

HB 5601

2026

A bill to be entitled
An act relating to higher education; amending s. 1001.706, F.S.; revising requirements for certain funds held in an escrow account relating to certain capital outlay projects; creating s. 1004.342, F.S.; providing definitions; transferring specified assets and liabilities from the University of South Florida Sarasota/Manatee to New College of Florida by specified dates; requiring New College of Florida to provide a specified monthly payment to the University of South Florida until such transfer is complete; requiring such transfer to be in a written joint transfer agreement; providing requirements for such agreement and the transfer of such assets and liabilities; requiring a facility use agreement between the University of South Florida Sarasota/Manatee and New College of Florida; providing requirements for such agreement; providing construction; providing applicability; providing specified immunity from liability; providing for future repeal; amending s. 1004.344, F.S.; removing the requirement for the Florida Center for the Partnerships for Arts Integrated Teaching to be physically housed at the University of South Florida Sarasota/Manatee; amending s. 1009.24, F.S.; revising

HB 5601

2026

26 programs for which the Board of Governors may
27 establish tuition; authorizing state university boards
28 of trustees to establish out-of-state fees for
29 nonresident students; removing a provision requiring
30 that adjustments to certain out-of-state fees not
31 exceed a certain amount; removing a provision
32 requiring certain actions to be taken by a state
33 university in accordance with Board of Governors
34 regulations; removing a requirement for a block
35 tuition policy for nonresident undergraduate students;
36 repealing sections 5, 7, and 9 of chapter 2025-199,
37 Laws of Florida, relating to the future repeal of
38 amendments to ss. 1011.45, 1009.26, and 1004.89, F.S.;
39 amending s. 1011.45, F.S.; removing an obsolete date;
40 amending s. 1011.90, F.S.; authorizing state funds to
41 be used to support specified requirements in state and
42 federal law; amending s. 1013.01, F.S.; revising the
43 definition of the term "educational facilities";
44 providing an effective date.

45
46 Be It Enacted by the Legislature of the State of Florida:

47
48
49 **Section 1. Paragraph (c) of subsection (12) of section**
50 **1001.706, Florida Statutes, is amended to read:**

Page 2 of 17

CODING: Words **stricken** are deletions; words **underlined** are additions.

hb5601-00

51 1001.706 Powers and duties of the Board of Governors.—

52 (12) PUBLIC EDUCATION CAPITAL OUTLAY.—The Board of
53 Governors shall submit the prioritized list as required by s.
54 1013.64(4). Projects considered for prioritization shall be
55 chosen from a preliminary selection group which shall include
56 the list of projects maintained pursuant to paragraph (d) and
57 the top two priorities of each state university.

58 (c) A new construction, remodeling, or renovation project
59 that has not received an appropriation in a previous year shall
60 not be considered for inclusion on the prioritized list required
61 by s. 1013.64(4), unless:

62 1. A plan is provided to reserve funds in an escrow
63 account, ~~specific to the project~~, into which shall be deposited
64 each year an amount of funds equal to 1 percent of the total
65 value of the building for future maintenance;

66 2. There exists sufficient capacity within the cash and
67 bonding estimate of funds by the Revenue Estimating Conference
68 to accommodate the project within the 3-year Public Education
69 Capital Outlay funding cycle; and

70 3. The project has been recommended pursuant to s.
71 1013.31.

72 **Section 2. Section 1004.342, Florida Statutes, is created**
73 **to read:**

74 1004.342 Efficient use of state university system assets
75 in Manatee and Sarasota Counties.—

76 (1) DEFINITIONS.—As used in this section and in its
77 applicability in contracts, leases, and other written
78 instruments involved in implementing this section:

79 (a) The following terms have the same meaning and should
80 be interpreted and used interchangeably:

- 81 1. "University of South Florida Sarasota/Manatee."
- 82 2. "University of South Florida Sarasota-Manatee."
- 83 3. "USF Sarasota/Manatee."
- 84 4. "USF Sarasota-Manatee."

85 (b) The term "New College" means New College of Florida.

86 (c) The term "USF" means the University of South Florida.

