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I N S E N A T E

February 13, 2012

Introduced by Sens. BONACIC, JOHNSON -- read twice and ordered printed,
and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to application for a
waiver from licensing requirements for entities providing certain
professional services

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

1 Section 1. The opening paragraph of paragraph a and paragraph c of
2 subdivision 1 of section 6503-a of the education law, as amended by
3 chapter 187 of the laws of 2011, are amended to read as follows:
4 Notwithstanding any laws to the contrary, except as provided in subdi-
5 vision two of this section, a not-for-profit corporation formed for
6 charitable, educational, or religious purposes or other similar purposes
7 deemed acceptable by the department; or an education corporation as
8 defined in subdivision one of section two hundred sixteen-a of this
9 chapter may provide the following services, provided that, except as
10 otherwise provided in paragraph b of this subdivision, the entity was in
11 existence prior to the effective date of this section and has applied to
12 the department for a waiver pursuant to this section by no later than
13 [February] JULY first, two thousand [twelve] THIRTEEN:
14 c. After the commissioner prescribes the application form and posts
15 notice of its availability on the department's website, any entity
16 described in paragraph a of this subdivision providing services on the
17 effective date of this section, must apply for a waiver no later than
18 [February] JULY first, two thousand [twelve] THIRTEEN. Upon submission
19 of an application, an entity may continue to operate and provide
20 services until the department shall either deny or approve the entity's
21 application. After the department renders a timely initial determination
22 that the applicant has submitted the information necessary to verify
23 that the requirements of paragraphs d, e, and f of this subdivision are
24 satisfied, applications for waivers shall be approved or denied within
25 ninety days; provided however, that if the waiver application is denied
26 the entity shall cease providing professional services, pursuant to
27 paragraph a of this subdivision, in the state of New York.
28 S 2. This act shall take effect immediately and shall be deemed to
29 have been in full force and effect on and after February 1, 2012.

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

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