

By Senator Stargel

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1 A bill to be entitled
2 An act relating to postsecondary education; amending
3 s. 1001.03, F.S.; clarifying requirements for new
4 construction, remodeling, or renovation projects;
5 amending s. 1001.7065, F.S.; establishing state
6 universities of distinction throughout the State
7 University System; amending s. 1004.085, F.S.;
8 requiring certain innovative pricing techniques and
9 payment options to contain an opt-out provision;
10 amending s. 1009.50, F.S.; requiring that grant awards
11 administered through the Florida Public Student
12 Assistance Grant Program not exceed a certain amount;
13 providing that students who receive a grant award in
14 the fall or spring term may also receive an award in
15 the summer term, subject to availability of funds;
16 prohibiting institutions from dispensing grants to
17 students whose expected family contribution exceeds a
18 certain amount; requiring the formula used to
19 distribute funds for the program to account for
20 changes in the number of eligible students across all
21 student assistance grant programs; requiring
22 institutions to certify the amount of funds disbursed
23 within a certain timeframe; requiring institutions to
24 remit any undisbursed advances within a specified
25 timeframe; providing an exception; requiring
26 institutions that receive moneys through the program
27 to submit to the department by a specified date a
28 biennial report that includes a financial audit
29 conducted by the Auditor General; authorizing the

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30 department to conduct its own annual or biennial audit
31 under certain circumstances; authorizing the
32 department to suspend or revoke an institution's
33 eligibility or request a refund of moneys overpaid to
34 such institution under certain circumstances;
35 providing a timeframe for such refunds; amending s.
36 1009.505, F.S.; requiring that grant awards
37 administered through the Florida Public Postsecondary
38 Career Education Student Assistance Grant Program not
39 exceed a certain amount; providing that students who
40 receive a grant award in the fall or spring term may
41 also receive an award in the summer term, subject to
42 the availability of funds; requiring the formula used
43 to distribute funds for the program to account for
44 changes in the number of eligible students across all
45 student assistance grant programs; requiring
46 institutions to certify within a certain timeframe the
47 amount of funds disbursed; requiring institutions to
48 remit within a specified timeframe any undisbursed
49 advances; providing an exception; requiring
50 institutions that receive moneys through the program
51 to submit to the department by a specified date a
52 biennial report that includes a financial audit
53 conducted by the Auditor General; authorizing the
54 department to conduct its own annual or biennial audit
55 under certain circumstances; authorizing the
56 department to suspend or revoke an institution's
57 eligibility or to request a refund of moneys overpaid
58 to such institution under certain circumstances;

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59 authorizing funds appropriated for state student
60 assistance grants to be deposited in a specified trust
61 fund; requiring that any balance in the trust fund at
62 the end of a fiscal year which has been allocated to
63 the Florida Public Postsecondary Career Education
64 Student Assistance Grant Program remain therein,
65 subject to certain statutory exceptions; amending s.
66 1009.51, F.S.; requiring that grant awards
67 administered through the Florida Private Student
68 Assistance Grant Program not exceed a certain amount;
69 providing that students who receive an award in the
70 fall or spring term may also receive an award in the
71 summer term, subject to the availability of funds;
72 prohibiting institutions from dispensing grants to
73 students whose expected family contribution exceeds a
74 certain amount; requiring the formula used to
75 distribute funds for the program to account for
76 changes in the number of eligible students across all
77 student assistance grant programs; requiring
78 institutions to certify within a certain timeframe the
79 amount of funds disbursed; requiring institutions to
80 remit within a specified timeframe any undisbursed
81 advances; providing an exception; revising a
82 requirement for a biennial report; amending s.
83 1009.52, F.S.; requiring that grants administered
84 through the Florida Postsecondary Student Assistance
85 Grant Program not exceed a certain amount; providing
86 that students who receive a grant award in the fall or
87 spring term may also receive an award in the summer

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88 term, subject to the availability of funds;
89 prohibiting institutions from dispensing grants to
90 students whose expected family contribution exceeds a
91 certain amount; requiring the formula used to
92 distribute funds for the program to account for
93 changes in the number of eligible students across all
94 student assistance grant programs; requiring
95 institutions to certify within a certain timeframe the
96 amount of funds disbursed; requiring institutions to
97 remit within a specified timeframe any undisbursed
98 advances; providing an exception; revising a
99 requirement for a biennial report; amending s.
100 1009.893, F.S.; specifying eligibility for initial
101 awards under the Benacquisto Scholarship Program;
102 revising requirements for a student to receive a
103 renewal award; providing a timeframe within which
104 students can receive an award; providing an exception
105 to renewal requirements; amending s. 1011.45, F.S.;
106 revising the date by which a spending plan must be
107 submitted to a university's board of trustees for
108 approval; revising the date by which the Board of
109 Governors must review and approve such spending plan;
110 authorizing certain expenditures in a carry forward
111 spending plan to include a commitment of funds to a
112 contingency reserve for certain purposes; amending s.
113 1013.841, F.S.; revising the dates by which a spending
114 plan must be submitted to a Florida College System
115 institution's board of trustees for approval; revising
116 the dates by which the Board of Education shall review

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117 and publish such plans; authorizing certain
118 expenditures in a carry forward spending plan to
119 include a commitment of funds to a contingency reserve
120 for certain purposes; repealing s. 11, chapter 2019-
121 116, Laws of Florida, relating to the scheduled
122 reversion of provisions placing a limitation on the
123 maximum amount of funding that may be appropriated for
124 performance funding relating to funds for the
125 operation of workforce education programs and industry
126 certifications for Florida College System
127 institutions; providing an effective date.

