1 A bill to be entitled 2 An act relating to the determination of residential 3 status for tuition purposes; amending s. 1009.21, F.S.; revising the definition of the term "legal 4 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 specified purposes; providing an effective date. 10 11 Be It Enacted by the Legislature of the State of Florida: 12 13

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

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

- (1) As used in this section, the term:
- (d) "Legal resident" or "resident" means a person who has

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maintained his or her residence in this state for the preceding year, has purchased a home which is occupied by him or her as his or her residence, or has established a domicile in this state pursuant to s. 222.17. Any amount of time spent in a correctional institution, as defined in s. 944.241(2), may be used by a person to meet the requirements of maintaining his or her residence in this state for the preceding year.

- (2)(a) To qualify as a resident for tuition purposes:
- 1. A person or, if that person is a dependent child, his or her parent or parents must have established legal residence in this state and must have maintained legal residence in this state for at least 12 consecutive months immediately prior to his or her initial enrollment in an institution of higher education. For purposes of this section, a person or, if that person is a dependent child, his or her parent or parents may use any amount of time spent in a correctional institution, as defined in s. 944.241(2), toward the 12 consecutive months of legal residence in this state required under this subparagraph.
- 2. Every applicant for admission to an institution of higher education shall be required to make a statement as to his or her length of residence in the state and, further, shall establish that his or her presence or, if the applicant is a dependent child, the presence of his or her parent or parents in the state currently is, and during the requisite 12-month qualifying period was, for the purpose of maintaining a bona

fide domicile, rather than for the purpose of maintaining a mere temporary residence or abode incident to enrollment in an institution of higher education.

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- (c) Each institution of higher education shall affirmatively determine that an applicant who has been granted admission to that institution as a Florida resident meets the residency requirements of this section at the time of initial enrollment. The residency determination must be documented by the submission of written or electronic verification that includes two or more of the documents identified in this paragraph. No single piece of evidence shall be conclusive.
- 1. The documents must include at least one of the following:
 - a. A Florida voter's registration card.
 - b. A Florida driver license.
 - c. A State of Florida identification card.
 - d. A Florida vehicle registration.
- e. Proof of a permanent home in Florida which is occupied as a primary residence by the individual or by the individual's parent if the individual is a dependent child.
 - f. Proof of a homestead exemption in Florida.
- g. Transcripts from a Florida high school for multiple years if the Florida high school diploma or high school equivalency diploma was earned within the last 12 months.

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	h.	Proc	of of	perm	nanent	ful	.1-	-time	emp]	Loyment	in	Florida	for
at	least	30 h	nours	per	week	for	a	12-mc	onth	period	•		

- i. Proof of time spent in a correctional institution, as defined in s. 944.241(2).
 - 2. The documents may include one or more of the following:
 - a. A declaration of domicile in Florida.
 - b. A Florida professional or occupational license.
 - c. Florida incorporation.

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- d. A document evidencing family ties in Florida.
- e. Proof of membership in a Florida-based charitable or professional organization.
- f. Any other documentation that supports the student's request for resident status, including, but not limited to, utility bills and proof of 12 consecutive months of payments; a lease agreement and proof of 12 consecutive months of payments; or an official state, federal, or court document evidencing legal ties to Florida.
 - Section 2. This act shall take effect July 1, 2023.

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