

1 A bill to be entitled
2 An act relating to postsecondary educational
3 institution affordability; amending s. 1009.22, F.S.;
4 prohibiting the Board of Trustees of Santa Fe College
5 from increasing its transportation access fee;
6 amending s. 1009.23, F.S.; providing that Florida
7 College System institution boards of trustees may not
8 increase certain student fees after a specified date;
9 requiring the Chancellor of the Florida College System
10 to submit a report detailing the revenue generated by
11 the distance learning course user fee to the Governor
12 and the Legislature by a specified date; amending s.
13 1009.24, F.S.; providing that state universities may
14 not increase certain student fees after a specified
15 date; deleting obsolete language; removing a provision
16 authorizing the Board of Governors to establish new
17 student fees; requiring a university board of trustees
18 to report the amount of revenue generated by the
19 distance learning course fee to the Chancellor of the
20 State University System by a specified date; requiring
21 the chancellor to report to the Governor and the
22 Legislature by a specified date; amending s. 1009.26,
23 F.S.; requiring a state university to waive certain
24 fees for specified graduate students; providing an
25 effective date.

26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

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

Section 1. Paragraph (a) of subsection (12) of section 1009.22, Florida Statutes, is amended to read:

1009.22 Workforce education postsecondary student fees.—

(12) (a) The Board of Trustees of Santa Fe College may establish a transportation access fee. Revenue from the fee may be used only to provide or improve access to transportation services for students enrolled at Santa Fe College. The fee may not exceed \$6 per credit hour. Effective July 1, 2017, the Board of Trustees of Santa Fe College may not ~~An~~ increase ~~in~~ the transportation access fee ~~may occur only once each fiscal year and must be implemented beginning with the fall term.~~ A referendum must be held by the student government to approve the application of the fee.

Section 2. Upon the expiration and reversion of the amendment to section 1009.23, Florida Statutes, pursuant to section 36 of chapter 2016-62, Laws of Florida, subsection (4), paragraph (b) of subsection (6), subsection (7), paragraph (a) of subsection (8), subsection (10), paragraph (a) of subsection (11), paragraph (a) of subsection (12), subsection (15), paragraph (b) of subsection (16), subsection (17), and paragraph (a) of subsection (18) of section 1009.23, Florida Statutes, are amended to read:

51 1009.23 Florida College System institution student fees.-

52 (4) Each Florida College System institution board of
53 trustees shall establish tuition and out-of-state fees; however,
54 such tuition and fees, which may not exceed the amounts
55 established and effective as of June 30, 2017 ~~vary no more than~~
56 ~~10 percent below and 15 percent above the combined total of the~~
57 ~~standard tuition and fees established in subsection (3).~~

58 (6)

59 (b) A Florida College System institution board of trustees
60 may establish a differential out-of-state fee for a student who
61 has been determined to be a nonresident for tuition purposes
62 pursuant to s. 1009.21 and is enrolled in a distance learning
63 course offered by the institution. Effective July 1, 2017, a
64 Florida College System institution board of trustees may not
65 increase the differential out-of-state fee. A differential out-
66 of-state fee established pursuant to this paragraph applies
67 ~~shall be applicable~~ only to distance learning courses and must
68 be established such that the sum of tuition and the differential
69 out-of-state fee is sufficient to defray the full cost of
70 instruction.

71 (7) Each Florida College System institution board of
72 trustees may establish a separate activity and service fee not
73 to exceed 10 percent of the tuition fee, according to rules of
74 the State Board of Education. Effective July 1, 2017, a Florida
75 College System institution board of trustees may not increase

76 | the activity and service fee. The student activity and service
77 | fee shall be collected as a component part of the tuition and
78 | fees. The student activity and service fees shall be paid into a
79 | student activity and service fund at the Florida College System
80 | institution and shall be expended for lawful purposes to benefit
81 | the student body in general. These purposes include, but are not
82 | limited to, student publications and grants to duly recognized
83 | student organizations, the membership of which is open to all
84 | students at the Florida College System institution without
85 | regard to race, sex, or religion. A ~~No~~ Florida College System
86 | institution may not shall be required to lower any activity and
87 | service fee approved by the board of trustees of the Florida
88 | College System institution and in effect prior to October 26,
89 | 2007, in order to comply with ~~the provisions of~~ this subsection.

