

By the Committee on Education; and Senator Flores

581-03243-19

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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 the transfer of fees
4 associated with dormitory residency to approved
5 qualified nonprofit organizations under certain
6 circumstances; prohibiting transferred fees from
7 exceeding a specified amount; defining the term
8 "qualified nonprofit organization"; providing an
9 effective date.

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

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13 Section 1. Paragraph (d) of subsection (2) of section
14 1009.98, Florida Statutes, is amended to read:

15 1009.98 Stanley G. Tate Florida Prepaid College Program.—

16 (2) PREPAID COLLEGE PLANS.—At a minimum, the board shall
17 make advance payment contracts available for two independent
18 plans to be known as the Florida College System institution plan
19 and the university plan. The board may also make advance payment
20 contracts available for a dormitory residence plan. The board
21 may restrict the number of participants in the Florida College
22 System institution plan, university plan, and dormitory
23 residence plan, respectively. However, any person denied
24 participation solely on the basis of such restriction shall be
25 granted priority for participation during the succeeding year.

26 (d)1. Through the dormitory residence plan, the advance
27 payment contract may provide prepaid housing fees for a maximum
28 of 10 semesters of full-time undergraduate enrollment in a state
29 university. Dormitory residence plans must ~~shall~~ be purchased in

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30 increments of 2 semesters. The cost of participation in the
31 dormitory residence plan shall be based primarily on the average
32 current and projected housing fees within the State University
33 System and the number of years expected to elapse between the
34 purchase of the plan on behalf of a qualified beneficiary and
35 the exercise of the benefits provided in the plan by such
36 beneficiary. Qualified beneficiaries shall have the highest
37 priority in the assignment of housing within university
38 residence halls. Qualified beneficiaries shall bear the cost of
39 any additional elective charges such as laundry service or long-
40 distance telephone service. Each state university may specify
41 the residence halls or other university-held residences eligible
42 for inclusion in the plan. In addition, any state university may
43 request immediate termination of a dormitory residence contract
44 based on a violation or multiple violations of rules of the
45 residence hall or other university-held residences. In the event
46 that sufficient housing is not available for all qualified
47 beneficiaries, the board shall refund the purchaser or qualified
48 beneficiary an amount equal to the fees charged for dormitory
49 residence during that semester. If a qualified beneficiary is
50 admitted to the state university and finds housing with a
51 qualified nonprofit organization, as defined in subparagraph 2.,
52 that is approved by the state university, the state university
53 may transfer or cause to have transferred to the qualified
54 nonprofit organization the fees associated with dormitory
55 residence. If a qualified beneficiary fails to be admitted to a
56 state university or chooses to attend a Florida College System
57 institution that operates one or more dormitories or residency
58 opportunities, or has one or more dormitories or residency

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59 opportunities operated by the Florida College System institution
60 direct-support organization, the qualified beneficiary may
61 transfer or cause to have transferred to the Florida College
62 System institution, or Florida College System institution
63 direct-support organization, the fees associated with dormitory
64 residence. If a qualified beneficiary attends a Florida College
65 System institution and finds housing with a qualified nonprofit
66 organization, as defined in subparagraph 2., that is approved by
67 the Florida College System institution, the Florida College
68 System institution may transfer or cause to have transferred to
69 the qualified nonprofit organization the fees associated with
70 dormitory residence. Dormitory fees transferred to a the Florida
71 College System institution, or Florida College System
72 institution direct-support organization, or qualified nonprofit
73 organization may not exceed the average maximum fees charged for
74 state university dormitory residence for the purposes of this
75 section, or the fees charged for Florida College System
76 institution or Florida College System institution direct-support
77 organization dormitories or residency opportunities, whichever
78 is less.

79 2. For purposes of this paragraph, the term "qualified
80 nonprofit organization" means a nonprofit organization under s.
81 501(c)(3) of the United States Internal Revenue Code which
82 provides one or more dormitories or residency opportunities to
83 students enrolled full-time in a state university or Florida
84 College System institution, primarily supports students that
85 lack financial resources, and has been approved by the board for
86 inclusion in the plan.

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