

By Senator Taddeo

40-00161-21

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1 A bill to be entitled
2 An act relating to student eligibility requirements
3 for state financial aid awards and tuition assistance
4 grants; amending s. 1009.40, F.S.; providing that, for
5 purposes of receiving state financial aid awards, a
6 student may not be denied classification as a resident
7 based on his or her immigration status if certain
8 criteria are met; providing an effective date.

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

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12 Section 1. Paragraph (a) of subsection (1) of section
13 1009.40, Florida Statutes, is amended to read:

14 1009.40 General requirements for student eligibility for
15 state financial aid awards and tuition assistance grants.—

16 (1) (a) The general requirements for eligibility of students
17 for state financial aid awards and tuition assistance grants
18 consist of the following:

19 1. Achievement of the academic requirements of and
20 acceptance at a state university or Florida College System
21 institution; a nursing diploma school approved by the Florida
22 Board of Nursing; a Florida college or university that ~~which~~ is
23 accredited by an accrediting agency recognized by the State
24 Board of Education; a Florida institution the credits of which
25 are acceptable for transfer to state universities; a career
26 center; or a private career institution accredited by an
27 accrediting agency recognized by the State Board of Education.

28 2. Residency in this state for no less than 1 year
29 preceding the award of aid or a tuition assistance grant for a

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30 program established pursuant to s. 1009.50, s. 1009.505, s.
31 1009.51, s. 1009.52, s. 1009.53, s. 1009.60, s. 1009.62, s.
32 1009.72, s. 1009.73, s. 1009.77, s. 1009.89, or s. 1009.891.
33 Residency in this state must be for purposes other than to
34 obtain an education. Resident status for purposes of receiving
35 state financial aid awards shall be determined in the same
36 manner as resident status for tuition purposes pursuant to s.
37 1009.21. However, for purposes of receiving state financial aid
38 awards, a student may not be denied classification as a resident
39 based solely upon his or her immigration status if he or she has
40 been granted:

41 a. Temporary protected status by the United States
42 Department of Homeland Security; or

43 b. Deferred Action for Childhood Arrivals status or another
44 form of prosecutorial discretion by the United States Department
45 of Homeland Security.

46 3. Submission of certification attesting to the accuracy,
47 completeness, and correctness of information provided to
48 demonstrate a student's eligibility to receive state financial
49 aid awards or tuition assistance grants. Falsification of such
50 information shall result in the denial of a pending application
51 and revocation of an award or grant currently held to the extent
52 that no further payments shall be made. Additionally, students
53 who knowingly make false statements in order to receive state
54 financial aid awards or tuition assistance grants commit a
55 misdemeanor of the second degree subject to the provisions of s.
56 837.06 and shall be required to return all state financial aid
57 awards or tuition assistance grants wrongfully obtained.

58 Section 2. This act shall take effect July 1, 2021.