90 | (8) (a) Each Florida College System institution board of
91 | trustees is authorized to establish a separate fee for financial
92 | aid purposes in an additional amount up to, but not to exceed, 5
93 | percent of the total student tuition or out-of-state fees
94 | collected. Each Florida College System institution board of
95 | trustees may collect up to an additional 2 percent if the amount
96 | generated by the total financial aid fee is less than \$500,000.
97 | If the amount generated is less than \$500,000, a Florida College
98 | System institution that charges tuition and out-of-state fees at
99 | least equal to the average fees established by rule may transfer
100 | from the general current fund to the scholarship fund an amount

101 equal to the difference between \$500,000 and the amount
102 generated by the total financial aid fee assessment. No other
103 transfer from the general current fund to the loan, endowment,
104 or scholarship fund, by whatever name known, is authorized.
105 Effective July 1, 2017, a Florida College System institution
106 board of trustees may not increase the financial aid fee.

107 (10) Each Florida College System institution board of
108 trustees is authorized to establish a separate fee for
109 technology, which may not exceed 5 percent of tuition per credit
110 hour or credit-hour equivalent for resident students and may not
111 exceed 5 percent of tuition and the out-of-state fee per credit
112 hour or credit-hour equivalent for nonresident students.
113 Effective July 1, 2017, a Florida College System institution
114 board of trustees may not increase the technology fee. Revenues
115 generated from the technology fee shall be used to enhance
116 instructional technology resources for students and faculty. The
117 technology fee may apply to both college credit and
118 developmental education and shall not be included in any award
119 under the Florida Bright Futures Scholarship Program. Fifty
120 percent of technology fee revenues may be pledged by a Florida
121 College System institution board of trustees as a dedicated
122 revenue source for the repayment of debt, including lease-
123 purchase agreements, not to exceed the useful life of the asset
124 being financed. Revenues generated from the technology fee may
125 not be bonded.

126 (11) (a) Each Florida College System institution board of
127 trustees may establish a separate fee for capital improvements,
128 technology enhancements, equipping student buildings, or the
129 acquisition of improved real property which may not exceed 20
130 percent of tuition for resident students or 20 percent of the
131 sum of tuition and out-of-state fees for nonresident students.
132 Effective July 1, 2017, a Florida College System institution
133 board of trustees may not increase the capital improvement ~~The~~
134 ~~fee for resident students shall be limited to an increase of \$2~~
135 ~~per credit hour over the prior year.~~ Funds collected by Florida
136 College System institutions through the fee may be bonded only
137 as provided in this subsection for the purpose of financing or
138 refinancing new construction and equipment, renovation,
139 remodeling of educational facilities, or the acquisition and
140 renovation or remodeling of improved real property for use as
141 educational facilities. The fee shall be collected as a
142 component part of the tuition and fees, paid into a separate
143 account, and expended only to acquire improved real property or
144 construct and equip, maintain, improve, or enhance the
145 educational facilities of the Florida College System
146 institution. Projects and acquisitions of improved real property
147 funded through the use of the capital improvement fee shall meet
148 the survey and construction requirements of chapter 1013.
149 Pursuant to s. 216.0158, each Florida College System institution
150 shall identify each project, including maintenance projects,

151 | proposed to be funded in whole or in part by such fee.

152 | (12) (a) In addition to tuition, out-of-state, financial
153 | aid, capital improvement, student activity and service, and
154 | technology fees authorized in this section, each Florida College
155 | System institution board of trustees is authorized to establish
156 | fee schedules for the following user fees and fines: laboratory
157 | fees, which do not apply to a distance learning course; parking
158 | fees and fines; library fees and fines; fees and fines relating
159 | to facilities and equipment use or damage; access or
160 | identification card fees; duplicating, photocopying, binding, or
161 | microfilming fees; standardized testing fees; diploma
162 | replacement fees; transcript fees; application fees; graduation
163 | fees; and late fees related to registration and payment. Such
164 | user fees and fines shall not exceed the cost of the services
165 | provided and shall only be charged to persons receiving the
166 | service. A Florida College System institution may not charge any
167 | fee except as authorized by law. Parking fee revenues may be
168 | pledged by a Florida College System institution board of
169 | trustees as a dedicated revenue source for the repayment of
170 | debt, including lease-purchase agreements, with an overall term
171 | of not more than 7 years, including renewals, extensions, and
172 | refundings, and revenue bonds with a term not exceeding 20 years
173 | and not exceeding the useful life of the asset being financed.
174 | Florida College System institutions shall use the services of
175 | the Division of Bond Finance of the State Board of

