

6829

2011-2012 Regular Sessions

I N A S S E M B L Y

April 4, 2011

Introduced by M. of A. LINARES, WRIGHT, P. RIVERA, MENG, AUBRY -- read
once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to establishing the New
York dream act providing certain benefits to undocumented immigrants
that satisfy certain criteria

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Short title. This act shall be known and may be cited as
2 the "New York dream act".

3 S 2. The executive law is amended by adding a new section 101 to read
4 as follows:

5 S 101. NEW YORK DREAM ACT. 1. THERE IS HEREBY ESTABLISHED WITHIN THE
6 DEPARTMENT, A DREAM ACT, WHEREBY UNDOCUMENTED IMMIGRANTS WHO SATISFY THE
7 REQUIREMENTS SET FORTH IN SUBDIVISION THREE OF THIS SECTION SHALL QUALI-
8 FY FOR THE BENEFITS SET FORTH IN SUBDIVISION FOUR OF THIS SECTION.

9 2. FOR THE PURPOSES OF THIS SECTION, THE TERM:

10 A. "CERTIFIED COMMUNITY SERVICE" SHALL MEAN A PERIOD OF SERVING THE
11 COMMUNITY THAT SATISFIES THE REQUIREMENTS PROMULGATED IN THE RULES AND
12 REGULATIONS AUTHORIZED PURSUANT TO SUBDIVISION FIVE OF THIS SECTION.

13 B. "ELIGIBLE PERSON" SHALL MEAN ANY INDIVIDUAL THAT MEETS THE CRITERIA
14 SET FORTH IN SUBDIVISION TWO THIS SECTION.

15 C. "UNDOCUMENTED" SHALL MEAN WITHOUT A VALID IMMIGRATION VISA.

16 3. TO BE ELIGIBLE FOR BENEFITS UNDER SUBDIVISION FOUR OF THIS SECTION,
17 AN INDIVIDUAL SHALL:

18 A. HAVE GRADUATED FROM HIGH SCHOOL WITH A HIGH SCHOOL DIPLOMA OR ITS
19 EQUIVALENT, INCLUDING, BUT NOT LIMITED TO A GED;

20 B. HAVE ENTERED THE UNITED STATES UNDOCUMENTED BEFORE THE AGE OF
21 SIXTEEN;

22 C. BE UNDER THE AGE OF THIRTY-FIVE;

23 D. NOT HAVE BEEN CONVICTED IN THIS STATE OR ANY OTHER STATE OR TERRI-
24 TORY OF A FELONY;

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 E. HAVE RESIDED IN NEW YORK STATE FOR AT LEAST TWO YEARS BEFORE THE
2 EFFECTIVE DATE OF THIS SECTION; AND

3 F. (I) ENROLL OR BE ENROLLED IN A COLLEGE OR UNIVERSITY IN THE STATE
4 OF NEW YORK AND COMPLETE AT LEAST TWO YEARS TOWARDS A FOUR-YEAR DEGREE
5 WITHIN SIX YEARS; OR

6 (II) SERVE AT LEAST TWO YEARS IN THE NEW YORK NATIONAL GUARD; OR

7 (III) COMPLETE NINE HUNDRED TEN HOURS OF CERTIFIED COMMUNITY SERVICE.

8 4. ANY ELIGIBLE PERSON SHALL HAVE ACCESS TO:

9 A. STATE-FUNDED FINANCIAL AID PROGRAMS, INCLUDING, BUT NOT LIMITED TO
10 GRANTS, LOANS AND SCHOLARSHIPS;

11 B. NEW YORK STATE IDENTIFICATION OR DRIVERS' LICENSES;

12 C. WORK OPPORTUNITIES WITH THE STATE OF NEW YORK; AND

13 D. NEW YORK STATE HEALTH INSURANCE PROGRAMS.

14 5. THE SECRETARY SHALL PROMULGATE RULES AND REGULATIONS TO EFFECT THE
15 PURPOSES OF THIS SECTION AND TO FURTHER DEFINE THE REQUIREMENTS AND
16 BENEFITS OF THIS SECTION.

17 S 3. This act shall take effect on the one hundred twentieth day after
18 it shall have become a law; provided, however, that effective immediate-
19 ly, the addition, amendment and/or repeal of any rule or regulation
20 necessary for the implementation of this act on its effective date are
21 authorized and directed to be made and completed on or before such
22 effective date.