

By the Committees on Higher Education Appropriations; and  
Education Pre-K - 12; and Senator Wise

605-05192-10

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1                   A bill to be entitled  
2           An act relating to postsecondary education; amending  
3           s. 501.0117, F.S.; providing that a convenience fee  
4           imposed upon a student or family paying tuition, fees,  
5           and other student account charges by credit card to an  
6           institution that is eligible to participate in the  
7           William L. Boyd, IV, Florida Resident Access Grant  
8           Program is not considered to be a surcharge under  
9           certain circumstances; amending s. 1004.26, F.S.;  
10          prohibiting a cause of action against a state  
11          university for the actions or decisions of a state  
12          university student government; amending s. 1009.26,  
13          F.S.; authorizing state universities and community  
14          colleges to waive tuition and fees for certain public  
15          school teachers for certain courses; requiring that  
16          the State Board of Education adopt a rule that  
17          prescribes the process for the approval of courses by  
18          the Department of Education; providing an effective  
19          date.

20  
21 Be It Enacted by the Legislature of the State of Florida:

22  
23           Section 1. Subsection (1) of section 501.0117, Florida  
24           Statutes, is amended to read:

25           501.0117 Credit cards; transactions in which seller or  
26           lessor prohibited from imposing surcharge; penalty.—

27           (1) A seller or lessor in a sales or lease transaction may  
28           not impose a surcharge on the buyer or lessee for electing to  
29           use a credit card in lieu of payment by cash, check, or similar

605-05192-10

20102102c2

30 means, if the seller or lessor accepts payment by credit card. A  
31 surcharge is any additional amount imposed at the time of a sale  
32 or lease transaction by the seller or lessor that increases the  
33 charge to the buyer or lessee for the privilege of using a  
34 credit card to make payment. Charges imposed pursuant to  
35 approved state or federal tariffs are not considered to be a  
36 surcharge, and charges made under such tariffs are exempt from  
37 this section. A convenience fee imposed upon a student or family  
38 paying tuition, fees, and other student account charges by  
39 credit card to an institution that is eligible to participate in  
40 the William L. Boyd, IV, Florida Resident Access Grant Program  
41 under s. 1009.89 is not considered to be a surcharge and is  
42 exempt from this section only if the amount of the convenience  
43 fee does not exceed the total cost charged by the credit card  
44 company to the institution. The term "credit card" includes  
45 those cards for which unpaid balances are payable on demand.  
46 This section does not apply to the offering of a discount for  
47 the purpose of inducing payment by cash, check, or other means  
48 not involving the use of a credit card, if the discount is  
49 offered to all prospective customers.

50 Section 2. Subsection (5) is added to section 1004.26,  
51 Florida Statutes, to read:

52 1004.26 University student governments.—

53 (5) There shall be no cause of action against a state  
54 university for the actions or decisions of the student  
55 government of the state university unless such actions or  
56 decisions are made final by the state university and constitute  
57 a violation of state or federal law.

58 Section 3. Subsection (10) is added to section 1009.26,

605-05192-10

20102102c2

59 Florida Statutes, to read:

60 1009.26 Fee waivers.—

61 (10) A state university or community college may waive  
62 tuition and fees for a classroom teacher as defined in s.  
63 1012.01(2)(a) who is employed full-time by a school district and  
64 meets any academic requirements established by the community  
65 college or state university to enroll for up to 6 credit hours  
66 per term on a space-available basis in undergraduate courses  
67 approved by the State Board of Education. Such courses shall be  
68 limited to undergraduate courses related to special education,  
69 mathematics, or science. The waiver may not be used for courses  
70 scheduled during the school day. The State Board of Education  
71 shall adopt a rule that prescribes the process for the approval  
72 of courses by the Department of Education.

73 Section 4. This act shall take effect July 1, 2010.