176 Administration to issue any revenue bonds authorized by this
177 subsection. Any such bonds issued by the Division of Bond
178 Finance shall be in compliance with the provisions of the State
179 Bond Act. Bonds issued pursuant to the State Bond Act may be
180 validated in the manner established in chapter 75. The complaint
181 for such validation shall be filed in the circuit court of the
182 county where the seat of state government is situated, the
183 notice required to be published by s. 75.06 shall be published
184 only in the county where the complaint is filed, and the
185 complaint and order of the circuit court shall be served only on
186 the state attorney of the circuit in which the action is
187 pending. Effective July 1, 2017, a Florida College System
188 institution board of trustees may not increase any fee
189 authorized in this paragraph.

190 (15) Each Florida College System institution may assess a
191 service charge for the payment of tuition and fees in
192 installments and a convenience fee for the processing of
193 automated or online credit card payments. However, the amount of
194 the convenience fee may not exceed the total cost charged by the
195 credit card company to the Florida College System institution.
196 Such service charge or convenience fee must be approved by the
197 Florida College System institution board of trustees. Effective
198 July 1, 2017, a Florida College System institution board of
199 trustees may not increase the service charge.

200 (16)

201 (b) The amount of the distance learning course user fee
202 may not exceed the additional costs of the services provided
203 which are attributable to the development and delivery of the
204 distance learning course. If a Florida College System
205 institution assesses the distance learning course user fee, the
206 institution may not assess any other fees to cover the
207 additional costs. Effective July 1, 2017, a Florida College
208 System institution may not increase the distance learning course
209 user fee in excess of the amount established and effective as of
210 June 30, 2017. By September 1 of each year, each board of
211 trustees shall report to the Division of Florida Colleges the
212 total amount of revenue generated by the distance learning
213 course user fee for the prior fiscal year and how the revenue
214 was expended. By November 1 of each year, the Chancellor of the
215 Florida College System shall submit a report totaling the amount
216 of revenue generated by the distance learning course user fee
217 for the prior fiscal year and how the revenue was expended,
218 systemwide and for each institution, to the Governor, the
219 President of the Senate, and the Speaker of the House of
220 Representatives.

221 (17) Each Florida College System institution that accepts
222 transient students, pursuant to s. 1006.735, may establish a
223 transient student fee not to exceed \$5 per course for processing
224 the transient student admissions application. Effective July 1,
225 2017, a Florida College System institution board of trustees may

226 | not increase the transient student fee.

227 | (18) (a) The Board of Trustees of Santa Fe College may
228 | establish a transportation access fee. Revenue from the fee may
229 | be used only to provide or improve access to transportation
230 | services for students enrolled at Santa Fe College. The fee may
231 | not exceed \$6 per credit hour. Effective July 1, 2017, the Board
232 | of Trustees of Santa Fe College may not ~~An increase in the~~
233 | ~~transportation access fee may occur only once each fiscal year~~
234 | ~~and must be implemented beginning with the fall term.~~ A
235 | referendum must be held by the student government to approve the
236 | application of the fee.

237 | Section 3. Upon the expiration and reversion of the
238 | amendment to section 1009.24, Florida Statutes, pursuant to
239 | section 36 of chapter 2016-62, Laws of Florida, paragraph (d) of
240 | subsection (4), subsections (7) through (15), and paragraph (b)
241 | of subsection (17) of section 1009.24, Florida Statutes, are
242 | amended to read:

243 | 1009.24 State university student fees.—

244 | (4)

245 | (d) The sum of the activity and service, health, and
246 | athletic fees a student is required to pay to register for a
247 | course may not exceed 40 percent of the tuition established in
248 | law or in the General Appropriations Act. A ~~No~~ university may
249 | not shall be required to lower any fee in effect on the
250 | effective date of this act in order to comply with this

