

By Senator Flores

39-00814-19

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1 A bill to be entitled
2 An act relating to prepaid college plans; amending s.
3 1009.98, F.S.; authorizing each state university to
4 specify the qualified nonprofit organizations that may
5 receive prepaid dormitory residence plan fees;
6 authorizing a qualified beneficiary to transfer or
7 cause to have transferred the fees associated with
8 dormitory residence to certain Florida College System
9 institutions, Florida College System institution
10 direct-support organizations, or qualified nonprofit
11 organizations; defining the term "qualified nonprofit
12 organization"; specifying that dormitory fees
13 transferred to a qualified nonprofit organization may
14 not exceed a certain limitation; making technical
15 changes; providing an effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Paragraph (d) of subsection (2) of section
20 1009.98, Florida Statutes, is amended to read:

21 1009.98 Stanley G. Tate Florida Prepaid College Program.—

22 (2) PREPAID COLLEGE PLANS.—At a minimum, the board shall
23 make advance payment contracts available for two independent
24 plans to be known as the Florida College System institution plan
25 and the university plan. The board may also make advance payment
26 contracts available for a dormitory residence plan. The board
27 may restrict the number of participants in the Florida College
28 System institution plan, university plan, and dormitory
29 residence plan, respectively. However, any person denied

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30 participation solely on the basis of such restriction shall be
31 granted priority for participation during the succeeding year.

32 (d)1. Through the dormitory residence plan, the advance
33 payment contract may provide prepaid housing fees for a maximum
34 of 10 semesters of full-time undergraduate enrollment in a state
35 university. Dormitory residence plans must ~~shall~~ be purchased in
36 increments of 2 semesters. The cost of participation in the
37 dormitory residence plan shall be based primarily on the average
38 current and projected housing fees within the State University
39 System and the number of years expected to elapse between the
40 purchase of the plan on behalf of a qualified beneficiary and
41 the exercise of the benefits provided in the plan by such
42 beneficiary. Qualified beneficiaries shall have the highest
43 priority in the assignment of housing within university
44 residence halls. Qualified beneficiaries shall bear the cost of
45 any additional elective charges such as laundry service or long-
46 distance telephone service. Each state university may specify
47 the residence halls or other university-held residences eligible
48 for inclusion in the plan. Each state university may specify
49 qualified nonprofit organizations as defined in sub-sub-
50 subparagraph 2.a.(III) which may receive prepaid dormitory
51 residence plan fees. In addition, any state university may
52 request immediate termination of a dormitory residence contract
53 based on a violation or multiple violations of rules of the
54 residence hall or other university-held residences. In the event
55 that sufficient housing is not available for all qualified
56 beneficiaries, the board shall refund the purchaser or qualified
57 beneficiary an amount equal to the fees charged for dormitory
58 residence during that semester.

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59 2.a. If a qualified beneficiary fails to be admitted to a
60 state university or chooses to attend a Florida College System
61 institution that operates one or more dormitories or residency
62 opportunities, or has one or more dormitories or residency
63 opportunities operated by the Florida College System institution
64 direct-support organization, the qualified beneficiary may
65 transfer or cause to have transferred the fees associated with
66 dormitory residence to:

67 (I) A ~~the~~ Florida College System institution that operates
68 one or more dormitories or residency opportunities; ~~or~~

69 (II) A Florida College System institution direct-support
70 organization that operates one or more dormitories or residency
71 opportunities; or ~~or~~

72 (III) A qualified nonprofit organization ~~the fees~~
73 associated with dormitory residence. For the purposes of this
74 paragraph, the term "qualified nonprofit organization" means a
75 nonprofit organization under s. 501(c)(3) of the Internal
76 Revenue Code which provides student living housing on or near
77 the campus of a Florida College System institution or state
78 university to full-time students of that institution.

79 b. Dormitory fees transferred to the Florida College System
80 institution, ~~or~~ Florida College System institution direct-
81 support organization, or qualified nonprofit organization may
82 not exceed the maximum fees charged for state university
83 dormitory residence for the purposes of this section, or the
84 fees charged for Florida College System institution or Florida
85 College System institution direct-support organization
86 dormitories or residency opportunities, whichever is less.

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