

By Senator Osgood

32-01923-23

2023526__

1 A bill to be entitled
2 An act relating to the determination of residential
3 status for tuition purposes; amending s. 1009.21,
4 F.S.; revising the definition of the term "legal
5 resident" or "resident"; revising requirements for a
6 person to be considered a resident for tuition
7 purposes to include time spent in certain correctional
8 institutions; revising the types of documentation
9 authorized to determine residency in the state for
10 specified purposes; providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Paragraph (d) of subsection (1), paragraph (a)
15 of subsection (2), and paragraph (c) of subsection (3) of
16 section 1009.21, Florida Statutes, are amended to read:

17 1009.21 Determination of resident status for tuition
18 purposes.—Students shall be classified as residents or
19 nonresidents for the purpose of assessing tuition in
20 postsecondary educational programs offered by charter technical
21 career centers or career centers operated by school districts,
22 in Florida College System institutions, and in state
23 universities.

24 (1) As used in this section, the term:

25 (d) "Legal resident" or "resident" means a person who has
26 maintained his or her residence in this state for the preceding
27 year, has purchased a home which is occupied by him or her as
28 his or her residence, or has established a domicile in this
29 state pursuant to s. 222.17. Any amount of time spent in a

32-01923-23

2023526__

30 correctional institution, as defined in s. 944.241(2), may be
31 used by a person to meet the requirements of maintaining his or
32 her residence in this state for the preceding year.

33 (2) (a) To qualify as a resident for tuition purposes:

34 1. A person or, if that person is a dependent child, his or
35 her parent or parents must have established legal residence in
36 this state and must have maintained legal residence in this
37 state for at least 12 consecutive months immediately prior to
38 his or her initial enrollment in an institution of higher
39 education. For purposes of this section, a person or, if that
40 person is a dependent child, his or her parent or parents may
41 use any amount of time spent in a correctional institution, as
42 defined in s. 944.241(2), toward the 12 consecutive months of
43 legal residence in this state required under this subparagraph.

44 2. Every applicant for admission to an institution of
45 higher education shall be required to make a statement as to his
46 or her length of residence in the state and, further, shall
47 establish that his or her presence or, if the applicant is a
48 dependent child, the presence of his or her parent or parents in
49 the state currently is, and during the requisite 12-month
50 qualifying period was, for the purpose of maintaining a bona
51 fide domicile, rather than for the purpose of maintaining a mere
52 temporary residence or abode incident to enrollment in an
53 institution of higher education.

54 (3)

55 (c) Each institution of higher education shall
56 affirmatively determine that an applicant who has been granted
57 admission to that institution as a Florida resident meets the
58 residency requirements of this section at the time of initial

32-01923-23

2023526__

59 enrollment. The residency determination must be documented by
60 the submission of written or electronic verification that
61 includes two or more of the documents identified in this
62 paragraph. No single piece of evidence shall be conclusive.

63 1. The documents must include at least one of the
64 following:

65 a. A Florida voter's registration card.

66 b. A Florida driver license.

67 c. A State of Florida identification card.

68 d. A Florida vehicle registration.

69 e. Proof of a permanent home in Florida which is occupied
70 as a primary residence by the individual or by the individual's
71 parent if the individual is a dependent child.

72 f. Proof of a homestead exemption in Florida.

73 g. Transcripts from a Florida high school for multiple
74 years if the Florida high school diploma or high school
75 equivalency diploma was earned within the last 12 months.

76 h. Proof of permanent full-time employment in Florida for
77 at least 30 hours per week for a 12-month period.

78 i. Proof of time spent in a correctional institution, as
79 defined in s. 944.241(2).

80 2. The documents may include one or more of the following:

81 a. A declaration of domicile in Florida.

82 b. A Florida professional or occupational license.

83 c. Florida incorporation.

84 d. A document evidencing family ties in Florida.

85 e. Proof of membership in a Florida-based charitable or
86 professional organization.

87 f. Any other documentation that supports the student's

32-01923-23

2023526__

88 request for resident status, including, but not limited to,
89 utility bills and proof of 12 consecutive months of payments; a
90 lease agreement and proof of 12 consecutive months of payments;
91 or an official state, federal, or court document evidencing
92 legal ties to Florida.

93 Section 2. This act shall take effect July 1, 2023.