251 subsection. Within the 40 percent cap, universities may not
252 increase the aggregate sum of activity and service, health, and
253 athletic fees more than 5 percent per year unless specifically
254 authorized in law or in the General Appropriations Act.
255 Effective July 1, 2017, a university may not increase its
256 athletic fee ~~to defray the costs associated with changing~~
257 ~~National Collegiate Athletic Association divisions. Any such~~
258 ~~increase in the athletic fee may exceed both the 40 percent cap~~
259 ~~and the 5 percent cap imposed by this subsection. Any such~~
260 ~~increase must be approved by the athletic fee committee in the~~
261 ~~process outlined in subsection (12) and may not exceed \$2 per~~
262 ~~credit hour. Notwithstanding ss. 1009.534, 1009.535, and~~
263 ~~1009.536, that portion of any increase in an athletic fee~~
264 ~~pursuant to this subsection which causes the sum of the activity~~
265 ~~and service, health, and athletic fees to exceed the 40 percent~~
266 ~~cap or the annual increase in such fees to exceed the 5 percent~~
267 ~~cap may not be included in calculating the amount a student~~
268 ~~receives for a Florida Academic Scholars award, a Florida~~
269 ~~Medallion Scholars award, or a Florida Gold Seal Vocational~~
270 ~~Scholars award. Notwithstanding this paragraph and subject to~~
271 ~~approval by the board of trustees, each state university may~~
272 ~~exceed the 5-percent cap on the annual increase to the aggregate~~
273 ~~sum of activity and service, health, and athletic fees for the~~
274 ~~2010-2011 fiscal year. Any such increase may not exceed 15~~
275 ~~percent or the amount required to reach the 2009-2010 fiscal~~

276 | ~~year statewide average for the aggregate sum of activity and~~
277 | ~~service, health, and athletic fees at the main campuses,~~
278 | ~~whichever is greater. The aggregate sum of the activity and~~
279 | ~~service, health, and athletic fees may not exceed 40 percent of~~
280 | ~~tuition. Any increase in the activity and service fee, health~~
281 | ~~fee, or athletic fee must be approved by the appropriate fee~~
282 | ~~committee pursuant to subsection (10), subsection (11), or~~
283 | ~~subsection (12).~~

284 | (7) A university board of trustees is authorized to
285 | collect for financial aid purposes an amount not to exceed 5
286 | percent of the tuition and out-of-state fee. Effective July 1,
287 | 2017, a university board of trustees may not increase the
288 | financial aid fee. The revenues from fees are to remain at each
289 | campus and replace existing financial aid fees. Such funds shall
290 | be disbursed to students as quickly as possible. A minimum of 75
291 | percent of funds from the student financial aid fee shall be
292 | used to provide financial aid based on absolute need. The Board
293 | of Governors shall develop criteria for making financial aid
294 | awards. Each university shall report annually to the Board of
295 | Governors and the Department of Education on the revenue
296 | collected pursuant to this subsection, the amount carried
297 | forward, the criteria used to make awards, the amount and number
298 | of awards for each criterion, and a delineation of the
299 | distribution of such awards. The report shall include an
300 | assessment by category of the financial need of every student

301 who receives an award, regardless of the purpose for which the
302 award is received. Awards that ~~which~~ are based on financial need
303 shall be distributed in accordance with a nationally recognized
304 system of need analysis approved by the Board of Governors. An
305 award for academic merit requires ~~shall require~~ a minimum
306 overall grade point average of 3.0 on a 4.0 scale or the
307 equivalent for both initial receipt of the award and renewal of
308 the award.

309 (8)(a) The Capital Improvement Trust Fund fee is
310 established as \$4.76 per credit hour per semester.

311 ~~(b) Beginning with the 2012 fall term, each university~~
312 ~~board of trustees may increase the Capital Improvement Trust~~
313 ~~Fund fee. Any increase in the fee must be recommended by a~~
314 ~~Capital Improvement Trust Fund committee, at least half of whom~~
315 ~~are students appointed by the student body president. The~~
316 ~~remainder of the committee shall be appointed by the university~~
317 ~~president. A chair, appointed jointly by the university~~
318 ~~president and the student body president, shall vote only in the~~
319 ~~case of a tie. The recommendations of the committee shall take~~
320 ~~effect only after approval by the university president, after~~
321 ~~consultation with the student body president, with final~~
322 ~~approval by the university board of trustees. An increase in the~~
323 ~~fee may occur only once each fiscal year and must be implemented~~
324 ~~beginning with the fall term. The Board of Governors shall adopt~~
325 ~~regulations and timetables to implement the fee.~~