128
129 Be It Enacted by the Legislature of the State of Florida:

130
131 Section 1. Paragraph (c) of subsection (18) of section
132 1001.03, Florida Statutes, is amended to read:

133 1001.03 Specific powers of State Board of Education.—

134 (18) PUBLIC EDUCATION CAPITAL OUTLAY.—The State Board of
135 Education shall develop and submit the prioritized list required
136 by s. 1013.64(4). Projects considered for prioritization shall
137 be chosen from a preliminary selection group which shall include
138 the list of projects maintained pursuant to paragraph (d) and
139 the top two priorities of each Florida College System
140 institution.

141 (c) A new construction, remodeling, or renovation project
142 that has not received an appropriation in a previous year shall
143 not be considered for inclusion on the prioritized list required
144 by s. 1013.64(4), unless:

145 1. A plan is provided to reserve funds in an escrow

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146 account, specific to the project, into which shall be deposited
147 each year an amount of funds equal to 0.5 percent of the total
148 value of the building for future maintenance;

149 2. There exists ~~are~~ sufficient capacity within the cash and
150 bonding estimate of funds by the Revenue Estimating Conference
151 to accommodate the project ~~excess funds from the allocation~~
152 ~~provided pursuant to s. 1013.60~~ within the 3-year Public
153 Education Capital Outlay funding cycle ~~planning period which are~~
154 ~~not needed to complete the projects listed pursuant to paragraph~~
155 ~~(d); and~~

156 3. The project has been recommended pursuant to s. 1013.31.
157 Section 2. Subsection (7) of section 1001.7065, Florida
158 Statutes, is amended to read:

159 1001.7065 Preeminent state research universities program.—
160 (7) STATE UNIVERSITIES PROGRAMS OF DISTINCTION EXCELLENCE
161 THROUGHOUT THE STATE UNIVERSITY SYSTEM.—The Board of Governors
162 shall establish standards and measures whereby state
163 universities that focus on one core competency unique to the
164 State University System which achieve excellence at the national
165 or state level, meet state workforce needs, and foster an
166 innovation economy that focuses on areas such as health care,
167 security, transportation, and science, technology, engineering,
168 and mathematics (STEM), including supply chain management,
169 ~~individual undergraduate, graduate, and professional degree~~
170 ~~programs in state universities which objectively reflect~~
171 ~~national excellence~~ can be identified. The Board of Governors
172 may annually submit such programs and make recommendations to
173 the Legislature by January ~~September 1~~ for funding, ~~2018,~~ ~~as to~~
174 ~~how any such programs could be enhanced and promoted.~~

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175 Section 3. Subsection (4) of section 1004.085, Florida
176 Statutes, is amended to read:

177 1004.085 Textbook and instructional materials
178 affordability.—

179 (4) Each Florida College System institution and state
180 university board of trustees is authorized to adopt policies in
181 consultation with providers, including bookstores, which allow
182 for the use of innovative pricing techniques and payment options
183 for textbooks and instructional materials. Such policies may
184 include bulk pricing arrangements that enable students to
185 purchase course materials or texts that are delivered digitally;
186 delivered through other technologies that are, or the licenses
187 of which are, required for use within a course; or delivered in
188 a print format. Innovative pricing techniques and payment
189 options must include an opt-in or opt-out provision for students
190 and may be approved only if there is documented evidence that
191 the options reduce the cost of textbooks and instructional
192 materials for students taking a course.

193 Section 4. Section 1009.50, Florida Statutes, is amended to
194 read:

195 1009.50 Florida Public Student Assistance Grant Program;
196 eligibility for grants.—

197 (1) There is hereby created a Florida Public Student
198 Assistance Grant Program. The program shall be administered by
199 the participating institutions in accordance with rules of the
200 state board.

201 (2) (a) State student assistance grants through the program
202 may be made only to degree-seeking students who enroll in at
203 least 6 semester hours, or the equivalent per term, and who meet

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204 the general requirements for student eligibility as provided in
205 s. 1009.40, except as otherwise provided in this section. The
206 grants shall be awarded annually for the amount of demonstrated
207 unmet need for the cost of education and may not exceed the
208 maximum annual award ~~an amount equal to the average prior~~
209 ~~academic year cost of tuition fees and other registration fees~~
210 ~~for 30 credit hours at state universities or such other amount~~
211 ~~as specified in the General Appropriations Act, to any~~
212 ~~recipient~~. A demonstrated unmet need of less than \$200 shall
213 render the applicant ineligible for a state student assistance
214 grant. Recipients of the grants must have been accepted at a
215 state university or Florida College System institution
216 authorized by Florida law. If funds are available, a student who
217 received an award in the fall or spring term may receive a
218 summer award. A student is eligible for the award for 110
219 percent of the number of credit hours required to complete the
220 program in which enrolled, except as otherwise provided in s.
221 1009.40(3).

222 (b) A student applying for a Florida public student
223 assistance grant shall be required to apply for the Pell Grant.
224 The Pell Grant entitlement shall be considered when conducting
225 an assessment of the financial resources available to each
226 student.

