes of this  
paragraph, the rate of inflation shall be defined as the rate of  
the 12-month percentage change in the Consumer Price Index for



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29 All Urban Consumers, U.S. City Average, All Items, or successor  
30 reports as reported by the United States Department of Labor,  
31 Bureau of Labor Statistics, or its successor for December of the  
32 previous year. In the event the percentage change is negative,  
33 the resident undergraduate tuition shall remain at the same  
34 level as the prior fiscal year.

35 2. Tuition remains unchanged for 4 years as provided in  
36 this subparagraph. Beginning with the 2013-2014 academic year  
37 and each year thereafter, the resident undergraduate tuition for  
38 lower-level and upper-level coursework, as provided under  
39 paragraph (a), shall remain unchanged for 4 consecutive years,  
40 beginning with the time of initial enrollment at a state  
41 university for an undergraduate student who:

42 a. Enrolls full time at a state university for the first  
43 time beginning the 2013 fall semester or during an academic term  
44 thereafter;

45 b. Remains continuously enrolled at the state university  
46 for 4 consecutive years;

47 c. Qualifies as a resident for tuition purposes pursuant to  
48 s. 1009.21; and

49 d. Completes degree requirements within 4 academic years,  
50 unless the degree requirements for an academic program exceed  
51 120 semester hours as approved by the Board of Governors  
52 pursuant to s. 1007.25(8).

53 (c) The Board of Governors, or the board's designee, may  
54 establish tuition for graduate and professional programs, and  
55 out-of-state fees for all programs. Except as otherwise provided  
56 in this section, the sum of tuition and out-of-state fees  
57 assessed to nonresident students must be sufficient to offset



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58 the full instructional cost of serving such students. However,  
59 adjustments to out-of-state fees or tuition for graduate  
60 programs and professional programs may not exceed 15 percent in  
61 any year.

62 (d) The Board of Governors may consider and approve  
63 flexible tuition policies as requested by a university board of  
64 trustees in accordance with the provisions of subsection (15)  
65 only to the extent such policies are in alignment with the  
66 mission of the university and do not increase the state's fiscal  
67 liability or obligations, including, but not limited to, any  
68 fiscal liability or obligation for programs authorized under ss.  
69 1009.53-1009.538 and ss. 1009.97-1009.984.

70 (e) The sum of the activity and service, health, and  
71 athletic fees a student is required to pay to register for a  
72 course shall not exceed 40 percent of the tuition established in  
73 law or in the General Appropriations Act. No university shall be  
74 required to lower any fee in effect on the effective date of  
75 this act in order to comply with this subsection. Within the 40  
76 percent cap, universities may not increase the aggregate sum of  
77 activity and service, health, and athletic fees more than 5  
78 percent per year, or the same percentage increase in tuition  
79 authorized under paragraph (b), whichever is greater, unless  
80 specifically authorized in law or in the General Appropriations  
81 Act. A university may increase its athletic fee to defray the  
82 costs associated with changing National Collegiate Athletic  
83 Association divisions. Any such increase in the athletic fee may  
84 exceed both the 40 percent cap and the 5 percent cap imposed by  
85 this subsection. Any such increase must be approved by the  
86 athletic fee committee in the process outlined in subsection



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87 (12) and cannot exceed \$2 per credit hour. Notwithstanding the  
88 provisions of ss. 1009.534, 1009.535, and 1009.536, that portion  
89 of any increase in an athletic fee pursuant to this subsection  
90 that causes the sum of the activity and service, health, and  
91 athletic fees to exceed the 40 percent cap or the annual  
92 increase in such fees to exceed the 5 percent cap shall not be  
93 included in calculating the amount a student receives for a  
94 Florida Academic Scholars award, a Florida Medallion Scholars  
95 award, or a Florida Gold Seal Vocational Scholars award.

96 Notwithstanding this paragraph and subject to approval by the  
97 board of trustees, each state university is authorized to exceed  
98 the 5-percent cap on the annual increase to the aggregate sum of  
99 activity and service, health, and athletic fees for the 2010-  
100 2011 fiscal year. Any such increase shall not exceed 15 percent  
101 or the amount required to reach the 2009-2010 fiscal year  
102 statewide average for the aggregate sum of activity and service,  
103 health, and athletic fees at the main campuses, whichever is  
104 greater. The aggregate sum of the activity and service, health,  
105 and athletic fees shall not exceed 40 percent of tuition. Any  
106 increase in the activity and service fee, health fee, or  
107 athletic fee must be approved by the appropriate fee committee  
108 pursuant to subsection (10), subsection (11), or subsection  
109 (12).

110 (f) This subsection does not prohibit a university from  
111 increasing or assessing optional fees related to specific  
112 activities if payment of such fees is not required as a part of  
113 registration for courses.

114 (19) For a resident undergraduate student who meets the  
115 requirements of subparagraph (4)(b)2., the fees may not, for 4



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116 years, exceed the fees established by the state university at  
117 the time of the student's initial enrollment at the state  
118 university.

119 Section 2. This act shall take effect July 1, 2013.