326 ~~(e)~~ The fee may not exceed 10 percent of the tuition for
327 resident students or 10 percent of the sum of tuition and out-
328 of-state fees for nonresident students. ~~The fee for resident~~
329 ~~students shall be limited to an increase of \$2 per credit hour~~
330 ~~over the prior year.~~ The Capital Improvement Trust Fund fee may
331 be used to fund any project or real property acquisition that
332 meets the requirements of chapter 1013. The Division of Bond
333 Finance of the State Board of Administration shall analyze any
334 proposed reductions to the Capital Improvement Trust Fund fee to
335 ensure consistency with prudent financial management of the bond
336 program associated with the revenues from the fee. Effective
337 July 1, 2017, a university board of trustees may not increase
338 the Capital Improvement Trust Fund fee ~~The Board of Governors~~
339 ~~shall approve any proposed fee reductions provided that no such~~
340 ~~reduction reduces the fee below the level established in~~
341 ~~paragraph (a).~~

342 (9) Each university board of trustees is authorized to
343 establish separate activity and service, health, and athletic
344 fees. Effective July 1, 2017, a university board of trustees may
345 not increase these fees. When duly established, the fees shall
346 be collected as component parts of tuition and fees and shall be
347 retained by the university and paid into the separate activity
348 and service, health, and athletic funds. Notwithstanding any
349 other provision of law to the contrary, a university may
350 transfer revenues derived from the fees authorized pursuant to

351 | this subsection to a university direct-support organization of
352 | the university to be used only for the purpose of paying and
353 | securing debt on projects approved pursuant to s. 1010.62 and
354 | pursuant to a written agreement approved by the Board of
355 | Governors. The amount transferred may not exceed the amount
356 | authorized for annual debt service pursuant to s. 1010.62.

357 | (10) (a) Each university board of trustees shall establish
358 | a student activity and service fee on the main campus of the
359 | university. The university board may also establish a student
360 | activity and service fee on any branch campus or center.
361 | Effective July 1, 2017, a university board of trustees may not
362 | increase these student activity and service fees ~~Any subsequent~~
363 | ~~increase in the activity and service fee must be recommended by~~
364 | ~~an activity and service fee committee, at least one-half of whom~~
365 | ~~are students appointed by the student body president. The~~
366 | ~~remainder of the committee shall be appointed by the university~~
367 | ~~president. A chairperson, appointed jointly by the university~~
368 | ~~president and the student body president, shall vote only in the~~
369 | ~~case of a tie. The recommendations of the committee shall take~~
370 | ~~effect only after approval by the university president, after~~
371 | ~~consultation with the student body president, with final~~
372 | ~~approval by the university board of trustees. An increase in the~~
373 | ~~activity and service fee may occur only once each fiscal year~~
374 | ~~and must be implemented beginning with the fall term. The Board~~
375 | of Governors is responsible for adopting the regulations and

376 timetables necessary to implement these fees ~~this fee~~.

377 (b) The student activity and service fees shall be
378 expended for lawful purposes to benefit the student body in
379 general. This shall include, but shall not be limited to,
380 student publications and grants to duly recognized student
381 organizations, the membership of which is open to all students
382 at the university without regard to race, sex, or religion. The
383 fund may not benefit activities for which an admission fee is
384 charged to students, except for student-government-association-
385 sponsored concerts. The allocation and expenditure of the fund
386 shall be determined by the student government association of the
387 university, except that the president of the university may veto
388 any line item or portion thereof within the budget when
389 submitted by the student government association legislative
390 body. The university president shall have 15 school days from
391 the date of presentation of the budget to act on the allocation
392 and expenditure recommendations, which shall be deemed approved
393 if no action is taken within the 15 school days. If any line
394 item or portion thereof within the budget is vetoed, the student
395 government association legislative body shall within 15 school
396 days make new budget recommendations for expenditure of the
397 vetoed portion of the fund. If the university president vetoes
398 any line item or portion thereof within the new budget
399 revisions, the university president may reallocate by line item
400 that vetoed portion to bond obligations guaranteed by activity

401 and service fees. Unexpended funds and undisbursed funds
402 remaining at the end of a fiscal year shall be carried over and
403 remain in the student activity and service fund and be available
404 for allocation and expenditure during the next fiscal year.