227 (c) Priority in the distribution of grant moneys shall be
228 given to students with the lowest total family resources, in
229 accordance with a nationally recognized system of need analysis.
230 ~~Using the system of need analysis, the department shall~~
231 ~~establish a maximum expected family contribution~~. An institution
232 may not make a grant from this program to a student whose

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233 expected family contribution exceeds one and one-half times the
234 maximum Pell Grant-eligible family contribution level
235 ~~established by the department~~. An institution may not impose
236 additional criteria to determine a student's eligibility to
237 receive a grant award.

238 (d) Each participating institution shall report~~7~~ to the
239 department by the established date~~7~~ the eligible students
240 eligible for the program for ~~to whom grant moneys are disbursed~~
241 each academic term. Each institution shall also report to the
242 department necessary demographic and eligibility data for such
243 students.

244 (3) Based on the unmet financial need of an eligible
245 applicant, the amount of a Florida public student assistance
246 grant must be between \$200 and the ~~weighted average of the cost~~
247 ~~of tuition and other registration fees for 30 credit hours at~~
248 ~~state universities per academic year or~~ the amount specified in
249 the General Appropriations Act.

250 (4) (a) The funds appropriated for the Florida Public
251 Student Assistance Grant shall be distributed to eligible
252 institutions in accordance with a formula approved by the State
253 Board of Education. The formula shall consider at least the
254 prior year's distribution of funds, the number of ~~full-time~~
255 eligible applicants who did not receive awards, the
256 standardization of the expected family contribution, and
257 provisions for unused funds. The formula shall account for
258 changes in the number of eligible students across all student
259 assistance grant programs established pursuant to this section
260 and ss. 1009.505, 1009.51, and 1009.52.

261 (b) Payment of Florida public student assistance grants

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262 shall be transmitted to the president of the state university or
263 Florida College System institution, or to his or her
264 representative, in advance of the registration period.
265 Institutions shall notify students of the amount of their
266 awards.

267 (c) The eligibility status of each student to receive a
268 disbursement shall be determined by each institution as of the
269 end of its regular registration period, inclusive of a drop-add
270 period. Institutions shall not be required to reevaluate a
271 student's eligibility status after this date for purposes of
272 changing eligibility determinations previously made.

273 (d) Institutions shall certify to the department within 30
274 days after the end of regular registration each term the amount
275 of funds disbursed to each student and shall remit to the
276 department any undisbursed advances within 60 days after the end
277 of regular registration each spring term ~~any advances by June 1~~
278 ~~of each year.~~ An exception to the remittance deadline may be
279 granted if the institution documents to the department how it
280 plans to disburse awards to students for the subsequent summer
281 term. An institution that uses funds for the summer term shall
282 certify to the department the amount of funds disbursed to each
283 student and shall remit to the department any undisbursed
284 advances within 30 days after the end of the summer term.

285 (e) Each institution that receives moneys through the
286 Florida Public Student Assistance Grant Program shall prepare a
287 biennial report that includes a financial audit conducted by the
288 Auditor General of the institution's administration of the
289 program and a complete accounting of moneys allocated to the
290 institution for the program. Such report shall be submitted to

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291 the department by March 1 every other year. The department may
292 conduct its own annual or biennial audit of an institution's
293 administration of the program and its allocated funds in lieu of
294 the required biennial report and financial audit report. The
295 department may suspend or revoke an institution's eligibility to
296 receive future moneys for the program or request a refund of any
297 moneys overpaid to the institution for the program if the
298 department finds that an institution has not complied with this
299 section. Any refund requested pursuant to this paragraph shall
300 be remitted within 60 days after notification by the department.

301 (5) Funds appropriated by the Legislature for state student
302 assistance grants may be deposited in the State Student
303 Financial Assistance Trust Fund. Notwithstanding ~~the provisions~~
304 ~~of~~ s. 216.301 and pursuant to s. 216.351, any balance in the
305 trust fund at the end of any fiscal year which has been
306 allocated to the Florida Public Student Assistance Grant Program
307 shall remain therein and shall be available for carrying out the
308 purposes of this section.

309 (6) The State Board of Education shall establish rules
310 necessary to implement this section.

311 Section 5. Present subsections (5) and (6) of section
312 1009.505, Florida Statutes, are redesignated as subsections (6)
313 and (7), respectively, a new subsection (5) is added to that
314 section, and subsections (3) and (4) of that section are
315 amended, to read:

316 1009.505 Florida Public Postsecondary Career Education
317 Student Assistance Grant Program.—

318 (3) (a) Student assistance grants through the program may be
319 made only to certificate-seeking students enrolled at least

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320 half-time in a public postsecondary career certificate program
321 who meet the general requirements for student eligibility as
322 provided in s. 1009.40, except as otherwise provided in this
323 section. The grants shall be awarded annually to any recipient
324 for the amount of demonstrated unmet need for the cost of
325 education and may not exceed the ~~average annual cost of tuition~~
326 ~~and registration fees or such other~~ amount as specified in the
327 General Appropriations Act. A demonstrated unmet need of less
328 than \$200 shall render the applicant ineligible for a grant
329 under this section. Recipients of the grants must have been
330 accepted at a Florida College System institution authorized by
331 Florida law or a career center operated by a district school
332 board under s. 1001.44. If funds are available, a student who
333 received an award in the fall or spring term may receive a
334 summer award. A student is eligible for the award for 110
335 percent of the number of clock hours required to complete the
336 program in which enrolled.

337 (b) A student applying for a Florida public postsecondary
338 career education student assistance grant shall be required to
339 apply for the Pell Grant. A Pell Grant entitlement shall be
340 considered when conducting an assessment of the financial
341 resources available to each student; however, a Pell Grant
342 entitlement shall not be required as a condition of receiving a
343 grant under this section.

