

1 A bill to be entitled
2 An act relating to an out-of-state fee waiver for
3 nonresident students; amending s. 1009.26, F.S.;
4 requiring a state university to waive the out-of-state
5 fee for a nonresident student who meets certain
6 requirements; defining the term "grandparent";
7 providing applicability; requiring a student or his or
8 her parent to provide specified documentation before a
9 state university waives the out-of-state fee;
10 providing that a state university is not required to
11 independently verify certain statements; authorizing
12 the state university to refer specified documentation
13 to law enforcement under certain circumstances;
14 requiring each state university to report specified
15 information regarding such out-of-state fee waivers to
16 the Board of Governors annually; requiring a state
17 university, within the nonresident student enrollment
18 systemwide, to prioritize the enrollment of a student
19 granted such fee waiver over a certain out-of-state
20 student under certain conditions; providing a
21 limitation on the number of fee waivers granted per
22 academic year; requiring the Board of Governors to
23 adopt regulations; amending s. 1009.893, F.S.;
24 providing that the 2021-2022 academic year is the last
25 year for an out-of-state student to be eligible to

26 receive an initial Benacquisto Scholarship award;
 27 providing an effective date.

28

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

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31 Section 1. Subsection (18) is added to section 1009.26,
 32 Florida Statutes, to read:

33 1009.26 Fee waivers.—

34 (18) (a) Beginning with the 2022-2023 academic year, a
 35 state university shall waive the out-of-state fee for a student
 36 who:

37 1. Has a grandparent who is a legal resident as defined in
 38 s. 1009.21(1). For purposes of this subsection, the term
 39 "grandparent" means a person who has a legal relationship to a
 40 student's parent as the natural or adoptive parent or legal
 41 guardian of the student's parent.

42 2. Earns a high school diploma comparable to a standard
 43 Florida high school diploma, or its equivalency, or completes a
 44 home education program.

45 3.a. Achieves an SAT combined score no lower than the 89th
 46 national percentile on the SAT;

47 b. Achieves an ACT score concordant to the required SAT
 48 score in sub-subparagraph a., using the latest published
 49 national concordance table developed jointly by the College
 50 Board and ACT, Inc.; or

51 c. If a state university accepts the Classic Learning Test
52 (CLT) for admission purposes, achieves a CLT score concordant to
53 the required SAT score in sub-subparagraph a., using the latest
54 published scoring comparison developed by Classic Learning
55 Initiatives.

56 4. Beginning with students who initially enroll in the
57 2022 fall academic term and thereafter, enrolls as a full-time
58 undergraduate student at a state university in the fall academic
59 term immediately following high school graduation.

60 (b) The waiver under this subsection is applicable for up
61 to 110 percent of the number of required credit hours of the
62 degree program for which the student is enrolled.

63 (c) Before waiving the out-of-state fee, the state
64 university shall require the student or the student's parent, if
65 the student is a dependent child, to provide a written
66 declaration pursuant to s. 92.525(2) attesting to the student's
67 familial relationship to a grandparent who is a legal resident
68 and any other corroborating documentation that is required by
69 regulation of the Board of Governors. A state university is not
70 required to independently verify the statements contained in
71 each declaration if the signatory declares it to be true under
72 the penalties of perjury as required by s. 92.525(2). However,
73 the state university may refer any signed declaration that is
74 suspected of containing fraudulent representations to law
75 enforcement.

76 (d) Each state university shall report to the Board of
77 Governors the number and value of all fee waivers granted
78 annually under this subsection.

79 (e) Beginning with students who initially enroll during
80 the 2022-2023 academic year or thereafter, a state university
81 shall, within the nonresident student enrollment systemwide,
82 prioritize the enrollment of a student who is granted a fee
83 waiver under this subsection over an out-of-state student who is
84 not eligible for an out-of-state fee waiver if the students have
85 substantially similar academic and other credentials used in
86 determining admission to the state university.

87 (f) Fee waivers granted pursuant to this subsection may
88 not exceed 350 students systemwide each academic year.

89 (g) The Board of Governors shall adopt regulations to
90 administer this subsection.

91 Section 2. Paragraph (b) of subsection (4) of section
92 1009.893, Florida Statutes, is amended to read:

93 1009.893 Benacquisto Scholarship Program.—

94 (4) In order to be eligible for an initial award under the
95 scholarship program, a student must meet the requirements of
96 paragraph (a) or paragraph (b).

97 (b) A student who initially enrolls in a baccalaureate
98 degree program in the 2018-2019 through 2021-2022 academic years
99 ~~year or later~~ and who is not a resident of this state, as

100 determined in s. 1009.40 and rules of the State Board of
101 Education, must:

102 1. Physically reside in this state on or near the campus
103 of the postsecondary educational institution in which the
104 student is enrolled;

105 2. Earn a high school diploma from a school outside
106 Florida which is comparable to a standard Florida high school
107 diploma or its equivalent pursuant to s. 1002.3105, s.
108 1003.4281, s. 1003.4282, or s. 1003.435 or must complete a home
109 education program in another state; and

110 3. Be accepted by and enrolled full-time in a
111 baccalaureate degree program at an eligible regionally
112 accredited Florida public or independent postsecondary
113 educational institution during the fall academic term following
114 high school graduation.

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