

CHAPTER 2026-237

House Bill No. 5601-E

An act relating to higher education; amending s. 1001.92, F.S.; revising certain state university performance-based metrics; defining the term “co-op program”; 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; creating s. 1004.64992, F.S.; establishing the Disaster Preparedness Center at the Florida International University; providing the purposes of the center; providing that the center operates in partnership with the Division of Emergency Management; requiring and authorizing the center to perform specified functions and duties; authorizing certain entities to cooperate and share information with the center under certain circumstances; providing funding for the center; reenacting s. 1004.89, F.S., relating to the Institute for Freedom in the Americas; amending s. 1007.55, F.S.; providing that the State Board of Education and the Board of Governors may amend the list of general education courses for certain institutions and universities; amending s. 1009.24, F.S.; revising programs for which the Board of Governors may establish tuition; authorizing state university boards of trustees to establish out-of-state fees for nonresident students; removing a provision requiring that adjustments to certain out-of-state fees not exceed a certain amount; requiring the Board of Governors to adopt a specified regulation relating to nonresident undergraduate degree-seeking student enrollment; providing state university requirements relating to the enrollment of such students; reenacting s. 1009.26(18), F.S., relating to fee waivers; reenacting and amending s. 1011.45, F.S., relating to end of year balance of funds; removing an obsolete date; amending s. 1013.01, F.S.; revising the definition of the term “educational facilities”; providing an effective date.

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

Section 1. Paragraph (a) of subsection (1) of section 1001.92, Florida Statutes, as amended by chapter 2026-59, Laws of Florida, is amended to read:

1001.92 State University System Performance-Based Incentive.—

(1) A State University System Performance-Based Incentive shall be awarded to state universities using performance-based metrics adopted by the Board of Governors of the State University System. Beginning with the Board of Governors' determination of each university's performance improvement and achievement ratings, and the related distribution of annual fiscal year appropriation, the performance-based metrics must include:

(a) The 4-year graduation rate and adjusted cohort graduation rate for engineering programs and co-op programs for first-time-in-college students. For purposes of this paragraph, a "co-op program" is a program identified by a state university, subject to approval by the Board of Governors, that combines academic study with up to four semesters of related paid work experience prior to graduation;

The Board of Governors may approve other metrics in a publicly noticed meeting. The board shall adopt benchmarks to evaluate each state university's performance on the metrics to measure the state university's achievement of institutional excellence or need for improvement and minimum requirements for eligibility to receive performance funding. Benchmarks and metrics may not be adjusted after university performance data has been received by the Board of Governors.

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

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

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

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

1. "University of South Florida Sarasota/Manatee."

2. "University of South Florida Sarasota-Manatee."

3. "USF Sarasota/Manatee."

4. "USF Sarasota-Manatee."

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

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

(2) TRANSFER OF ASSETS AND LIABILITIES BETWEEN STATE UNIVERSITY INSTITUTIONS AND CAMPUSES.—

(a) The board of trustees of New College of Florida shall, as soon as reasonably practical, but no later than December 31, 2026, complete all steps necessary or appropriate to assume, legally and financially, the full liability for any outstanding debt for any facilities constructed upon the properties that encompass the University of South Florida Sarasota/Manatee campus, including, but not limited to, any fees and costs associated with transferring, satisfying, retiring, defeasing, or repaying such debt obligations. The facilities contemplated in this paragraph include, but are not limited to, any dormitories or other campus facilities that were financed in whole or in part with debt payable by the board of trustees of the University of South Florida or the University of South Florida Financing Corporation and for which a balance of that debt remains outstanding on July 1, 2026.

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

(c) Subject to the requirements of paragraphs (b) and (d), all real property encompassing the University of South Florida Sarasota/Manatee campus, and any existing contracts, leases, obligations, responsibilities, and liabilities of the board of trustees of the University of South Florida which are principally associated with such real property or any facilities constructed upon those parcels, must be transferred to the board of trustees of New College of Florida by July 1, 2026. New College of Florida shall be solely responsible for all costs of operating, repairing, replacing, renovating, and maintaining the facilities contemplated in this section as of the date of transfer.

