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I N S E N A T E

June 9, 2014

Introduced by Sen. LAVALLE -- 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 tuition assistance program awards

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

1 Section 1. Paragraph a of subdivision 3 of section 667 of the educa-
2 tion law, as amended by section 1 of part B of chapter 60 of the laws of
3 2000, item 1 of clause (A) of subparagraph (i) as amended by section 1
4 of part H of chapter 58 of the laws of 2011, the opening paragraph of
5 item 1 of clause (A) of subparagraph (i) as amended by section 2 of part
6 X of chapter 56 of the laws of 2014, subitem (a) of item 1 of clause (A)
7 of subparagraph (i) as amended by section 2 of part U of chapter 56 of
8 the laws of 2014, subitem (b) of item 1 of clause (A) of subparagraph
9 (i) as amended by section 3 of part U of chapter 56 of the laws of 2014,
10 subitem (c) of item 1 of clause (A) of subparagraph (i) as amended by
11 section 1 of part U of chapter 56 of the laws of 2014, subitem (d) of
12 item 1 of clause (A) of subparagraph (i) as added by section 1 of part E
13 of chapter 58 of the laws of 2011, item 2 of clause (A) of subparagraph
14 (i) as amended by section 2 of part H of chapter 58 of the laws of 2011
15 and subparagraph (iii) as amended by section 3 of part H of chapter 58
16 of the laws of 2011, is amended to read as follows:

17 a. Amount. The president shall make awards to students enrolled in
18 degree-granting institutions or registered not-for-profit business
19 schools qualified for tax exemption under S 501(c)(3) of the internal
20 revenue code for federal income tax purposes in the following amounts:

21 (i) For each year of undergraduate study, assistance shall be provided
22 as computed on the basis of the amount which is the lesser of the
23 following:

24 (A) (1) In the case of students who have not been granted an exclusion
25 of parental income, who have qualified as an orphan, foster child, or
26 ward of the court for the purposes of federal student financial aid
27 programs authorized by Title IV of the Higher Education Act of 1965, as
28 amended, or had a dependent for income tax purposes during the tax year

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

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1 next preceding the academic year for which application is made, except
2 for those students who have been granted exclusion of parental income
3 who have a spouse but no other dependent:

4 (a) For students first receiving aid after nineteen hundred ninety-
5 three--nineteen hundred ninety-four and before two thousand--two thou-
6 sand one, four thousand two hundred ninety dollars; or

7 (b) For students first receiving aid in nineteen hundred ninety-three-
8 -nineteen hundred ninety-four or earlier, three thousand seven hundred
9 forty dollars; or

10 (c) For students first receiving aid in two thousand--two thousand one
11 and thereafter, five thousand dollars, except starting in two thousand
12 fourteen--two thousand fifteen and thereafter such students shall receive
13 five thousand one hundred sixty-five dollars; or

14 (d) FOR STUDENTS FIRST RECEIVING AID IN TWO THOUSAND FIFTEEN--TWO
15 THOUSAND SIXTEEN AND THEREAFTER, SIX THOUSAND FOUR HUNDRED SEVENTY
16 DOLLARS; OR

17 (E) For undergraduate students enrolled in a program of study at a
18 non-public degree-granting institution that does not offer a program of
19 study that leads to a baccalaureate degree, or at a registered not-for-
20 profit business school qualified for tax exemption under section
21 501(c)(3) of the internal revenue code for federal income tax purposes
22 that does not offer a program of study that leads to a baccalaureate
23 degree, four thousand dollars. Provided, however, that this subitem
24 shall not apply to students enrolled in a program of study leading to a
25 certificate or degree in nursing.

26 (2) In the case of students receiving awards pursuant to subparagraph
27 (iii) of this paragraph and those students who have been granted exclu-
28 sion of parental income who have a spouse but no other dependent.