344 (c) Each participating institution shall report, to the
345 department by the established date, the ~~eligible~~ students
346 eligible for the program for to whom grant moneys are disbursed
347 each academic term. Each institution shall also report to the
348 department necessary demographic and eligibility data for such

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349 students.

350 (4) (a) The funds appropriated for the Florida Public
351 Postsecondary Career Education Student Assistance Grant Program
352 shall be distributed to eligible Florida College System
353 institutions and district school boards in accordance with a
354 formula approved by the department. The formula shall account
355 for changes in the number of eligible students across all
356 student assistance grant programs established pursuant to this
357 section and ss. 1009.50, 1009.51, and 1009.52.

358 (b) Payment of Florida public postsecondary career
359 education student assistance grants shall be transmitted to the
360 president of the Florida College System institution or to the
361 district school superintendent, or to the designee thereof, in
362 advance of the registration period. Institutions shall notify
363 students of the amount of their awards.

364 (c) The eligibility status of each student to receive a
365 disbursement shall be determined by each institution as of the
366 end of its regular registration period, inclusive of a drop-add
367 period. Institutions shall not be required to reevaluate a
368 student's eligibility status after this date for purposes of
369 changing eligibility determinations previously made.

370 (d) Participating institutions shall certify to the
371 department within 30 days after the end of regular registration
372 each term the amount of funds disbursed to each student and
373 shall remit to the department any undisbursed advances within 60
374 days after the end of regular registration each spring term ~~by~~
375 ~~June 1 of each year.~~ An exception to the remittance deadline may
376 be granted if the institution documents to the department how it
377 plans to disburse awards to students for the subsequent summer

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378 term. An institution that uses funds for the summer term shall
379 certify to the department the amount of funds disbursed to each
380 student and shall remit to the department any undisbursed
381 advances within 30 days after the end of the summer term.

382 (e) Each institution that receives moneys through the
383 Florida Public Postsecondary Career Education Student Assistance
384 Grant Program shall prepare a biennial report that includes a
385 financial audit, conducted by the Auditor General, of the
386 institution's administration of the program and a complete
387 accounting of moneys allocated to the institution for the
388 program. Such report shall be submitted to the department by
389 March 1 every other year. The department may conduct its own
390 annual or biennial audit of an institution's administration of
391 the program and its allocated funds in lieu of the required
392 biennial report and financial audit report. The department may
393 suspend or revoke an institution's eligibility to receive future
394 moneys for the program or request a refund of any moneys
395 overpaid to the institution if the department finds that an
396 institution has not complied with this section. Any refund
397 requested pursuant to this paragraph shall be remitted within 60
398 days after notification by the department.

399 (5) Funds appropriated by the Legislature for state student
400 assistance grants may be deposited in the State Student
401 Financial Assistance Trust Fund. Notwithstanding s. 216.301, and
402 pursuant to s. 216.351, any balance in the trust fund at the end
403 of any fiscal year which has been allocated to the Florida
404 Public Postsecondary Career Education Student Assistance Grant
405 Program shall remain therein and shall be available for carrying
406 out the purposes of this section.

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407 Section 6. Section 1009.51, Florida Statutes, is amended to
408 read:

409 1009.51 Florida Private Student Assistance Grant Program;
410 eligibility for grants.—

411 (1) There is created a Florida Private Student Assistance
412 Grant Program. The program shall be administered by the
413 participating institutions in accordance with rules of the State
414 Board of Education.

415 (2) (a) Florida private student assistance grants ~~from the~~
416 ~~State Student Financial Assistance Trust Fund~~ may be made only
417 to full-time degree-seeking students who meet the general
418 requirements for student eligibility as provided in s. 1009.40,
419 except as otherwise provided in this section. Such grants shall
420 be awarded for the amount of demonstrated unmet need for tuition
421 and fees and may not exceed the maximum annual award ~~an amount~~
422 ~~equal to the average tuition and other registration fees for 30~~
423 ~~credit hours at state universities plus \$1,000 per academic~~
424 ~~year, or as specified in the General Appropriations Act, to any~~
425 ~~applicant~~. A demonstrated unmet need of less than \$200 shall
426 render the applicant ineligible for a Florida private student
427 assistance grant. Recipients of such grants must have been
428 accepted at a baccalaureate-degree-granting independent
429 nonprofit college or university, which is accredited by the
430 Commission on Colleges of the Southern Association of Colleges
431 and Schools and which is located in and chartered as a domestic
432 corporation by the state. If funds are available, a student who
433 received an award in the fall or spring term may receive a
434 summer award. No student may receive an award for more than the
435 equivalent of 9 semesters or 14 quarters of full-time

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436 enrollment, except as otherwise provided in s. 1009.40(3).

437 (b) A student applying for a Florida private student
438 assistance grant shall be required to apply for the Pell Grant.
439 The Pell Grant entitlement shall be considered when conducting
440 an assessment of the financial resources available to each
441 student.

442 (c) Priority in the distribution of grant moneys shall be
443 given to students with the lowest total family resources, in
444 accordance with a nationally recognized system of need analysis.
445 ~~Using the system of need analysis, the department shall~~
446 ~~establish a maximum expected family contribution.~~ An institution
447 may not make a grant from this program to a student whose
448 expected family contribution exceeds one and one-half times the
449 maximum Pell Grant-eligible family contribution level
450 ~~established by the department.~~ An institution may not impose
451 additional criteria to determine a student's eligibility to
452 receive a grant award.