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

a. Any academic, administrative, or residential buildings and other assets that are reasonably considered permanent and immovable from the existing University of South Florida Sarasota/Manatee campus parcels, including general educational and classroom furnishings and fixtures

located therein, shall be transferred to the board of trustees of New College of Florida for the future use of New College of Florida students and faculty.

b. Any intellectual property, intangible property, educational and research equipment that is not permanently affixed to the facilities, computers and other equipment previously assigned to personnel remaining in employment with the University of South Florida, records, and any institutional insignia or items that have historical significance to the University of South Florida which are not specifically associated with the parcels of land or facilities that will be transferred shall remain the property of the board of trustees of the University of South Florida.

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

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

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

2. In the event of a dispute on the transfer of any specific assets and liabilities required by this section before July 1, 2026, the boards must jointly notify the Board of Governors of the remaining points of disagreement. The Board of Governors, by majority vote, must resolve any remaining disputed issues and terms and order the specific transfers no later than September 30, 2026. When determining and ordering any disputed transfers, the Board of Governors must adhere to the guiding principles in subparagraph 1.

(3) FACILITY USE AGREEMENT.—

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

(b) The board of trustees of New College of Florida must enter into a facility use agreement with the board of trustees of the University of South Florida which makes available, free of any charge to the University of South

Florida, sufficient academic and student support space in the transferred properties or facilities so that a University of South Florida student who was admitted to the university before July 1, 2026, has the reasonable opportunity to complete his or her University of South Florida degree programs on his or her local campus and to ensure that New College of Florida students, faculty, and staff have access to the educational and administrative space, when feasible, during and throughout the University of South Florida teach-out process.

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

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

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

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

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

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

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

Section 4. Section 1004.64992, Florida Statutes, is created to read:

1004.64992 Disaster Preparedness Center.—

(1) The Disaster Preparedness Center is established at the Florida International University as the statewide center of excellence for disaster preparedness, response, recovery, and resilience training. The purpose of the center is to serve as a statewide hub for disaster simulation, training, interagency collaboration, applied research, and education. The center shall be operated in partnership with the Division of Emergency Management.

(2) The center shall:

(a) Develop and conduct rigorous, evidence-based, and scenario-based training programs on disaster preparedness, mitigation, response, and recovery.

(b) Evaluate coastal and urban resilience to hurricanes, flooding, storm surge, wildfires, and other natural or human-caused hazards.

(c) Develop and operate simulation and training environments to prepare first responders, emergency managers, engineers, health professionals, and students for urban search and rescue, including collapsed structure and mass-casualty training.

(d) Construct and maintain realistic disaster simulation environments, including, but not limited to, hurricanes, flooding, storm surge, wildfires, collapsed structures, urban search-and-rescue, hazardous material areas, and emergency operations center replicas.

(e) Serve as a statewide venue for multiagency disaster exercises, emergency management certification, and continuing education.

(f) Develop best practices, resources, and training modules to support public and private sector preparedness.

(g) Support applied research in disaster preparedness and mitigation, infrastructure hardening, and recovery.

(h) Provide technical assistance to the Legislature, state agencies, local governments, and the Federal Government in evaluating and improving policies relating to resilience, emergency management, and disaster response.

(i) Collaborate with the relevant federal and state agencies and private sector entities to improve disaster readiness.

(j) Serve as a resource to assist local, state, and federal emergency operations during declared disasters.

(k) Plan and host events, workshops, and exercises to strengthen the capacity of local, state, federal, and international partners.

(3) The center may:

(a) Hire faculty, staff, and technical experts and develop courses relating to resilience and rescue activities.

(b) Hold events, including symposiums, exercises, demonstrations, and conferences.

