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1                   A bill to be entitled  
2           An act relating to an out-of-state fee waiver for  
3           nonresident students; amending s. 1009.26, F.S.;  
4           requiring a state university to waive the out-of-state  
5           fee for a nonresident student who meets certain  
6           requirements; providing applicability; requiring each  
7           state university to report specified information  
8           regarding such out-of-state fee waivers to the Board  
9           of Governors annually; requiring that a student who is  
10          granted such out-of-state fee waiver be excluded from  
11          the limitation on the systemwide total enrollment of  
12          nonresident students; requiring the Board of Governors  
13          to adopt regulations; creating s. 1009.261, F.S.;  
14          enacting the Grandchild Out-of-State Fees Waiver  
15          Compact; providing the purposes of the compact;  
16          defining terms; requiring postsecondary educational  
17          institutions located within member states to waive  
18          out-of-state fees for students who meet specified  
19          criteria; providing that the waiver is applicable for  
20          up to a specified amount of credits; requiring member-  
21          state postsecondary educational institutions to  
22          require a student, or the student's parent if the  
23          student is a dependent child, to provide a written  
24          declaration verifying eligibility; requiring the  
25          eligible grandparent to provide proof of residency and  
26          honorable discharge; requiring the executive,  
27          legislative, and judicial branches of member state  
28          governments to enforce the compact; providing that the  
29          provisions of the compact have standing as statutory

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30 law; providing for the implementation, withdrawal, and  
31 amendment of the compact; providing construction;  
32 providing an effective date.  
33

34 Be It Enacted by the Legislature of the State of Florida:  
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36 Section 1. Subsection (18) is added to section 1009.26,  
37 Florida Statutes, to read:

38 1009.26 Fee waivers.—

39 (18) (a) A state university shall waive the out-of-state fee  
40 for a nonresident student from a state in compliance with s.  
41 1009.261 and who:

42 1. Is a United States citizen.

43 2. Has a grandparent who is a legal resident as defined in  
44 s. 1009.21(1) (d); has been residing in Florida for at least five  
45 years; and is an honorably discharged veteran of the United  
46 States Armed Forces, the United States Reserve Forces, or the  
47 National Guard.

48 3. Earns a high school diploma comparable to a standard  
49 Florida high school diploma, or its equivalent, or completes a  
50 home education program.

51 4.a. Achieves an SAT combined score no lower than the 89th  
52 national percentile on the SAT;

53 b. Achieves an ACT score concordant to the required SAT  
54 score in sub-subparagraph a., using the latest published  
55 national concordance table developed jointly by the College  
56 Board and ACT, Inc.; or

57 c. If a state university accepts the Classic Learning Test  
58 (CLT) for admission purposes, achieves a CLT score concordant to

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59 the required SAT score in sub-subparagraph a., using the latest  
60 published scoring comparison developed by Classic Learning  
61 Initiatives.

62 5. Enrolls as a full-time undergraduate student at a state  
63 university in the fall academic term immediately following high  
64 school graduation.

65 (b) The waiver under this subsection is applicable for up  
66 to 110 percent of the number of required credit hours of the  
67 degree program for which the student is enrolled.

68 (c) Prior to waiving the out-of-state fee, the state  
69 university shall require:

70 1. The student, or the student's parent if the student is a  
71 dependent child, to provide a written declaration pursuant to s.  
72 92.525(2) verifying the student's familial relationship to a  
73 grandparent who is a legal resident; and

74 2. The eligible grandparent to provide proof of Florida  
75 residency and proof of honorable discharge.

76 (d) Each state university shall report to the Board of  
77 Governors the number and value of all fee waivers granted  
78 annually under this subsection.

79 (e) A nonresident student granted an out-of-state fee  
80 waiver under this subsection shall be excluded from the  
81 limitation on systemwide total enrollment of nonresident  
82 students established by regulation of the Board of Governors.

83 (f) The Board of Governors shall adopt regulations to  
84 administer this subsection.