453 (d) Each participating institution shall report, to the
454 department by the established date, ~~the eligible students~~
455 eligible for the program for to whom grant moneys are disbursed
456 each academic term. Each institution shall also report to the
457 department necessary demographic and eligibility data for such
458 students.

459 (3) Based on the unmet financial need of an eligible
460 applicant, the amount of a Florida private student assistance
461 grant must be between \$200 and ~~the average cost of tuition and~~
462 ~~other registration fees for 30 credit hours at state~~
463 ~~universities plus \$1,000 per academic year or~~ the amount
464 specified in the General Appropriations Act.

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465 (4) (a) The funds appropriated for the Florida Private
466 Student Assistance Grant shall be distributed to eligible
467 institutions in accordance with a formula approved by the State
468 Board of Education. The formula shall consider at least the
469 prior year's distribution of funds, the number of ~~full-time~~
470 eligible applicants who did not receive awards, the
471 standardization of the expected family contribution, and
472 provisions for unused funds. The formula shall account for
473 changes in the number of eligible students across all student
474 assistance grant programs established pursuant to this section
475 and ss. 1009.50, 1009.505, and 1009.52.

476 (b) Payment of Florida private student assistance grants
477 shall be transmitted to the president of the college or
478 university, or to his or her representative, in advance of the
479 registration period. Institutions shall notify students of the
480 amount of their awards.

481 (c) The eligibility status of each student to receive a
482 disbursement shall be determined by each institution as of the
483 end of its regular registration period, inclusive of a drop-add
484 period. Institutions shall not be required to reevaluate a
485 student's eligibility status after this date for purposes of
486 changing eligibility determinations previously made.

487 (d) Institutions shall certify to the department within 30
488 days after the end of regular registration each term the amount
489 of funds disbursed to each student and shall remit to the
490 department any undisbursed advances within 60 days after the end
491 of regular registration each spring term ~~by June 1 of each year.~~
492 An exception to the remittance deadline may be granted if the
493 institution documents to the department how it plans to disburse

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494 awards to students for the subsequent summer term. An
495 institution that uses funds for the summer term shall certify to
496 the department the amount of funds disbursed to each student and
497 shall remit to the department any undisbursed advances within 30
498 days after the end of the summer term.

499 (e) Each institution that receives moneys through the
500 Florida Private Student Assistance Grant Program shall prepare a
501 biennial report that includes a financial audit, conducted by an
502 independent certified public accountant, of the institution's
503 administration of the program and a complete accounting of
504 moneys ~~in the State Student Financial Assistance Trust Fund~~
505 allocated to the institution for the program. Such report shall
506 be submitted to the department by March 1 every other year. The
507 department may conduct its own annual or biennial audit of an
508 institution's administration of the program and its allocated
509 funds in lieu of the required biennial report and financial
510 audit report. The department may suspend or revoke an
511 institution's eligibility to receive future moneys ~~from the~~
512 ~~trust fund~~ for the program or request a refund of any moneys
513 overpaid to the institution ~~through the trust fund~~ for the
514 program if the department finds that an institution has not
515 complied with ~~the provisions of~~ this section. Any refund
516 requested pursuant to this paragraph shall be remitted within 60
517 days after notification by the department.

518 (5) Funds appropriated by the Legislature for Florida
519 private student assistance grants may be deposited in the State
520 Student Financial Assistance Trust Fund. Notwithstanding ~~the~~
521 ~~provisions of~~ s. 216.301 and pursuant to s. 216.351, any balance
522 in the trust fund at the end of any fiscal year which has been

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523 allocated to the Florida Private Student Assistance Grant
524 Program shall remain therein and shall be available for carrying
525 out the purposes of this section and as otherwise provided by
526 law.

527 (6) The State Board of Education shall adopt rules
528 necessary to implement this section.

529 Section 7. Section 1009.52, Florida Statutes, is amended to
530 read:

531 1009.52 Florida Postsecondary Student Assistance Grant
532 Program; eligibility for grants.-

533 (1) There is created a Florida Postsecondary Student
534 Assistance Grant Program. The program shall be administered by
535 the participating institutions in accordance with rules of the
536 State Board of Education.

537 (2) (a) Florida postsecondary student assistance grants
538 ~~through the State Student Financial Assistance Trust Fund~~ may be
539 made only to full-time degree-seeking students who meet the
540 general requirements for student eligibility as provided in s.
541 1009.40, except as otherwise provided in this section. Such
542 grants shall be awarded for the amount of demonstrated unmet
543 need for tuition and fees and may not exceed the maximum annual
544 award ~~an amount equal to the average prior academic year cost of~~
545 ~~tuition and other registration fees for 30 credit hours at state~~
546 ~~universities plus \$1,000 per academic year, or as specified in~~
547 ~~the General Appropriations Act, to any applicant.~~ A demonstrated
548 unmet need of less than \$200 shall render the applicant
549 ineligible for a Florida postsecondary student assistance grant.
550 Recipients of such grants must have been accepted at a
551 postsecondary institution that is located in this ~~the~~ state and

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552 that is:

553 1. A private nursing diploma school approved by the Florida
554 Board of Nursing; or

555 2. A college or university licensed by the Commission for
556 Independent Education, excluding those institutions the students
557 of which are eligible to receive a Florida private student
558 assistance grant pursuant to s. 1009.51.

