

CHAPTER 2019-79

Committee Substitute for Committee Substitute for House Bill No. 547

An act relating to the Stanley G. Tate Florida Prepaid College Program; amending s. 1009.98, F.S.; authorizing the transfer of fees associated with dormitory residency to approved qualified nonprofit organizations under certain circumstances; prohibiting transferred fees from exceeding a specified amount; providing a definition; amending s. 1009.983, F.S.; revising the composition of a certain direct-support organization's board of directors; providing an effective date.

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

Section 1. Paragraph (d) of subsection (2) of section 1009.98, Florida Statutes, is amended to read:

1009.98 Stanley G. Tate Florida Prepaid College Program.—

(2) PREPAID COLLEGE PLANS.—At a minimum, the board shall make advance payment contracts available for two independent plans to be known as the Florida College System institution plan and the university plan. The board may also make advance payment contracts available for a dormitory residence plan. The board may restrict the number of participants in the Florida College System institution plan, university plan, and dormitory residence plan, respectively. However, any person denied participation solely on the basis of such restriction shall be granted priority for participation during the succeeding year.

(d)1. Through the dormitory residence plan, the advance payment contract may provide prepaid housing fees for a maximum of 10 semesters of full-time undergraduate enrollment in a state university. Dormitory residence plans shall be purchased in increments of 2 semesters. The cost of participation in the dormitory residence plan shall be based primarily on the average current and projected housing fees within the State University System and the number of years expected to elapse between the purchase of the plan on behalf of a qualified beneficiary and the exercise of the benefits provided in the plan by such beneficiary. Qualified beneficiaries shall have the highest priority in the assignment of housing within university residence halls. Qualified beneficiaries shall bear the cost of any additional elective charges such as laundry service or long-distance telephone service. Each state university may specify the residence halls or other university-held residences eligible for inclusion in the plan. In addition, any state university may request immediate termination of a dormitory residence contract based on a violation or multiple violations of rules of the residence hall or other university-held residences. In the event that sufficient housing is not available for all qualified beneficiaries, the board shall refund the purchaser or qualified beneficiary an amount equal to the fees charged for dormitory

residence during that semester. If a qualified beneficiary is admitted to the state university and finds housing with a qualified nonprofit organization, as defined in subparagraph 2., that is approved by the state university, the state university may transfer or cause to have transferred to the qualified nonprofit organization the fees associated with dormitory residence. If a qualified beneficiary fails to be admitted to a state university or chooses to attend a Florida College System institution that operates one or more dormitories or residency opportunities, or has one or more dormitories or residency opportunities operated by the Florida College System institution direct-support organization, the qualified beneficiary may transfer or cause to have transferred to the Florida College System institution, or Florida College System institution direct-support organization, the fees associated with dormitory residence. If a qualified beneficiary attends a Florida College System institution and finds housing with a qualified nonprofit organization, as defined in subparagraph 2., that is approved by the Florida College System institution, the Florida College System institution may transfer or cause to have transferred to the qualified nonprofit organization the fees associated with dormitory residence. Dormitory fees transferred to a the Florida College System institution, ~~or Florida College System institution~~ direct-support organization, ~~or qualified nonprofit organization~~ may not exceed the average maximum fees charged for state university dormitory residence for the purposes of this section, or the fees charged for Florida College System institution or Florida College System institution direct-support organization dormitories or residency opportunities, whichever is less.

2. For purposes of this paragraph, the term “qualified nonprofit organization” means a nonprofit organization under s. 501(c)(3) of the United States Internal Revenue Code which provides one or more dormitories or residency opportunities to students enrolled full-time in a state university or Florida College System institution, primarily supports students that lack financial resources, and has been approved by the board for inclusion in the plan.

Section 2. Subsection (5) of section 1009.983, Florida Statutes, is amended to read:

1009.983 Direct-support organization; authority.—

(5) The chair and the executive director of the board shall serve as a director ~~be directors~~ of the direct-support organization. The chair and the executive director of the board ~~and shall jointly name, at a minimum, four~~ three other individuals to serve as directors of the organization.

Section 3. This act shall take effect July 1, 2019.

Approved by the Governor June 7, 2019.

Filed in Office Secretary of State June 7, 2019.