(c) Conduct, aid, and sponsor research and publish, or otherwise make available to residents and stakeholders, articles, reports, analyses, and resources.

(d) Provide training and continuing education to first responders, government officials, private sector partners, and students.

(e) Assist the Legislature and governmental entities with reports, policy analyses, testimony, and technical support.

(f) Provide scholarships, research assistantships, and fellowships for students pursuing careers in disaster response, resilience, and emergency management.

(g) Partner with other state universities, agencies, institutes, and associations to advance the center's goals.

(h) Provide training opportunities for students, first responders, and professionals in disaster management, environmental resilience, and infrastructure testing.

(i) Facilitate commercialization of resilience technologies through partnerships with Florida businesses, start-ups, and industries.

(4) The Division of Emergency Management, state and local emergency response agencies, and other governmental entities may cooperate and share information with the center as needed, subject to applicable confidentiality and security requirements.

(5) The center shall be funded by appropriations provided in the General Appropriations Act, charitable grants and donations, contracts, and institutional resources.

Section 5. Notwithstanding the expiration date in section 9 of chapter 2025-199, Laws of Florida, section 1004.89, Florida Statutes, is reenacted to read:

1004.89 Institute for Freedom in the Americas.—The Institute for Freedom in the Americas is hereby created at Miami Dade College to preserve the ideals of a free society and promote democracy in the Americas. The institute shall be located at the Freedom Tower and shall:

(1) Hold workshops, symposiums, and conferences that provide networking opportunities for leaders throughout the region to gain new insights and ideas for promoting democracy, including knowledge of and insight into the intellectual, political, and economic freedoms that are foundational to a democratic society.

(2) Enter into an agreement with the Adam Smith Center for Economic Freedom to provide participants with academic coursework and programs that advance democratic practices and economic and legal reforms.

(3) Provide educational and experiential opportunities for regional leaders committed to careers in democracy and governance.

Section 6. Subsection (4) of section 1007.55, Florida Statutes, is amended to read:

1007.55 General education course principles, standards, and content.

(4) In performing its duties under ss. 1007.24 and 1007.25, by December 1, 2024, and each December 1 thereafter, the Articulation Coordinating Committee shall submit to the State Board of Education and the Board of Governors courses that have been approved by public postsecondary educational institutions as meeting general education requirements. The listing of general education courses must include the information in paragraphs (2)(a), (b), and (c). The State Board of Education and the Board of Governors must approve, ~~or reject,~~ or amend the list of general education courses for each Florida College System institution and state university, respectively.

Section 7. Paragraph (b) of subsection (4) of section 1009.24, Florida Statutes, is amended to read:

1009.24 State university student fees.—

(4)

(b)1. Subject to approval by the Board of Governors, each university board of trustees may establish tuition for graduate and professional programs and out-of-state fees for nonresident students. The Board of Governors' approval authority for out-of-state fees for nonresident students pursuant to this subparagraph is ministerial only and may not be withheld unless the State University System is out of compliance with the systemwide limitation on enrollment of nonresident undergraduate degree-seeking students established by regulation of the Board of Governors all programs. Except as otherwise provided in this section, the sum of tuition and out-of-state fees assessed to nonresident students must be sufficient to offset the full instructional cost of serving such students. However, Adjustments to out-of-state fees or tuition for graduate programs and professional programs may not exceed 15 percent in any year.

2. Notwithstanding subparagraph 1., in carrying out its duties to ensure the systemwide limitation on nonresident undergraduate degree-seeking student enrollment is not exceeded, the Board of Governors shall adopt a regulation requiring each university to include in its accountability plan year-to-year enrollment projections on the percentage of nonresident undergraduate degree-seeking students for the upcoming 4 academic years. The regulation shall also require each university to annually update its accountability plan with the actual percentage of nonresident undergraduate degree-seeking students enrolled during the prior year. If, in any given year, the Board of Governors determines a university enrolled a

greater percentage of such students than projected, the Board of Governors shall require corrective action, which may include:

- a. A revision to the university's accountability plan;
- b. An enrollment reduction plan; or
- c. Reduction of such university's undergraduate out-of-state fee.

