

By Senator Ring

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1 A bill to be entitled
2 An act relating to student loans; creating s. 43.45,
3 F.S.; providing definitions; providing for a financial
4 assistance program administered by the Justice
5 Administrative Commission and the Office of the
6 Attorney General to assist a career assistant state
7 attorney, assistant public defender, assistant
8 attorney general, or assistant statewide prosecutor in
9 the repayment of eligible student loans; establishing
10 provisions for program administration; requiring the
11 administering body to make a payment of a certain
12 amount based on the length of employment as an
13 eligible career attorney; providing for funding;
14 requiring the Justice Administrative Commission and
15 the Office of the Attorney General to develop
16 procedures to administer the program; providing an
17 effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

20
21 Section 1. Section 43.45, Florida Statutes, is created to
22 read:

23 43.45 Student loan assistance program; administration.-

24 (1) As used in this section, the term:

25 (a) "Administering body" means the:

26 1. Justice Administrative Commission if the eligible career
27 attorney is employed as an assistant state attorney or assistant
28 public defender.

29 2. Office of the Attorney General if the eligible career

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30 attorney is employed as an assistant attorney general or
31 assistant statewide prosecutor.

32 (b) "Eligible attorney" means an assistant state attorney,
33 assistant public defender, assistant attorney general, or
34 assistant statewide prosecutor.

35 (c) "Eligible career attorney" means an eligible attorney
36 who has completed at least 3 years but not more than 12 years of
37 continuous service as an eligible attorney, regardless of
38 whether the eligible attorney had a break in employment of less
39 than 2 weeks while transferring to another employer of eligible
40 attorneys.

41 (d) "Eligible student loan" means a loan that is not in
42 default and that was issued pursuant to the Higher Education Act
43 of 1965, 20 U.S.C. ss. 1001 et seq., as amended, to an eligible
44 career attorney to fund his or her law school education.

45 (e) "Employment anniversary" means the anniversary of the
46 date that an eligible career attorney commenced employment as an
47 eligible attorney.

48 (f) "Maximum available amount" means a number that shall be
49 determined if the amount of the appropriation from the General
50 Revenue Fund to the administering body is less than the amount
51 necessary to fund total payments owed by the administering body.
52 The maximum available amount is calculated by dividing the
53 amount of the appropriation to the administering body by the
54 amount necessary to fund total payments that the administering
55 body owes under paragraph (3) (b) and multiplying the result by
56 the appropriate payment amount in subparagraph (3) (b)1. or 2.

57 (2) The administering body shall implement a student loan
58 assistance program for eligible career attorneys. The purpose of

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59 the program is to provide financial assistance to eligible
60 career attorneys for the repayment of eligible student loans.

61 (3) The student loan assistance program is administered in
62 the following manner:

63 (a) Within 30 days after the employment anniversary of an
64 eligible career attorney, the eligible career attorney must
65 submit to his or her employer a certification affidavit on a
66 form authorized by the administering body, which certifies that
67 the eligible career attorney, as of his or her last employment
68 anniversary, is an eligible career attorney with one or more
69 eligible student loans. If the employer signs the certification
70 affidavit, the employer shall submit the affidavit to the
71 administering body within 60 days after the most recent
72 employment anniversary of the eligible career attorney.

73 (b) Upon receipt of a certification affidavit, the
74 administering body shall make a payment of:

75 1. Three thousand dollars or the maximum available amount,
76 whichever is less, if the eligible career attorney has at least
77 3 years, but not more than 6 years, of continuous service.

78 2. Five thousand dollars or the maximum available amount,
79 whichever is less, if the eligible career attorney has more than
80 6 years, but not more than 12 years, of continuous service.

81 (c) A payment under paragraph (b) shall be made by the
82 administering body:

83 1. To the lender of the eligible student loan.

84 2. Between July 1 and July 31 of the next fiscal year
85 following receipt of the certification affidavit by the
86 administering body.

87 3. For the benefit of the eligible career attorney named in

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88 the certification affidavit and for the purpose of satisfying
89 his or her eligible student loan obligation.

90 4. For the eligible student loan that has the highest
91 current interest rate if the eligible career attorney holds more
92 than one eligible student loan.

93 (d) Payments under paragraph (b) cease upon totaling
94 \$44,000 per eligible career attorney or upon full satisfaction
95 of the eligible student loan, whichever occurs first.

96 (4) The student loan assistance program may be funded
97 annually contingent upon a specific appropriation in the General
98 Appropriations Act for student loan repayment assistance to
99 eligible assistant state attorneys, assistant public defenders,
100 assistant attorneys general, and assistant statewide
101 prosecutors.

102 (5) The Justice Administrative Commission and the Office of
103 the Attorney General shall develop procedures to administer this
104 section.

105 Section 2. This act shall take effect July 1, 2014.