87 (2) TRANSFER OF ASSETS AND LIABILITIES BETWEEN STATE

88 UNIVERSITY INSTITUTIONS AND CAMPUSES.—

89 (a) The board of trustees of New College of Florida shall,
90 as soon as reasonably practical, but no later than October 30,
91 2026, complete all steps necessary or appropriate to assume,
92 legally and financially, the full liability for any outstanding
93 debt for any facilities constructed upon the properties that
94 encompass the University of South Florida Sarasota/Manatee
95 campus, including, but not limited to, any fees and costs
96 associated with transferring, satisfying, retiring, defeasing,
97 or repaying such debt obligations. The facilities contemplated
98 in this paragraph include, but are not limited to, any
99 dormitories or other campus facilities that were financed in
100 whole or in part with debt payable by the board of trustees of

101 the University of South Florida or the University of South
102 Florida Financing Corporation and for which a balance of that
103 debt remains outstanding on July 1, 2026.

104 (b) Until such time as New College of Florida completes
105 the obligations listed in paragraph (a), New College of Florida
106 shall transfer to the University of South Florida monthly a
107 payment equal to the outstanding debt service on the facilities
108 contemplated in this section, which shall be \$166,617 per month.
109 All payments described in this section shall be paid from
110 sources available to New College of Florida and may not be paid
111 or funded from the University of South Florida or the University
112 of South Florida Sarasota/Manatee sources. The failure of New
113 College of Florida to transfer the amounts described in this
114 section shall invalidate the transfer of facilities, and such
115 facilities shall revert to the University of South Florida.

116 (c) Subject to the requirements of paragraphs (b) and (d),
117 all real property encompassing the University of South Florida
118 Sarasota/Manatee campus, and any existing contracts, leases,
119 obligations, responsibilities, and liabilities of the board of
120 trustees of the University of South Florida which are
121 principally associated with such real property or any facilities
122 constructed upon those parcels, must be transferred to the board
123 of trustees of New College of Florida by July 1, 2026. New
124 College of Florida shall be solely responsible for all costs of
125 operating, repairing, replacing, renovating, and maintaining the

126 facilities contemplated in this section as of the date of
127 transfer.

128 (d) 1. The determination of the specific assets and
129 liabilities to be transferred under this section must be made in
130 a written joint transfer agreement, including the facility use
131 agreement required by subsection (3), between the board of
132 trustees of the University of South Florida and the board of
133 trustees of New College of Florida by July 1, 2026. The boards
134 of trustees must jointly submit the signed agreements to the
135 Board of Governors. When determining the specific assets and
136 liabilities to be transferred between institutions, the board of
137 trustees of each institution must adhere to the following
138 guiding principles:

139 a. Any academic, administrative, or residential buildings
140 and other assets that are reasonably considered permanent and
141 immovable from the existing University of South Florida
142 Sarasota/Manatee campus parcels, including general educational
143 and classroom furnishings and fixtures located therein, shall be
144 transferred to the board of trustees of New College of Florida
145 for the future use of New College of Florida students and
146 faculty.

147 b. Any intellectual property, intangible property,
148 educational and research equipment that is not permanently
149 affixed to the facilities, computers and other equipment
150 previously assigned to personnel remaining in employment with

151 the University of South Florida, records, and any institutional
152 insignia or items that have historical significance to the
153 University of South Florida which are not specifically
154 associated with the parcels of land or facilities that will be
155 transferred shall remain the property of the board of trustees
156 of the University of South Florida.

157 c. Contracts for the lease of a temporary residence on the
158 University of South Florida Sarasota/Manatee campus between the
159 University of South Florida and a student, or an individual
160 acting on the student's behalf, which are in place before the
161 transfer of ownership of a residential facility on that campus
162 must be:

163 I. Transferred from the University of South Florida to New
164 College of Florida.

165 II. Fully honored in terms, duration, and price by the
166 board of trustees of New College of Florida until at least
167 August 15, 2027, unless the student or lessee voluntarily opts
168 to vacate the residential contact before its expiration date, in
169 which case New College of Florida must allow the lessee to go
170 free of any cancellation fee or remaining rental charge.

