

Committee Substitute for Senate Bill No. 68

An act relating to postsecondary education; authorizing a college of law at Florida International University and Florida Agricultural and Mechanical University; providing duties of the Board of Regents and others; providing authority to accept grants and other available funds; providing conditions for cessation of a college of law; authorizing certain scholarship recipients to attend a college of law prior to its accreditation; providing an effective date.

WHEREAS, this state does not provide adequate access to public colleges of law to meet the growing demands of its residents for legal education, and

WHEREAS, the residents of this state have not been afforded sufficient opportunities to obtain a public legal education and a need exists for colleges of law within the State University System which can serve this demand, and

WHEREAS, minorities are not represented in proper proportion with the practicing bar of this state, and

WHEREAS, additional public law schools, if established, should be administered by the public universities whose student enrollment best exemplifies the extent of diversity within the total minority community in the state, and

WHEREAS, additional public law schools, if established, should prepare students for careers in areas of high growth, such as, but not limited to, public service, international legal affairs, and maritime law, and

WHEREAS, there are currently no part-time-study programs at the existing public law schools, and part-time-study programs attract significant numbers of minority law school students, NOW, THEREFORE,

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

Section 1. (1) A college of law is authorized at Florida International University.

(2) The college of law at Florida International University must be operated in compliance with the standards approved by nationally recognized associations for accredited colleges of law.

(3) The college of law at Florida International University, to the extent consistent with the standards required by the American Bar Association or any other nationally recognized association for the accreditation of colleges of law, shall develop a law library collection utilizing electronic formats and mediums.

(4) The college of law at Florida International University shall develop and institute a program that is consistent with sound legal education principles as determined by the American Bar Association or any other nationally recognized association for the accreditation of colleges of law and that, to the

extent consistent with such sound legal education principles, is structured to serve the legal needs of traditionally underserved portions of the population by providing an opportunity for participation in a legal clinic program or pro bono legal service.

(5) The Board of Regents shall commence the planning of a college of law at Florida International University. In planning the college of law, the Board of Regents and the State Board of Education may accept grants, donations, gifts, and moneys available for this purpose, including moneys for planning and constructing the college. The Board of Regents may procure and accept any federal funds that are available for the planning, creation, and establishment of the college of law. Classes must commence by the fall semester 2003. If the American Bar Association or any other nationally recognized association for the accreditation of colleges of law issues a third disapproval of an application for provisional approval or for full approval or fails to grant, within 5 years following the graduation of the first class, a provisional approval, to the college of law at Florida International University, the Board of Regents shall make recommendations to the Governor and the Legislature as to whether the college of law will cease operations at the end of the full academic year subsequent to the receipt by the college of law of any such third disapproval, or whether the college of law will continue operations and any conditions for continued operations. If the college of law ceases operations pursuant to this section, the following conditions apply:

(a) The authority for the college of law at Florida International University and the authority of the Board of Regents and the State Board of Education provided in this section shall terminate upon the cessation of operations of the college of law at Florida International University. The college of law at Florida International University shall receive no moneys allocated for the planning, construction, or operation of the college of law after its cessation of operations other than moneys to be expended for the cessation of operations of the college of law. Any moneys allocated to the college of law at Florida International University not expended prior to or scheduled to be expended after the date of the cessation of the college of law shall be appropriated for other use by the Legislature of the State of Florida.

(b) Any buildings of the college of law at Florida International University constructed from the expenditure of capital outlay funds appropriated by the Legislature shall be owned and managed by the Board of Regents upon the cessation of the college of law.

Nothing in this section shall undermine commitments to current students receiving support as of the date of the enactment of this section from the law school scholarship program of the Florida Education Fund as provided in section 240.498(8), Florida Statutes. Students attending the college of law at Florida International University shall be eligible for financial, academic, or other support from the Florida Education Fund as provided in section 240.498(8), Florida Statutes, without the college's obtaining accreditation by the American Bar Association.

(4) The college of law at Florida International University shall be dedicated to providing opportunities for minorities to attain representation

within the legal profession proportionate to their representation in the general population; however, the college of law shall not include preferences in the admissions process for applicants on the basis of race, national origin, or sex.

Section 2. (1) A college of law is authorized at Florida Agricultural and Mechanical University.

(2) The college of law at Florida Agricultural and Mechanical University must be operated in compliance with the standards approved by nationally recognized associations for accredited colleges of law.

(3) The college of law at Florida Agricultural and Mechanical University, to the extent consistent with the standards required by the American Bar Association or any other nationally recognized association for the accreditation of colleges of law, shall develop a law library collection utilizing electronic formats and mediums.

(4) The college of law at Florida Agricultural and Mechanical University shall develop and institute a program that is consistent with sound legal education principles as determined by the American Bar Association or any other nationally recognized association for the accreditation of colleges of law and that, to the extent consistent with such sound legal education principles, is structured to serve the legal needs of traditionally underserved portions of the population by providing an opportunity for participation in a legal clinic program or pro bono legal service.

(5) The Board of Regents shall commence the planning of a college of law under the auspices of Florida Agricultural and Mechanical University to be located in the I-4 corridor area. In planning the college of law, the Board of Regents and the State Board of Education may accept grants, donations, gifts, and moneys available for this purpose, including moneys for planning and constructing the college. The Board of Regents may procure and accept any federal funds that are available for the planning, creation, and establishment of the college of law. Classes must commence by the fall semester 2003. If the American Bar Association or any other nationally recognized association for the accreditation of colleges of law issues a third disapproval of an application for provisional approval or for full approval or fails to grant, within five years following the graduation of the first class, a provisional approval, to the college of law at Florida Agricultural and Mechanical University, the Board of Regents shall make recommendations to the Governor and Legislature as to whether the college of law will cease operations at the end of the full academic year subsequent to the receipt by the college of law of any such third disapproval, or whether the college of law will continue operations and any conditions for continued operations. If the college of law ceases operations of the college of law pursuant to this section, the following conditions apply:

(a) The authority for the college of law at Florida Agricultural and Mechanical University and the authority of the Board of Regents and the State Board of Education provided in this section shall terminate upon the cessation of operations of the college of law at Florida Agricultural and Mechanical University. The college of law at Florida Agricultural and Mechanical

University shall receive no moneys allocated for the planning, construction, or operation of the college of law after its cessation of operations other than moneys to be expended for the cessation of operations of the college of law. Any moneys allocated to the college of law at Florida Agricultural and Mechanical University not expended prior to or scheduled to be expended after the date of the cessation of the college of law shall be appropriated for other use by the Legislature of the State of Florida.

(b) Any buildings of the college of law at Florida Agricultural and Mechanical University constructed from the expenditure of capital outlay funds appropriated by the Legislature shall be owned and managed by the Board of Regents upon the cessation of the college of law.

Nothing in this section shall undermine commitments to current students receiving support as of the date of the enactment of this section from the law school scholarship program of the Florida Education Fund as provided in section 240.498(8), Florida Statutes. Students attending the college of law at Florida Agricultural and Mechanical University shall be eligible for financial, academic, or other support from the Florida Education Fund as provided in section 240.498(8), Florida Statutes, without the college's obtaining accreditation by the American Bar Association.

(3) The college of law at Florida Agricultural and Mechanical University shall be dedicated to providing opportunities for minorities to attain representation within the legal profession proportionate to their representation in the general population; however, the college of law shall not include preferences in the admissions process for applicants on the basis of race, national origin, or sex.

Section 3. This act shall be implemented as provided in the General Appropriations Act.

Section 4. This act shall take effect upon becoming a law.

Approved by the Governor June 14, 2000.

Filed in Office Secretary of State June 14, 2000.