405 (11) Each university board of trustees shall establish a
406 student health fee on the main campus of the university. The
407 university board of trustees may also establish a student health
408 fee on any branch campus or center. Effective July 1, 2017, a
409 university board of trustees may not ~~Any subsequent~~ increase
410 these in the health fees ~~fee must be recommended by a health~~
411 ~~committee, at least one half of whom are students appointed by~~
412 ~~the student body president. The remainder of the committee shall~~
413 ~~be appointed by the university president. A chairperson,~~
414 ~~appointed jointly by the university president and the student~~
415 ~~body president, shall vote only in the case of a tie. The~~
416 ~~recommendations of the committee shall take effect only after~~
417 ~~approval by the university president, after consultation with~~
418 ~~the student body president, with final approval by the~~
419 ~~university board of trustees. An increase in the health fee may~~
420 ~~occur only once each fiscal year and must be implemented~~
421 ~~beginning with the fall term. The Board of Governors shall adopt~~
422 ~~is responsible for adopting the regulations and timetables~~
423 necessary to implement these fees ~~this fee.~~

424 (12) Each university board of trustees shall establish a
425 separate athletic fee on the main campus of the university. The

426 university board may also establish a separate athletic fee on
427 any branch campus or center. Effective July 1, 2017, a
428 university board of trustees may not ~~Any subsequent~~ increase
429 these in the athletic fees ~~fee must be recommended by an~~
430 ~~athletic fee committee, at least one half of whom are students~~
431 ~~appointed by the student body president. The remainder of the~~
432 ~~committee shall be appointed by the university president. A~~
433 ~~chairperson, appointed jointly by the university president and~~
434 ~~the student body president, shall vote only in the case of a~~
435 ~~tie. The recommendations of the committee shall take effect only~~
436 ~~after approval by the university president, after consultation~~
437 ~~with the student body president, with final approval by the~~
438 ~~university board of trustees. An increase in the athletic fee~~
439 ~~may occur only once each fiscal year and must be implemented~~
440 ~~beginning with the fall term. The Board of Governors is~~
441 responsible for adopting the regulations and timetables
442 necessary to implement these fees ~~this fee.~~

443 (13) Each university board of trustees may establish a
444 technology fee of up to 5 percent of the tuition per credit
445 hour. Effective July 1, 2017, a university board of trustees may
446 not increase the technology fee. The revenue from this fee must
447 ~~shall~~ be used to enhance instructional technology resources for
448 students and faculty. The technology fee may not be included in
449 any award under the Florida Bright Futures Scholarship Program
450 established pursuant to ss. 1009.53-1009.538.

451 (14) Except as otherwise provided in subsection (15), each
452 university board of trustees is authorized to establish the
453 following fees:

454 (a) A nonrefundable application fee in an amount not to
455 exceed \$30.

456 (b) An orientation fee in an amount not to exceed \$35.

457 (c) A fee for security, access, or identification cards.
458 The annual fee for such a card may not exceed \$10 per card. The
459 maximum amount charged for a replacement card may not exceed
460 \$15.

461 (d) Registration fees for audit and zero-hours
462 registration; a service charge, which may not exceed \$15, for
463 the payment of tuition and fees in installments; and a late-
464 registration fee in an amount not less than \$50 nor more than
465 \$100 to be imposed on students who fail to initiate registration
466 during the regular registration period.

467 (e) A late-payment fee in an amount not less than \$50 nor
468 more than \$100 to be imposed on students who fail to pay or fail
469 to make appropriate arrangements to pay (by means of installment
470 payment, deferment, or third-party billing) tuition by the
471 deadline set by each university. Each university may adopt
472 specific procedures or policies for waiving the late-payment fee
473 for minor underpayments.

474 (f) Fees for transcripts and diploma replacement, not to
475 exceed \$10 per item.

476 (g) A nonrefundable admissions deposit for undergraduate,
477 graduate, and professional degree programs in an amount not to
478 exceed \$200. The admissions deposit shall be imposed at the time
479 of an applicant's acceptance to the university and shall be
480 applied toward tuition upon enrollment. If the applicant does
481 not enroll in the university, the admissions deposit shall be
482 deposited in an auxiliary account of the university and used to
483 expand financial assistance, scholarships, and student academic
484 and career counseling services at the university. The Board of
485 Governors shall adopt a policy that provides for the waiver of
486 such admissions deposit on the basis of financial hardship.

487 (h) A fee for miscellaneous health-related charges for
488 services provided at cost by the university health center which
489 are not covered by the health fee set under subsection (11).

490 (i) Materials and supplies fees to offset the cost of
491 materials or supplies that are consumed in the course of the
492 student's instructional activities, excluding the cost of
493 equipment replacement, repairs, and maintenance.

494 (j) Housing rental rates and miscellaneous housing charges
495 for services provided by the university at the request of the
496 student.

497 (k) A charge representing the reasonable cost of efforts
498 to collect payment of overdue accounts.

499 (l) A service charge on university loans in lieu of
500 interest and administrative handling charges.