171 2. In the event of a dispute on the transfer of any
172 specific assets and liabilities required by this section before
173 July 1, 2026, the boards must jointly notify the Board of
174 Governors of the remaining points of disagreement. The Board of
175 Governors, by majority vote, must resolve any remaining disputed

176 issues and terms and order the specific transfers no later than
177 September 30, 2026. When determining and ordering any disputed
178 transfers, the Board of Governors must adhere to the guiding
179 principles in subparagraph 1.

180 (3) FACILITY USE AGREEMENT.—

181 (a) A University of South Florida student who was admitted
182 to the university before July 1, 2026, and who remains
183 continuously enrolled must receive the highest priority for the
184 use of space for classroom instruction and associated
185 educational needs in any transferred property or facility until
186 the student has been provided the opportunity to graduate from
187 the University of South Florida within a reasonable period of
188 time, not to exceed 4 full academic years after the date of the
189 student's initial enrollment, as determined by the board of
190 trustees of the University of South Florida.

191 (b) The board of trustees of New College of Florida must
192 enter into a facility use agreement with the board of trustees
193 of the University of South Florida which makes available, free
194 of any charge to the University of South Florida, sufficient
195 academic and student support space in the transferred properties
196 or facilities so that a University of South Florida student who
197 was admitted to the university before July 1, 2026, has the
198 reasonable opportunity to complete his or her University of
199 South Florida degree programs on his or her local campus and to
200 ensure that New College of Florida students, faculty, and staff

HB 5601

2026

201 have access to the educational and administrative space, when
202 feasible, during and throughout the University of South Florida
203 teach-out process.

204 (c) The University of South Florida may not allow a newly
205 enrolled student whose initial offer of admission to the
206 university came after July 1, 2026, to designate the University
207 of South Florida Sarasota/Manatee campus as the student's home
208 campus of the University of South Florida.

209 (d) This subsection does not prohibit the University of
210 South Florida and New College of Florida from jointly entering
211 into any other mutual agreement to share or use space in any of
212 the transferred properties or facilities when it is in the best
213 interest of both institutions or the students thereof.

214 (4) IMMUNITY FROM LIABILITY.—The board of trustees of the
215 University of South Florida and the board of trustees of New
216 College of Florida, and their respective officers, trustees,
217 employees, attorneys, and agents, are immune from any and all
218 civil liability pertaining to or arising from compliance with
219 this section, including the transfers required by, or those made
220 as a direct result of, this section.

221 (5) REPEAL.—This section is repealed July 1, 2028, but
222 after that date the asset transfers required by this section
223 shall not be impacted solely by the repeal of this section.

224 **Section 3. Subsection (1) of section 1004.344, Florida**
225 **Statutes, is amended to read:**

226 1004.344 The Florida Center for the Partnerships for Arts
227 Integrated Teaching.—

228 (1) The Florida Center for the Partnerships for Arts
229 Integrated Teaching is created within the University of South
230 Florida ~~and shall be physically headquartered at the University~~
231 ~~of South Florida Sarasota/Manatee.~~

232 **Section 4. Subsections (4) and (5), paragraph (c) of**
233 **subsection (8), and paragraph (a) of subsection (15) of section**
234 **1009.24, Florida Statutes, are amended to read:**

235 1009.24 State university student fees.—

236 (4) (a) Effective July 1, 2014, the resident undergraduate
237 tuition for lower-level and upper-level coursework shall be
238 \$105.07 per credit hour.

239 (b) The Board of Governors may establish tuition for
240 graduate and professional programs.

241 (c) Each university board of trustees may establish and
242 out-of-state fees for nonresident students all programs. Except
243 as otherwise provided in this section, the sum of tuition and
244 out-of-state fees assessed to nonresident students must be
245 sufficient to offset the full instructional cost of serving such
246 students.

247 (d) However, Adjustments to out-of-state fees or tuition
248 for graduate programs and professional programs may not exceed
249 15 percent in any year.

250 (e) The Board of Governors may consider and approve

251 flexible tuition policies as requested by a university board of
252 trustees in accordance with subsection (15) only to the extent
253 such policies are in alignment with the mission of the
254 university and do not increase the state's fiscal liability or
255 obligations, including, but not limited to, any fiscal liability
256 or obligation for programs authorized under ss. 1009.53-1009.538
257 and ss. 1009.97-1009.984.

