

1 A bill to be entitled
 2 An act relating to postsecondary education tuition and
 3 fees; amending s. 1009.21, F.S.; providing that
 4 certain individuals may not be denied classification
 5 as residents for tuition purposes if certain criteria
 6 are met; amending s. 1009.26, F.S.; providing that
 7 out-of-state fees for certain individuals who are
 8 undocumented for federal immigration purposes shall be
 9 waived if certain criteria are met; providing for a
 10 uniform out-of-state fee waiver form; providing an
 11 effective date.

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

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 15 Section 1. Paragraph (e) is added to subsection (2) of
 16 section 1009.21, Florida Statutes, 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 (2)

25 (e) An individual may not be denied classification as a

26 resident for tuition purposes based solely upon his or her
 27 immigration status if he or she:

28 1. Is a beneficiary under the federal Family Unity
 29 Program;

30 2. Has been granted temporary protected status by the
 31 United States Department of Homeland Security;

32 3. Has been granted a stay of deportation or removal
 33 status by the United States Department of Homeland Security or
 34 by an administrative or federal court;

35 4. Has been granted deferred enforced departure status by
 36 the United States Department of Homeland Security; or

37 5. Has been granted deferred action for childhood arrivals
 38 status or another form of prosecutorial discretion by the United
 39 States Department of Homeland Security.

40 Section 2. Paragraphs (b) through (d) of subsection (12)
 41 of section 1009.26, Florida Statutes, are redesignated as
 42 paragraphs (c) through (e), respectively, and a new paragraph
 43 (b) and paragraph (f) are added to that subsection to read:

44 1009.26 Fee waivers.—

45 (12)

46 (b) A state university shall waive out-of-state fees for
 47 students, including, but not limited to, students who are
 48 undocumented for federal immigration purposes, who meet the
 49 following requirements:

50 1. Attended and graduated from a postsecondary institution

51 in this state;

52 2. Apply for enrollment in or are currently enrolled in a
53 graduate or professional program at an institution of higher
54 education in this state;

55 3. Submit an official postsecondary transcript as evidence
56 of attendance and graduation; and

57 4. File with the institution of higher education an
58 affidavit stating that the student will file an application to
59 become a permanent resident of the United States at the earliest
60 opportunity he or she is eligible to do so.

61 (f) The Board of Governors and the State Board of
62 Education shall create a uniform out-of-state fee waiver form.

63 Section 3. This act shall take effect July 1, 2018.