501 (m) A fee for off-campus course offerings when the
 502 location results in specific, identifiable increased costs to
 503 the university.

504 (n) Library fees and fines, including charges for damaged
 505 and lost library materials, overdue reserve library books,
 506 interlibrary loans, and literature searches.

507 (o) Fees relating to duplicating, photocopying, binding,
 508 and microfilming; copyright services; and standardized testing.
 509 These fees may be charged only to those who receive the
 510 services.

511 (p) Fees and fines relating to the use, late return, and
 512 loss and damage of facilities and equipment.

513 (q) A returned-check fee as authorized by s. 832.07(1) for
 514 unpaid checks returned to the university.

515 (r) Traffic and parking fines, charges for parking decals,
 516 and transportation access fees.

517 (s) An Educational Research Center for Child Development
 518 fee for child care and services offered by the center.

519 (t) A transient student fee that may not exceed \$5 per
 520 course for accepting a transient student and processing the
 521 transient student admissions application pursuant to s.
 522 1006.735.

523
 524 Effective July 1, 2017, a university board of trustees may not
 525 increase the fees established under this subsection ~~With the~~

526 ~~exception of housing rental rates and except as otherwise~~
527 ~~provided, fees assessed pursuant to paragraphs (h) (s) shall be~~
528 ~~based on reasonable costs of services.~~ The Board of Governors
529 shall adopt regulations and timetables necessary to implement
530 the fees and fines authorized under this subsection. The fees
531 assessed under this subsection may be used for debt only as
532 authorized under s. 1010.62.

533 (15) (a) The Board of Governors may approve:

534 ~~1. A proposal from a university board of trustees to~~
535 ~~establish a new student fee that is not specifically authorized~~
536 ~~by this section.~~

537 ~~2. A proposal from a university board of trustees to~~
538 ~~increase the current cap for an existing fee authorized pursuant~~
539 ~~to paragraphs (14) (a) (g).~~

540 3. a proposal from a university board of trustees to
541 implement flexible tuition policies, such as undergraduate or
542 graduate block tuition, block tuition differential, or market
543 tuition rates for graduate-level online courses or graduate-
544 level courses offered through a university's continuing
545 education program. A block tuition policy for resident
546 undergraduate students or undergraduate-level courses shall be
547 based on the per-credit-hour undergraduate tuition established
548 under subsection (4). A block tuition policy for nonresident
549 undergraduate students shall be based on the per-credit-hour
550 undergraduate tuition and out-of-state fee established under

551 subsection (4). Flexible tuition policies, including block
552 tuition, may not increase the state's fiscal liability or
553 obligation.

554 (b) A proposal developed pursuant to paragraph (a) shall
555 be submitted in accordance with guidelines established by the
556 Board of Governors. Approval by the Board of Governors of such
557 proposal must be made in accordance with the provisions of this
558 subsection.

559 ~~(c) In reviewing a proposal to establish a new fee under~~
560 ~~subparagraph (a)1., the Board of Governors shall consider:~~

561 ~~1. The purpose to be served or accomplished by the new~~
562 ~~fee.~~

563 ~~2. Whether there is a demonstrable student-based need for~~
564 ~~the new fee that is not currently being met through existing~~
565 ~~university services, operations, or another fee.~~

566 ~~3. Whether the financial impact on students is warranted~~
567 ~~in light of other charges assessed to students for tuition and~~
568 ~~associated fees.~~

569 ~~4. Whether any restrictions, limitations, or conditions~~
570 ~~should be placed on the use of the fee.~~

571 ~~5. Whether there are outcome measures to indicate if the~~
572 ~~purpose for which the fee was established is accomplished.~~

573 ~~(d) In reviewing a proposal to increase or exceed the~~
574 ~~current cap for an existing fee under subparagraph (a)2., the~~
575 ~~Board of Governors shall consider:~~

576 ~~1. The services or operations currently being funded by~~
 577 ~~the fee.~~

578 ~~2. Whether those services or operations can be performed~~
 579 ~~more efficiently to alleviate the need for any increase.~~

580 ~~3. The additional or enhanced services or operations to be~~
 581 ~~funded by the increase.~~

582 ~~4. Whether any alternative resources are available to meet~~
 583 ~~the need.~~

584 ~~5. Whether the financial impact on students is warranted~~
 585 ~~in light of other charges assessed to students for tuition and~~
 586 ~~associated fees.~~

587 (c)(e) In reviewing a proposal to implement a flexible
 588 tuition policy under paragraph (a) ~~subparagraph (a)3.~~, the Board
 589 of Governors shall consider:

590 1. Whether the proposed tuition flexibility policy is
 591 aligned with the mission of the university.

