

1                   A bill to be entitled  
2           An act relating to student eligibility requirements  
3           for state financial aid awards and tuition assistance  
4           grants; amending s. 1009.40, F.S.; providing that  
5           certain individuals may not be denied classification  
6           as residents for purposes of receiving state financial  
7           aid awards based on his or her immigration status if  
8           certain criteria are met; providing an effective date.  
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10 Be It Enacted by the Legislature of the State of Florida:  
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12           Section 1. Paragraph (a) of subsection (1) of section  
13           1009.40, Florida Statutes, is amended to read:

14           1009.40 General requirements for student eligibility for  
15           state financial aid awards and tuition assistance grants.—

16           (1) (a) The general requirements for eligibility of  
17           students for state financial aid awards and tuition assistance  
18           grants consist of the following:

19           1. Achievement of the academic requirements of and  
20           acceptance at a state university or Florida College System  
21           institution; a nursing diploma school approved by the Florida  
22           Board of Nursing; a Florida college or university which is  
23           accredited by an accrediting agency recognized by the State  
24           Board of Education; a Florida institution the credits of which  
25           are acceptable for transfer to state universities; a career

26 center; or a private career institution accredited by an  
27 accrediting agency recognized by the State Board of Education.

28 2. Residency in this state for no less than 1 year  
29 preceding the award of aid or a tuition assistance grant for a  
30 program established pursuant to s. 1009.50, s. 1009.505, s.  
31 1009.51, s. 1009.52, s. 1009.53, s. 1009.60, s. 1009.62, s.  
32 1009.72, s. 1009.73, s. 1009.77, s. 1009.89, or s. 1009.891.

33 Residency in this state must be for purposes other than to  
34 obtain an education. Resident status for purposes of receiving  
35 state financial aid awards shall be determined in the same  
36 manner as resident status for tuition purposes pursuant to s.  
37 1009.21. However, a student may not be denied classification as  
38 a resident for purposes of receiving state financial aid awards  
39 based solely upon his or her immigration status if he or she:

40 a. Has been granted temporary protected status by the  
41 United States Department of Homeland Security; or

42 b. Has been granted deferred action for childhood arrivals  
43 status or another form of prosecutorial discretion by the United  
44 States Department of Homeland Security.

45 3. Submission of certification attesting to the accuracy,  
46 completeness, and correctness of information provided to  
47 demonstrate a student's eligibility to receive state financial  
48 aid awards or tuition assistance grants. Falsification of such  
49 information shall result in the denial of a pending application  
50 and revocation of an award or grant currently held to the extent

51 | that no further payments shall be made. Additionally, students  
52 | who knowingly make false statements in order to receive state  
53 | financial aid awards or tuition assistance grants commit a  
54 | misdemeanor of the second degree subject to the provisions of s.  
55 | 837.06 and shall be required to return all state financial aid  
56 | awards or tuition assistance grants wrongfully obtained.

57 |       Section 2. This act shall take effect July 1, 2019.