Section 8. Notwithstanding the expiration date in section 7 of chapter 2025-199, Laws of Florida, subsection (18) of section 1009.26, Florida Statutes, is reenacted to read:

1009.26 Fee waivers.—

(18)(a) For every course in a Program of Strategic Emphasis, or in a state-approved teacher preparation program identified by the Board of Governors, as identified in subparagraph 3., in which a student is enrolled and has out-of-pocket expenses for tuition and fees after all other federal, state, and institutional gift aid is applied, a state university shall waive 100 percent of the tuition and fees of the student's out-of-pocket expenses for an equivalent course in such program for a student who:

1. Is a resident for tuition purposes under s. 1009.21.
2. Has earned at least 60 semester credit hours towards a baccalaureate degree within 2 academic years after initial enrollment at a Florida public postsecondary institution.
3. Enrolls in one of 10 Programs of Strategic Emphasis as adopted by the Board of Governors or a state-approved teacher preparation program. The Board of Governors shall adopt eight Programs of Strategic Emphasis in science, technology, engineering, or math; beginning with the 2022-2023 academic year, two Programs of Strategic Emphasis in the critical workforce gap analysis category; and beginning with the 2023-2024 academic year, two state-approved teacher preparation programs for which a student may be eligible to receive the tuition and fee waiver authorized by this subsection. The programs identified by the board must reflect the priorities of the state and be offered at a majority of state universities at the time the Board of Governors approves the list.

(b) A waiver granted under this subsection is applicable only for upper-level courses and up to 110 percent of the number of required credit hours of the baccalaureate degree program for which the student is enrolled. A student granted a waiver under this subsection shall continue receiving the waiver until the student graduates, exceeds the number of allowable credit hours, or withdraws from an eligible program, regardless of whether the program is removed from the approved list of eligible programs subsequent to the student's enrollment.

(c) Each state university shall report to the Board of Governors the number and value of all waivers granted annually under this subsection. A state university in compliance with this subsection may earn incentive funding, subject to appropriation, in addition to the funding provided under s. 1001.92.

(d) The Board of Governors shall adopt regulations to administer this subsection.

Section 9. Notwithstanding the expiration date in section 5 of chapter 2025-199, Laws of Florida, subsection (3) of section 1011.45, Florida Statutes, is amended, and subsection (5) of that section is reenacted, to read:

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

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

(a) Commitment of funds to a public education capital outlay project for which an appropriation has previously been provided that requires additional funds for completion and which is included in the list required by s. 1001.706(12)(d);

(b) Completion of a renovation, repair, or maintenance project that is consistent with s. 1013.64(1) or replacement of a minor facility;

(c) Completion of a remodeling or infrastructure project, including a project for a developmental research school, if such project is survey recommended pursuant to s. 1013.31;

(d) Completion of a repair or replacement project necessary due to damage caused by a natural disaster for buildings included in the inventory required pursuant to s. 1013.31;

(e) Operating expenditures that support the university's mission;

(f) Any purpose specified by the board or in the General Appropriations Act, including the requirements in s. 1001.706(12)(c) or similar requirements pursuant to Board of Governors regulations;

(g) A commitment of funds to a contingency reserve for expenses incurred as a result of a state of emergency declared by the Governor pursuant to s. 252.36; and

(h) Deferred building maintenance expenses for the maintenance, repair, and renovation of projects to improve the health and safety of such facilities.

(5) A university's carry forward spending plan pursuant to subsection (1) must provide detailed documentation of expenditures that the university applied toward the prior year carry forward spending plan.

Section 10. Subsection (6) of section 1013.01, Florida Statutes, is amended to read:

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

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

Section 11. This act shall take effect upon becoming a law.

Approved by the Governor June 29, 2026.

Filed in Office Secretary of State June 29, 2026.