

1 A bill to be entitled
 2 An act relating to student eligibility for financial
 3 assistance; amending s. 1009.26, F.S.; deleting a
 4 requirement that certain students be ineligible for
 5 state financial aid; amending s. 1009.40, F.S.;
 6 providing that certain individuals may not be denied
 7 classification as residents for purposes of receiving
 8 state financial aid awards based on his or her
 9 immigration status if certain criteria are met;
 10 providing an effective date.

11

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

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14 Section 1. Paragraph (c) of subsection (12) of section
 15 1009.26, Florida Statutes, is amended to read:

16 1009.26 Fee waivers.—

17 (12)

18 (c) A state university student granted an out-of-state fee
 19 waiver under this subsection must be considered a nonresident
 20 student for purposes of calculating the systemwide total
 21 enrollment of nonresident students as limited by regulation of
 22 the Board of Governors. In addition, a student who is granted an
 23 out-of-state fee waiver under this subsection may ~~is not~~
 24 ~~eligible for state financial aid under part III of this chapter~~
 25 ~~and must~~ not be reported as a resident for tuition purposes.

26 Section 2. Paragraph (a) of subsection (1) of section
 27 1009.40, Florida Statutes, is amended to read:

28 1009.40 General requirements for student eligibility for
 29 state financial aid awards and tuition assistance grants.—

30 (1)(a) The general requirements for eligibility of
 31 students for state financial aid awards and tuition assistance
 32 grants consist of the following:

33 1. Achievement of the academic requirements of and
 34 acceptance at a state university or Florida College System
 35 institution; a nursing diploma school approved by the Florida
 36 Board of Nursing; a Florida college or university which is
 37 accredited by an accrediting agency recognized by the State
 38 Board of Education; a Florida institution the credits of which
 39 are acceptable for transfer to state universities; a career
 40 center; or a private career institution accredited by an
 41 accrediting agency recognized by the State Board of Education.

42 2. Residency in this state for no less than 1 year
 43 preceding the award of aid or a tuition assistance grant for a
 44 program established pursuant to s. 1009.50, s. 1009.505, s.
 45 1009.51, s. 1009.52, s. 1009.53, s. 1009.60, s. 1009.62, s.
 46 1009.72, s. 1009.73, s. 1009.77, s. 1009.89, or s. 1009.891.
 47 Residency in this state must be for purposes other than to
 48 obtain an education. Resident status for purposes of receiving
 49 state financial aid awards shall be determined in the same
 50 manner as resident status for tuition purposes pursuant to s.

51 1009.21. However, a student may not be denied classification as
52 a resident for purposes of receiving state financial aid awards
53 based solely upon his or her immigration status if he or she has
54 met the conditions for an out-of-state fee waiver under s.
55 1009.26(12) (a).

56 3. Submission of certification attesting to the accuracy,
57 completeness, and correctness of information provided to
58 demonstrate a student's eligibility to receive state financial
59 aid awards or tuition assistance grants. Falsification of such
60 information shall result in the denial of a pending application
61 and revocation of an award or grant currently held to the extent
62 that no further payments shall be made. Additionally, students
63 who knowingly make false statements in order to receive state
64 financial aid awards or tuition assistance grants commit a
65 misdemeanor of the second degree subject to the provisions of s.
66 837.06 and shall be required to return all state financial aid
67 awards or tuition assistance grants wrongfully obtained.

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