85 Section 2. Section 1009.261, Florida Statutes, is created  
86 to read:

87 1009.261 Grandchild Out-of-State Fees Waiver Compact.—The

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88 Grandchild Out-of-State Fees Waiver Compact is enacted into law  
89 and entered into by this state with all other jurisdictions  
90 legally joining therein in the form substantially as follows:

91  
92 GRANDCHILD OUT-OF-STATE

93 FEEES WAIVER COMPACT

94  
95 ARTICLE I

96 DECLARATION OF PURPOSE

97  
98 The general purposes of this compact are to:

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

102 (2) Encourage students to exercise their rights to travel  
103 and to choose the postsecondary education that best suits their  
104 needs.

105 (3) Increase postsecondary educational choices.

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

108  
109 ARTICLE II

110 DEFINITIONS

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112 As used in this compact, the term:

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

116 (2) "Member state" means a state that has enacted this

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117 compact.

118 (3) "Out-of-state fees" means any additional fee for  
119 instruction, which is charged to a student who does not qualify  
120 for the in-state tuition rate pursuant to the laws of a member  
121 state, imposed by a public postsecondary educational institution  
122 located within the member state. A charge for any other purpose  
123 may not be included within this fee.

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

126 (5) "State" includes the District of Columbia and any  
127 state, territory, or possession of the United States which  
128 oversees one or more public postsecondary educational  
129 institutions.

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

133

134 ARTICLE III

135 OUT-OF-STATE FEES WAIVER

136

137 (1) Postsecondary educational institutions located within  
138 each member state shall waive out-of-state fees for a  
139 nonresident student who:

140 (a) Is a United States citizen.

141 (b) Has a grandparent who is a legal resident under the  
142 applicable laws of the member state; has been residing in that  
143 state for at least five years; and is an honorably discharged  
144 veteran of the United States Armed Forces, the United States  
145 Reserve Forces, or the National Guard.

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

148 2. Achieves an ACT score concordant to the SAT score  
149 required in subparagraph 1., as designated in the latest  
150 published national concordance table developed jointly by the  
151 College Board and ACT, Inc.; or

152 3. Achieves a Classic Learning Test (CLT) score concordant  
153 to the required SAT score in subparagraph 1., as designated in  
154 the latest published scoring comparison developed by Classic  
155 Learning Initiatives, but only if the member state postsecondary  
156 educational institution accepts the CLT for admission purposes.

157 (d) Enrolls as a full-time undergraduate student at a  
158 member state postsecondary educational institution in the fall  
159 academic term immediately following high school graduation.

160 (2) The waiver under this compact is applicable for up to  
161 110 percent of the number of required credit hours of the degree  
162 program in which the student is enrolled.

163 (3) Prior to waiving any out-of-state fees, a member state  
164 postsecondary educational institution shall require:

165 (a) The student, or the student's parent if the student is  
166 a dependent child, to provide a written declaration verifying  
167 the student's familial relationship to a grandparent who is a  
168 legal resident of the member state; and

169 (b) The eligible grandparent to provide proof of residency  
170 and proof of honorable discharge.

171  
172 ARTICLE IV

173 OVERSIGHT

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175       The executive, legislative, and judicial branches of state  
176 government in each member state shall enforce this compact and  
177 take all actions necessary and appropriate to effectuate the  
178 compact's purposes and intent. The provisions of this compact  
179 have standing as statutory law.

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181                               ARTICLE V

182                   DATE OF IMPLEMENTATION, WITHDRAWAL, AND AMENDMENT  
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184       (1) The compact shall take effect on the date on which it  
185 is enacted into law by two states. Thereafter it is effective as  
186 to any state upon its enactment by that state.

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

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

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

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198                               ARTICLE VI

199                   CONSTRUCTION AND SEVERABILITY  
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201       This compact shall be liberally construed so as to  
202 effectuate its purposes. The provisions of this compact are  
203 severable, and if any phrase, clause, sentence, or provision

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204 thereof is declared to be contrary to the constitution of any  
205 state or to the Constitution of the United States, or the  
206 application thereof to any government, agency, person, or  
207 circumstance is held invalid, the validity of the remainder of  
208 this compact and the applicability thereof to any government,  
209 agency, person, or circumstance is not affected thereby. If this  
210 compact is held to be contrary to the constitution of any state  
211 participating therein, it remains in full force and effect as to  
212 the state affected as to all severable provisions.

213 Section 3. This act shall take effect July 1, 2021.