258 (f)(d) The sum of the activity and service, health, and
259 athletic fees a student is required to pay to register for a
260 course may not exceed 40 percent of the tuition established in
261 law or in the General Appropriations Act. No university shall be
262 required to lower any fee in effect on the effective date of
263 this act in order to comply with this subsection. Within the 40
264 percent cap, universities may not increase the aggregate sum of
265 activity and service, health, and athletic fees more than 5
266 percent per year unless specifically authorized in law or in the
267 General Appropriations Act. A university may increase its
268 athletic fee to defray the costs associated with changing
269 National Collegiate Athletic Association divisions. Any such
270 increase in the athletic fee may exceed both the 40 percent cap
271 and the 5 percent cap imposed by this subsection. Any such
272 increase must be approved by the athletic fee committee in the
273 process outlined in subsection (12) and may not exceed \$2 per
274 credit hour. Notwithstanding ss. 1009.534, 1009.535, and
275 1009.536, that portion of any increase in an athletic fee

HB 5601

2026

276 pursuant to this subsection which causes the sum of the activity
277 and service, health, and athletic fees to exceed the 40 percent
278 cap or the annual increase in such fees to exceed the 5 percent
279 cap may not be included in calculating the amount a student
280 receives for a Florida Academic Scholars award, a Florida
281 Medallion Scholars award, or a Florida Gold Seal Vocational
282 Scholars award. Notwithstanding this paragraph and subject to
283 approval by the board of trustees, each state university may
284 exceed the 5-percent cap on the annual increase to the aggregate
285 sum of activity and service, health, and athletic fees for the
286 2010-2011 fiscal year. Any such increase may not exceed 15
287 percent or the amount required to reach the 2009-2010 fiscal
288 year statewide average for the aggregate sum of activity and
289 service, health, and athletic fees at the main campuses,
290 whichever is greater. The aggregate sum of the activity and
291 service, health, and athletic fees may not exceed 40 percent of
292 tuition. Any increase in the activity and service fee, health
293 fee, or athletic fee must be approved by the appropriate fee
294 committee pursuant to subsection (10), subsection (11), or
295 subsection (12).

296 (g)(e) This subsection does not prohibit a university from
297 increasing or assessing optional fees related to specific
298 activities if payment of such fees is not required as a part of
299 registration for courses.

300 (5) A university may implement a differential out-of-state

301 fee ~~in accordance with regulations developed by the Board of~~
302 ~~Governors~~ for the following:

303 (a) A student from another state that borders the service
304 area of the university.

305 (b) A graduate student who has been determined to be a
306 nonresident for tuition purposes pursuant to s. 1009.21 and has
307 a .25 full-time equivalent appointment or greater as a graduate
308 assistant, graduate research assistant, graduate teaching
309 assistant, graduate research associate, or graduate teaching
310 associate.

311 (c) A graduate student who has been determined to be a
312 nonresident for tuition purposes pursuant to s. 1009.21 and is
313 receiving a full fellowship.

314 (8)

315 (c) The fee may not exceed 10 percent of the tuition for
316 resident students ~~or 10 percent of the sum of tuition and out-~~
317 ~~of state fees for nonresident students~~. The fee for resident
318 students shall be limited to an increase of \$2 per credit hour
319 over the prior year. The Capital Improvement Trust Fund fee may
320 be used to fund any project or real property acquisition that
321 meets the requirements of chapter 1013. The Division of Bond
322 Finance of the State Board of Administration shall analyze any
323 proposed reductions to the Capital Improvement Trust Fund fee to
324 ensure consistency with prudent financial management of the bond
325 program associated with the revenues from the fee. The Board of

326 Governors shall approve any proposed fee reductions provided
327 that no such reduction reduces the fee below the level
328 established in paragraph (a).

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

330 1. A proposal from a university board of trustees to
331 establish a new student fee that is not specifically authorized
332 by this section.

333 2. A proposal from a university board of trustees to
334 increase the current cap for an existing fee authorized pursuant
335 to paragraphs (14) (a)-(g).

