

By the Committee on Judiciary; and Senators Ring and Joyner

590-01778-16

2016142c1

A bill to be entitled  
An act relating to student loans; creating s.  
1009.675, F.S.; creating the For the Greater Good  
Attorney Student Loan Repayment Program to increase  
employment and retention of attorneys in the public  
sector; providing eligibility requirements; specifying  
the loans that will be covered by the repayment  
program; requiring the Department of Education to make  
payments to eligible attorneys; providing procedures  
to administer the program; providing that a payment is  
not taxable income; providing procedures if  
appropriated funds are insufficient; authorizing  
rulemaking; providing an effective date.

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

Section 1. Section 1009.675, Florida Statutes, is created  
to read:

1009.675 For the Greater Good Attorney Student Loan  
Repayment Program.—

(1) There is established within the Department of Education  
the For the Greater Good Attorney Student Loan Repayment  
Program. The primary function of the program is to increase  
employment and retention of attorneys in the public sector by  
making payments that offset student loans issued or guaranteed  
by a state or the Federal Government. The department shall  
administer the program.

(2) To be eligible to participate in this program, an  
attorney:

590-01778-16

2016142c1

30       (a) Must be a member of The Florida Bar;

31       (b) Must be employed full time by a local, state, or  
32 federal government;

33       (c) Must be employed in this state;

34       (d) Must have completed not more than 10 years of  
35 government service, regardless of whether the attorney had a  
36 break in employment of less than 2 weeks while transferring to  
37 another governmental entity;

38       (e) Must be earning less than \$65,000 in salary as reported  
39 to the Internal Revenue Service;

40       (f) Must not have received any disciplinary action from The  
41 Florida Bar;

42       (g) Must have an unsatisfied student loan that was issued  
43 or guaranteed by a state or the Federal Government; and

44       (h) Is not eligible for any other state, local, or federal  
45 grant or private fund that assists in student loan repayment.

46       (3) Only loans that are not in default and that were issued  
47 pursuant to the Higher Education Act of 1965, 20 U.S.C. ss. 1001  
48 et seq., as amended, to fund an eligible attorney's law school  
49 education shall be covered.

50       (4) From the funds available, the Department of Education  
51 shall make an annual payment as follows:

52       (a) Three thousand dollars if the attorney has at least 4  
53 years, but not more than 7 years, of continuous government  
54 service.

55       (b) Five thousand dollars if the attorney has more than 7  
56 years, but not more than 10 years, of continuous government  
57 service.

58       (5) Each payment is contingent upon an annual receipt of a

590-01778-16

2016142c1

59 certification affidavit. Within 30 days after the employment  
60 anniversary of an eligible attorney, in order to receive a  
61 payment under the program, such attorney must submit to his or  
62 her employer a certification affidavit on a form authorized by  
63 the department which certifies that the attorney was an eligible  
64 attorney as of his or her last employment anniversary. If the  
65 employer signs the affidavit, the employer shall submit the  
66 affidavit to the department within 60 days after the most recent  
67 employment anniversary of the eligible attorney, and each year  
68 thereafter.

69 (6) Payments are not deemed taxable income. Each payment  
70 shall be made directly to the financial institution that  
71 services the loan and, if the eligible attorney holds more than  
72 one eligible loan, for the loan that has the highest current  
73 interest rate.

74 (7) If funds appropriated are insufficient to provide  
75 maximum payment for eligible attorneys, the department shall  
76 prorate payments for all eligible attorneys by an equal  
77 percentage reduction for the year for which funds appropriated  
78 are insufficient.

79 (8) The Department of Education may adopt rules necessary  
80 to administer this program.

81 (9) The Greater Good Attorney Student Loan Repayment  
82 Program may be funded annually contingent upon a specific  
83 appropriation in the General Appropriations Act for the Greater  
84 Good Attorney Student Loan Repayment Program.

85 Section 2. This act shall take effect July 1, 2016.