559

560 If funds are available, a student who received an award in the
561 fall or spring term may receive a summer award. No student may
562 receive an award for more than the equivalent of 9 semesters or
563 14 quarters of full-time enrollment, except as otherwise
564 provided in s. 1009.40(3).

565 (b) A student applying for a Florida postsecondary student
566 assistance grant shall be required to apply for the Pell Grant.
567 The Pell Grant entitlement shall be considered when conducting
568 an assessment of the financial resources available to each
569 student.

570 (c) Priority in the distribution of grant moneys shall be
571 given to students with the lowest total family resources, in
572 accordance with a nationally recognized system of need analysis.
573 ~~Using the system of need analysis, the department shall~~
574 ~~establish a maximum expected family contribution.~~ An institution
575 may not make a grant from this program to a student whose
576 expected family contribution exceeds one and one-half times the
577 maximum Pell Grant-eligible family contribution level
578 ~~established by the department.~~ An institution may not impose
579 additional criteria to determine a student's eligibility to
580 receive a grant award.

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581 (d) Each participating institution shall report, to the
582 department by the established date, the eligible students
583 eligible for the program for to whom grant moneys are disbursed
584 each academic term. Each institution shall also report to the
585 department necessary demographic and eligibility data for such
586 students.

587 (3) Based on the unmet financial need of an eligible
588 applicant, the amount of a Florida postsecondary student
589 assistance grant must be between \$200 and ~~the average cost of~~
590 ~~tuition and other registration fees for 30 credit hours at state~~
591 ~~universities plus \$1,000 per academic year or~~ the amount
592 specified in the General Appropriations Act.

593 (4) (a) The funds appropriated for the Florida Postsecondary
594 Student Assistance Grant shall be distributed to eligible
595 institutions in accordance with a formula approved by the State
596 Board of Education. The formula shall consider at least the
597 prior year's distribution of funds, the number of ~~full-time~~
598 eligible applicants who did not receive awards, the
599 standardization of the expected family contribution, and
600 provisions for unused funds. The formula shall account for
601 changes in the number of eligible students across all student
602 assistance grant programs established pursuant to this section
603 and ss. 1009.50, 1009.505, and 1009.51.

604 (b) Payment of Florida postsecondary student assistance
605 grants shall be transmitted to the president of the eligible
606 institution, or to his or her representative, in advance of the
607 registration period. Institutions shall notify students of the
608 amount of their awards.

609 (c) The eligibility status of each student to receive a

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610 disbursement shall be determined by each institution as of the
611 end of its regular registration period, inclusive of a drop-add
612 period. Institutions shall not be required to reevaluate a
613 student's eligibility status after this date for purposes of
614 changing eligibility determinations previously made.

615 (d) Institutions shall certify to the department within 30
616 days after the end of regular registration each term the amount
617 of funds disbursed to each student and shall remit to the
618 department any undisbursed advances within 60 days after the end
619 of regular registration each spring term ~~by June 1 of each year.~~
620 An exception to the remittance deadline may be granted if the
621 institution documents to the department how it plans to disburse
622 awards to students for the subsequent summer term. An
623 institution that uses funds for the summer term shall certify to
624 the department the amount of funds disbursed to each student and
625 shall remit to the department any undisbursed advances within 30
626 days after the end of the summer term.

627 (e) Each institution that receives moneys through the
628 Florida Postsecondary Student Assistance Grant Program shall
629 prepare a biennial report that includes a financial audit,
630 conducted by an independent certified public accountant, of the
631 institution's administration of the program and a complete
632 accounting of moneys ~~in the State Student Financial Assistance~~
633 ~~Trust Fund allocated to the institution~~ for the program. Such
634 report shall be submitted to the department by March 1 every
635 other year. The department may conduct its own annual or
636 biennial audit of an institution's administration of the program
637 and its allocated funds in lieu of the required biennial report
638 and financial audit report. The department may suspend or revoke

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639 an institution's eligibility to receive future moneys ~~from the~~
640 ~~trust fund~~ for the program or request a refund of any moneys
641 overpaid to the institution ~~through the trust fund~~ for the
642 program if the department finds that an institution has not
643 complied with ~~the provisions of~~ this section. Any refund
644 requested pursuant to this paragraph shall be remitted within 60
645 days after notification by the department.

646 (5) Any institution that was eligible to receive state
647 student assistance grants on January 1, 1989, and that is not
648 eligible to receive grants pursuant to s. 1009.51 is eligible to
649 receive grants pursuant to this section.

650 (6) Funds appropriated by the Legislature for Florida
651 postsecondary student assistance grants may be deposited in the
652 State Student Financial Assistance Trust Fund. Notwithstanding
653 ~~the provisions of~~ s. 216.301 and pursuant to s. 216.351, any
654 balance in the trust fund at the end of any fiscal year which
655 has been allocated to the Florida Postsecondary Student
656 Assistance Grant Program shall remain therein and shall be
657 available for carrying out the purposes of this section and as
658 otherwise provided by law.

659 (7) The State Board of Education shall adopt rules
660 necessary to implement this section.

661 Section 8. Subsections (2), (4), (5), and (6) of section
662 1009.893, Florida Statutes, are amended to read:

663 1009.893 Benacquisto Scholarship Program.—

664 (2) The Benacquisto Scholarship Program is created to
665 reward a high school graduate who receives recognition as a
666 National Merit Scholar ~~or National Achievement Scholar~~ and who
667 initially enrolls in the 2014-2015 academic year or, later, in a

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668 baccalaureate degree program at an eligible Florida public or
669 independent postsecondary educational institution.