336 3. A proposal from a university board of trustees to
337 implement flexible tuition policies, such as undergraduate or
338 graduate block tuition, block tuition differential, or market
339 tuition rates for graduate-level online courses or graduate-
340 level courses offered through a university's continuing
341 education program. A block tuition policy for resident
342 undergraduate students or undergraduate-level courses shall be
343 based on the per-credit-hour undergraduate tuition established
344 under subsection (4). ~~A block tuition policy for nonresident~~
345 ~~undergraduate students shall be based on the per-credit-hour~~
346 ~~undergraduate tuition and out-of-state fee established under~~
347 ~~subsection (4).~~ Flexible tuition policies, including block
348 tuition, may not increase the state's fiscal liability or
349 obligation.

350 **Section 5.** Sections 5, 7, and 9 of chapter 2025-199, Laws

351 of Florida, are repealed.

352 **Section 6. Subsection (3) of section 1011.45, Florida**
353 **Statutes, is amended to read:**

354 1011.45 End of year balance of funds.—Unexpended amounts
355 in any fund in a university current year operating budget shall
356 be carried forward and included as the balance forward for that
357 fund in the approved operating budget for the following year.

358 (3) A university's carry forward spending plan must
359 include the estimated cost per planned expenditure and a
360 timeline for completion of the expenditure. A carry forward
361 spending plan may include retention of the carry forward balance
362 as a reserve fund to be used for authorized expenses in
363 subsequent years. For any annual reserve balance in excess of
364 the 7 percent minimum carry forward balance pursuant to
365 subsection (1), the authorized expenditures in a carry forward
366 spending plan must include a commitment of 12 percent of the
367 university's prior 2025–2026 fiscal year state operating fund
368 carry forward balance to fund a public education capital outlay
369 project for which an appropriation has previously been provided
370 which requires additional funds for completion and which is
371 included in the list required by s. 1001.706(12)(d) or for
372 deferred building maintenance expenses. The carry forward
373 spending plan must identify the specific public education
374 capital outlay project and the amount the university will
375 contribute toward the fixed capital outlay project pursuant to

376 s. 1001.706(12) (d) or specific deferred maintenance project.
377 Authorized expenditures in a carry forward spending plan may
378 include:
379 (a) Commitment of funds to a public education capital
380 outlay project for which an appropriation has previously been
381 provided that requires additional funds for completion and which
382 is included in the list required by s. 1001.706(12) (d);
383 (b) Completion of a renovation, repair, or maintenance
384 project that is consistent with s. 1013.64(1) or replacement of
385 a minor facility;
386 (c) Completion of a remodeling or infrastructure project,
387 including a project for a developmental research school, if such
388 project is survey recommended pursuant to s. 1013.31;
389 (d) Completion of a repair or replacement project
390 necessary due to damage caused by a natural disaster for
391 buildings included in the inventory required pursuant to s.
392 1013.31;
393 (e) Operating expenditures that support the university's
394 mission;
395 (f) Any purpose specified by the board or in the General
396 Appropriations Act, including the requirements in s.
397 1001.706(12) (c) or similar requirements pursuant to Board of
398 Governors regulations;
399 (g) A commitment of funds to a contingency reserve for
400 expenses incurred as a result of a state of emergency declared

HB 5601

2026

401 by the Governor pursuant to s. 252.36; and
402 (h) Deferred building maintenance expenses for the
403 maintenance, repair, and renovation of projects to improve the
404 health and safety of such facilities.

405 **Section 7. Subsection (8) is added to section 1011.90, Florida Statutes, to read:**

407 1011.90 State university funding.—

408 (8) State funds may be used in support of the requirements
409 of Title IX of the Education Amendments of 1972 and s. 1006.71,
410 including fixed capital outlay, scholarships, administration,
411 recruitment, comparable coaching, and other related costs.

412 **Section 8. Subsection (6) of section 1013.01, Florida Statutes, is amended to read:**

414 1013.01 Definitions.—The following terms shall be defined
415 as follows for the purpose of this chapter:

416 (6) "Educational facilities" means the buildings and
417 equipment, structures, and special educational and research use
418 areas that are built, installed, or established to serve
419 primarily the educational purposes and secondarily the social
420 and recreational purposes of the community and which may
421 lawfully be used as authorized by the Florida Statutes and
422 approved by boards.

423 **Section 9.** This act shall take effect upon becoming a law.