



173942

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/23/2021	.	
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The Committee on Education (Gruters) recommended the following:

1 **Senate Substitute for Amendment (640458) (with title**
2 **amendment)**

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4 Between lines 58 and 59
5 insert:

6 Section 2. Section 1009.261, Florida Statutes, is created
7 to read:

8 1009.261 Grandchild Out-of-State Fees Waiver Compact.—The
9 Grandchild Out-of-State Fees Waiver Compact is enacted into law
10 and entered into by this state with all other jurisdictions
11 legally joining therein in the form substantially as follows:



173942

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13 GRANDCHILDREN OUT-OF-STATE
14 FEEES WAIVER COMPACT

15
16 ARTICLE I
17 DECLARATION OF PURPOSE
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19 The general purposes of this compact are to:

20 (1) Increase access to postsecondary education to students
21 whose families are split between two or more states by reducing
22 costs associated with out-of-state fees.

23 (2) Encourage students to exercise their rights to travel
24 and to choose the postsecondary education that best suits their
25 needs.

26 (3) Increase postsecondary educational choices.

27 (4) Decrease the economic burden posed by postsecondary
28 out-of-state fees.

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30 ARTICLE II
31 DEFINITIONS
32

33 As used in this compact, the term:

34 (1) "Grandparent" means a person who has a legal
35 relationship to a student's parent as the natural or adopted
36 parent or legal guardian of the student's parent.

37 (2) "Member state" means a state that has enacted this
38 compact.

39 (3) "Out-of-state fees" means any additional fee for
40 instruction, which is charged to a student who does not qualify



173942

41 for the in-state tuition rate pursuant to the laws of a member
42 state, imposed by a public postsecondary educational institution
43 located within the member state. A charge for any other purpose
44 may not be included within this fee.

45 (4) "Postsecondary educational institution" means a public
46 university or college located within a member state.

47 (5) "State" includes the District of Columbia and any
48 state, territory, or possession of the United States which
49 oversees one or more public postsecondary educational
50 institutions.

51 (6) "Student's parent" means a person who has a legal
52 relationship to a student as the natural or adopted parent or
53 legal guardian of the student.

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55 ARTICLE III

56 OUT-OF-STATE FEES WAIVER

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58 (1) Postsecondary educational institutions located within
59 each member state shall waive out-of-state fees for a
60 nonresident student who:

61 (a) Is a United States citizen.

62 (b) Has a grandparent who is a legal resident under the
63 applicable laws of the member state.

64 (c)1. Achieves an SAT combined score no lower than the 89th
65 national percentile on the SAT;

66 2. Achieves an ACT score concordant to the SAT score
67 required in subparagraph 1., as designated in the latest
68 published national concordance table developed jointly by the
69 College Board and ACT, Inc.; or



173942

70 3. Achieves a Classic Learning Test (CLT) score concordant
71 to the required SAT score in subparagraph 1., as designated in
72 the latest published scoring comparison developed by Classic
73 Learning Initiatives, but only if the member state postsecondary
74 institution accepts the CLT for admission purposes.

75 (d) Enrolls as a full-time undergraduate student at a
76 member state postsecondary institution in the fall academic term
77 immediately following high school graduation.

78 (2) The waiver under this compact is applicable for up to
79 110 percent of the number of required credit hours of the degree
80 program in which the student is enrolled.

81 (3) Prior to waiving any out-of-state fees, a member state
82 postsecondary educational institution shall require the student,
83 or the student's parent if the student is a dependent child, to
84 provide a written declaration verifying the student's familial
85 relationship to a grandparent who is a legal resident of the
86 member state.

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88 ARTICLE IV

89 OVERSIGHT

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91 The executive, legislative, and judicial branches of state
92 government in each member state shall enforce this compact and
93 take all actions necessary and appropriate to effectuate the
94 compact's purposes and intent. The provisions of this compact
95 have standing as statutory law.

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97 ARTICLE V

98 DATE OF IMPLEMENTATION, WITHDRAWAL, AND AMENDMENT



173942

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(1) The compact shall take effect on the date on which it is enacted into law by two states. Thereafter it is effective as to any state upon its enactment by that state.

(2) A member state may withdraw from this compact by repealing the statute in which it is enacted. A member state's withdrawal may not take effect until 6 months after enactment of the repeal.

(3) This compact may not be construed to invalidate or prohibit any law of a member state that does not conflict with the provisions of this compact.

(4) This compact may be amended by the member states. An amendment to this compact is effective and binding after it is enacted into the laws of all member states.

ARTICLE VI

CONSTRUCTION AND SEVERABILITY

This compact shall be liberally construed so as to effectuate its purposes. The provisions of this compact are severable, and if any phrase, clause, sentence, or provision thereof is declared to be contrary to the constitution of any state or to the Constitution of the United States, or the application thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance is not affected thereby. If this compact is held to be contrary to the constitution of any state participating therein, it remains in full force and effect as to



173942

128 the state affected as to all severable provisions.

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130 ===== T I T L E A M E N D M E N T =====

131 And the title is amended as follows:

132 Delete line 13

133 and insert:

134 to adopt regulations; creating s. 1009.261, F.S.;

135 enacting the Grandchild Out-of-State Fees Waiver

136 Compact; providing the purposes of the compact;

137 defining terms; requiring postsecondary educational

138 institutions located within member states to waive

139 out-of-state fees for students who meet specified

140 criteria; providing that the waiver is applicable for

141 up to a specified amount of credits; requiring member-

142 state postsecondary educational institutions to

143 require a student, or the student's parent if the

144 student is a dependent child, to provide a written

145 declaration verifying eligibility; requiring the

146 executive, legislative, and judicial branches of

147 member state governments to enforce the compact;

148 providing that the provisions of the compact have

149 standing as statutory law; providing for the

150 implementation, withdrawal, and amendment of the

151 compact; providing construction; providing an

152 effective date.