670 (4) In order to be eligible for an initial award under the
671 scholarship program, a student must meet the requirements of
672 paragraph (a) or paragraph (b).

673 (a) A student who is a resident of this state, as
674 determined in s. 1009.40 and rules of the State Board of
675 Education, must:

676 1. Earn a standard Florida high school diploma or its
677 equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282,
678 or s. 1003.435 unless:

679 a. The student completes a home education program according
680 to s. 1002.41; or

681 b. The student earns a high school diploma from a non-
682 Florida school while living with a parent who is on military or
683 public service assignment out of this state;

684 2. Be accepted by and enroll in a Florida public or
685 independent postsecondary educational institution that is
686 regionally accredited; and

687 3. Be enrolled full-time in a baccalaureate degree program
688 at an eligible regionally accredited Florida public or
689 independent postsecondary educational institution during the
690 fall academic term following high school graduation.

691 (b) A student who initially enrolls in a baccalaureate
692 degree program in the 2018-2019 academic year or later and who
693 is not a resident of this state, as determined in s. 1009.40 and
694 rules of the State Board of Education, must:

695 1. Physically reside in this state on or near the campus of
696 the postsecondary educational institution in which the student

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697 is enrolled;

698 2. Earn a high school diploma from a school outside Florida
699 which is comparable to a standard Florida high school diploma or
700 its equivalent pursuant to s. 1002.3105, s. 1003.4281, s.
701 1003.4282, or s. 1003.435 or must complete a home education
702 program in another state; and

703 3. Be accepted by and enrolled full-time in a baccalaureate
704 degree program at an eligible regionally accredited Florida
705 public or independent postsecondary educational institution
706 during the fall academic term following high school graduation.

707 (5) (a) 1. An eligible student who meets the requirements of
708 paragraph (4) (a), who is a National Merit Scholar ~~or National~~
709 ~~Achievement Scholar~~, and who attends a Florida public
710 postsecondary educational institution shall receive a
711 scholarship award equal to the institutional cost of attendance
712 minus the sum of the student's Florida Bright Futures
713 Scholarship and National Merit Scholarship ~~or National~~
714 ~~Achievement Scholarship~~.

715 2. An eligible student who meets the requirements of
716 paragraph (4) (b), who is a National Merit Scholar, and who
717 attends a Florida public postsecondary educational institution
718 shall receive a scholarship award equal to the institutional
719 cost of attendance for a resident of this state minus the
720 student's National Merit Scholarship. Such student is exempt
721 from the payment of out-of-state fees.

722 (b) An eligible student who is a National Merit Scholar ~~or~~
723 ~~National Achievement Scholar~~ and who attends a Florida
724 independent postsecondary educational institution shall receive
725 a scholarship award equal to the highest cost of attendance for

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726 a resident of this state enrolled at a Florida public
727 university, as reported by the Board of Governors of the State
728 University System, minus the sum of the student's Florida Bright
729 Futures Scholarship and National Merit Scholarship ~~or National~~
730 ~~Achievement Scholarship.~~

731 (6) (a) To be eligible for a renewal award, a student must
732 be enrolled full-time, earn all credits for which he or she was
733 enrolled, and maintain a 3.0 or higher grade point average. An
734 eligible Benacquisto Scholar who has fewer than 12 credits to
735 complete their first baccalaureate degree may receive funding
736 for one term in order to complete their degree.

737 (b) A student's renewal status is not affected by
738 subsequent changes in the residency status of the student or
739 residency status of the student's family.

740 (c) ~~(b)~~ A student may receive the scholarship award for a
741 maximum of 100 percent of the number of credit hours required to
742 complete a baccalaureate degree program, or until completion of
743 a baccalaureate degree program, whichever comes first.

744 (d) A student may receive an award for up to 5 years
745 following high school graduation and may not receive the award
746 for more than 10 semesters.

747 (e) A student who receives an award under this program and
748 fails to meet the renewal requirements due to a verifiable
749 illness or other documented emergency may be granted an
750 exception pursuant to s. 1009.40(1)(b)4.

751 Section 9. Section 1011.45, Florida Statutes, is amended to
752 read:

753 1011.45 End of year balance of funds.—Unexpended amounts in
754 any fund in a university current year operating budget shall be

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755 carried forward and included as the balance forward for that
756 fund in the approved operating budget for the following year.

757 (1) Each university shall maintain a minimum carry forward
758 balance of at least 7 percent of its state operating budget. If
759 a university fails to maintain a 7 percent balance in state
760 operating funds, the university shall submit a plan to the Board
761 of Governors to attain the 7 percent balance of state operating
762 funds within the next fiscal year.

763 (2) Each university that retains a state operating fund
764 carry forward balance in excess of the 7 percent minimum shall
765 submit a spending plan for its excess carry forward balance. The
766 spending plan shall be submitted to the university's board of
767 trustees for review, approval, or, if necessary, amendment by
768 September 30 ~~±~~, 2020, and each September 30 ~~±~~ thereafter. The
769 Board of Governors shall review, approve, and amend, if
770 necessary, each university's carry forward spending plan by
771 November 15 ~~October 1~~, 2020, and each November 15 ~~October 1~~
772 thereafter.