592 2. Whether the proposed tuition flexibility policy
 593 increases the state's fiscal liabilities or obligations and, if
 594 so, the proposal shall be denied.

595 3. Whether any restrictions, limitations, or conditions
 596 should be placed on the policy.

597 4. How the proposed tuition flexibility policy will be
 598 implemented to honor the advance payment contracts of students
 599 who are beneficiaries of prepaid tuition contracts under s.
 600 1009.98.

601 (d)~~(f)~~ The Board of Governors shall submit an annual
602 report to the President of the Senate, the Speaker of the House
603 of Representatives, and the Governor summarizing the proposals
604 received by the board during the preceding year and actions
605 taken by the board in response to such proposals. ~~The Board of~~
606 ~~Governors shall also include in the annual report the following~~
607 ~~information for each fee established pursuant to subparagraph~~
608 ~~(a)1.:~~

- 609 1. ~~The amount of the fee.~~
610 2. ~~The total revenues generated by the fee.~~
611 3. ~~Detailed expenditures of the revenues generated by the~~
612 ~~fee.~~

613 ~~(g) The aggregate sum of any fees established pursuant to~~
614 ~~subparagraph (a)1. that a student is required to pay to register~~
615 ~~for a course shall not exceed 10 percent of tuition.~~

616 ~~(h) Any fee established pursuant to subparagraph (a)1.~~
617 ~~shall not be included in any award under the Florida Bright~~
618 ~~Futures Scholarship Program established pursuant to ss. 1009.53-~~
619 ~~1009.538.~~

620 ~~(i) The revenues generated by a fee established pursuant~~
621 ~~to subparagraph (a)1. may not be transferred to an auxiliary~~
622 ~~enterprise or a direct-support organization and may not be used~~
623 ~~for the purpose of paying or securing debt.~~

624 ~~(j) If the Board of Governors approves a university~~
625 ~~proposal to establish a fee pursuant to subparagraph (a)1., a~~

626 ~~fee committee shall be established at the university to make~~
627 ~~recommendations to the university president and the university~~
628 ~~board of trustees regarding how the revenue from the fee is to~~
629 ~~be spent and any subsequent changes to the fee. At least one-~~
630 ~~half of the committee must be students appointed by the student~~
631 ~~body president. The remainder of the committee shall be~~
632 ~~appointed by the university president. A chair, appointed~~
633 ~~jointly by the university president and the student body~~
634 ~~president, shall vote only in the case of a tie.~~

635 ~~(k) An increase to an existing fee or a fee established~~
636 ~~pursuant to subparagraph (a)1. may occur no more than once each~~
637 ~~fiscal year and must be implemented beginning with the fall~~
638 ~~term.~~

639 (17)

640 (b) The amount of the distance learning course fee may not
641 exceed the additional costs of the services provided which are
642 attributable to the development and delivery of the distance
643 learning course. If the distance learning course fee is assessed
644 by a state university, the institution may not assess
645 duplicative fees to cover the additional costs. Effective July
646 1, 2017, a state university may not increase the distance
647 learning course fee in excess of the amount established and
648 effective as of June 30, 2017. By September 1 of each year, each
649 board of trustees shall report to the Chancellor of the State
650 University System the total amount of revenue generated by the

HB 1073

2017

651 distance learning course fee for the prior fiscal year and how
652 the revenue was expended. By November 1 of each year, the
653 Chancellor of the State University System shall report the total
654 amount of revenue generated by the distance learning course fee
655 for the prior fiscal year and how the revenue was expended,
656 systemwide and for each institution, to the Governor, the
657 President of the Senate, and the Speaker of the House of
658 Representatives.

659 Section 4. Subsection (15) is added to section 1009.26,
660 Florida Statutes, to read:

661 1009.26 Fee waivers.—

662 (15) Each state university shall waive 25 percent of the
663 cost of fees described in ss. 1009.24(7)-(14) and (17) for a
664 graduate student who has a 0.25, or greater, full-time
665 equivalent appointment as a graduate assistant, graduate
666 research assistant, graduate teaching assistant, graduate
667 research associate, or graduate teaching associate.

668 Section 5. This act shall take effect July 1, 2017.

669