773 (3) A university's carry forward spending plan shall
774 include the estimated cost per planned expenditure and a
775 timeline for completion of the expenditure. Authorized
776 expenditures in a carry forward spending plan may include:

777 (a) Commitment of funds to a public education capital
778 outlay project for which an appropriation has previously been
779 provided that requires additional funds for completion and which
780 is included in the list required by s. 1001.706(12)(d);

781 (b) Completion of a renovation, repair, or maintenance
782 project that is consistent with ~~the provisions of~~ s. 1013.64(1),
783 up to \$5 million per project, and replacement of a minor

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784 facility that does not exceed 10,000 gross square feet in size
785 up to \$2 million;

786 (c) Completion of a remodeling or infrastructure project,
787 including a project for a development research school, up to \$10
788 million per project, if such project is survey recommended
789 pursuant to s. 1013.31;

790 (d) Completion of a repair or replacement project necessary
791 due to damage caused by a natural disaster for buildings
792 included in the inventory required pursuant to s. 1013.31;

793 (e) Operating expenditures that support the university
794 mission ~~and that are nonrecurring; and~~

795 (f) Any purpose specified by the board or in the General
796 Appropriations Act; and

797 (g) A commitment of funds to a contingency reserve to
798 assist in addressing unforeseen circumstances that may arise,
799 including natural disasters and other emergencies.

800 (4) Annually, by September 30, the chief financial officer
801 of each university shall certify the unexpended amount of funds
802 appropriated to the university from the General Revenue Fund,
803 the Educational Enhancement Trust Fund, and the
804 Education/General Student and Other Fees Trust Fund as of June
805 30 of the previous fiscal year.

806 (5) A university may spend the minimum carry forward
807 ~~carryforward~~ balance of 7 percent if a demonstrated emergency
808 exists and the plan is approved by the university's board of
809 trustees and the Board of Governors.

810 Section 10. Section 1013.841, Florida Statutes, is amended
811 to read:

812 1013.841 End of year balance of Florida College System

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813 institution funds.—

814 (1) Unexpended amounts in any fund in any Florida College
815 System institution current year state operating budget shall be
816 carried forward and included as the balance forward for that
817 fund in the approved operating budget for the following year.

818 (2) (a) Each Florida College System institution with a final
819 FTE less than 15,000 for the prior year shall maintain a minimum
820 carry forward balance of at least 5 percent of its state
821 operating budget. If a Florida College System institution fails
822 to maintain a 5 percent balance in state operating funds, the
823 president shall provide written notification to the State Board
824 of Education.

825 (b) Each Florida College System institution with a final
826 FTE less than 15,000 for the prior year that retains a state
827 operating fund carry forward balance in excess of the 5 percent
828 minimum shall submit a spending plan for its excess carry
829 forward balance. The spending plan shall include all excess
830 carry forward funds from state operating funds. The spending
831 plan shall be submitted to the Florida College System
832 institution's board of trustees for approval by September 30 †,
833 2020, and each September 30 † thereafter. The State Board of
834 Education shall review and publish each Florida College System
835 institution's carry forward spending plan by November 15 ~~October~~
836 †, 2020, and each November 15 ~~October~~ † thereafter.

837 (3) (a) Each Florida College System institution with a final
838 FTE of 15,000 or greater for the prior year shall maintain a
839 minimum carry forward balance of at least 7 percent of its state
840 operating budget. If a Florida College System institution fails
841 to maintain a 7 percent balance in state operating funds, the

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842 institution shall submit a plan to the State Board of Education
843 to attain the minimum balance.

844 (b) Each Florida College System institution with a final
845 FTE of 15,000 or greater for the prior year that retains a state
846 operating fund carry forward balance in excess of the 7 percent
847 minimum shall submit a spending plan for its excess carry
848 forward balance. The spending plan shall include all excess
849 carry forward funds from state operating funds. The spending
850 plan shall be submitted to the Florida College System
851 institution's board of trustees for approval by September 30 ~~1~~,
852 2020, and each September 30 ~~1~~ thereafter. The State Board of
853 Education shall review and publish each Florida College System
854 institution's carry forward spending plan by November 15 ~~October~~
855 ~~1~~, 2020, and each November 15 ~~October 1~~ thereafter.

856 (4) A Florida College System institution identified in
857 paragraph (3)(a) must include in its carry forward spending plan
858 the estimated cost per planned expenditure and a timeline for
859 completion of the expenditure. Authorized expenditures in a
860 carry forward spending plan may include:

861 (a) Commitment of funds to a public education capital
862 outlay project for which an appropriation was previously
863 provided, which requires additional funds for completion, and
864 which is included in the list required by s. 1001.03(18)(d);

865 (b) Completion of a renovation, repair, or maintenance
866 project that is consistent with ~~the provisions of~~ s. 1013.64(1),
867 up to \$5 million per project;

868 (c) Completion of a remodeling or infrastructure project,
869 up to \$10 million per project, if such project is survey
870 recommended pursuant to s. 1013.31;

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871 (d) Completion of a repair or replacement project necessary
872 due to damage caused by a natural disaster for buildings
873 included in the inventory required pursuant to s. 1013.31;

874 (e) Operating expenditures that support the Florida College
875 System institution's mission ~~which are nonrecurring; and~~

876 (f) Any purpose approved by the state board or specified in
877 the General Appropriations Act; and

878 (g) A commitment of funds to a contingency reserve to
879 assist in addressing unforeseen circumstances that may arise,
880 including natural disasters and other emergencies.

881 Section 11. Section 11 of chapter 2019-116, Laws of
882 Florida, is repealed.

883 Section 12. This act shall take effect July 1, 2020.