29 (a) FOR STUDENTS RECEIVING AID IN TWO THOUSAND FIFTEEN--TWO THOUSAND
30 SIXTEEN AND THEREAFTER, SIX THOUSAND FOUR HUNDRED SEVENTY DOLLARS, OR

31 (B) For students first receiving aid in nineteen hundred ninety-four
32 --nineteen hundred ninety-five and nineteen hundred ninety-five--nine-
33 teen hundred ninety-six and thereafter, three thousand twenty-five
34 dollars, or

35 [(b)] (C) For students first receiving aid in nineteen hundred nine-
36 ty-two--nineteen hundred ninety-three and nineteen hundred ninety-three-
37 -nineteen hundred ninety-four, two thousand five hundred seventy-five
38 dollars, or

39 [(c)] (D) For students first receiving aid in nineteen hundred nine-
40 ty-one--nineteen hundred ninety-two or earlier, two thousand four
41 hundred fifty dollars; or

42 (B) (1) Ninety-five percent of the amount of tuition (exclusive of
43 educational fees) charged and, if applicable, the college fee levied by
44 the state university of New York pursuant to the April first, nineteen
45 hundred sixty-four financing agreement with the New York state dormitory
46 authority.

47 (2) For the two thousand one--two thousand two academic year and ther-
48 eafter one hundred percent of the amount of tuition (exclusive of educa-
49 tional fees) charged and, if applicable, the college fee levied by the
50 state university of New York pursuant to the April first, nineteen
51 hundred sixty-four financing agreement with the New York state dormitory
52 authority.

53 (ii) Except for students as noted in subparagraph (iii) of this para-
54 graph, the base amount as determined from subparagraph (i) of this para-
55 graph, shall be reduced in relation to income as follows:

1	Amount of income	Schedule of reduction
2		of base amount
3	(A) Less than [seven] EIGHT	None
4	thousand SEVEN HUNDRED	
5	FIFTY dollars	
6	(B) [Seven] EIGHT thousand	Seven per centum of excess
7	SEVEN HUNDRED FIFTY	over [seven] EIGHT
8	dollars or more, but less than	thousand SEVEN HUNDRED
9	[eleven] THIRTEEN thousand	FIFTY dollars
10	SEVEN HUNDRED FIFTY DOLLARS	
11	(C) [Eleven] THIRTEEN thousand	[Two] THREE
12	SEVEN HUNDRED FIFTY	hundred [eighty] FIFTY
13	dollars or more, but less than	dollars plus ten per centum of excess
14	[eighteen] TWENTY-TWO	over [eleven] THIRTEEN
15	thousand FIVE HUNDRED	thousand SEVEN HUNDRED
16	dollars	FIFTY dollars
17	(D) [Eighteen] TWENTY-TWO	[Nine] ONE THOUSAND
18	thousand FIVE HUNDRED	TWO hundred
19	dollars or more, but not more	[eighty] TWENTY-FIVE dollars
20	than [eighty] ONE	plus twelve per centum of
21	HUNDRED thousand dollars	excess over [eighteen]
22		TWENTY-TWO thousand
23		FIVE HUNDRED dollars;

24 PROVIDED THAT DEPENDENT STUDENTS WHOSE PARENTAL INCOME EXCEEDS EIGHTY
 25 THOUSAND DOLLARS BUT NOT MORE THAN ONE HUNDRED THOUSAND DOLLARS, OR
 26 STUDENTS WITH A DEPENDENT AND INCOME IN EXCESS OF EIGHTY THOUSAND
 27 DOLLARS, BUT NOT MORE THAN ONE HUNDRED THOUSAND DOLLARS, SHALL ONLY BE
 28 ELIGIBLE FOR AWARDS IF HE OR SHE FIRST RECEIVES AN AWARD BEGINNING WITH
 29 THE TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN ACADEMIC YEAR.

30 (iii) (A) For students who have been granted exclusion of parental
 31 income and were single with no dependent for income tax purposes during
 32 the tax year next preceding the academic year for which application is
 33 made, the base amount, as determined in subparagraph (i) of this para-
 34 graph, shall be reduced in relation to income as follows:

35	Amount of income	Schedule of reduction
36		of base amount
37	(1) Less than [three] TEN thousand	None
38	FIVE HUNDRED dollars	
39	(2) [Three] TEN thousand	Thirty-one per centum of
40	FIVE HUNDRED dollars or more,	amount in excess of
41	but not more than [ten]	[three] TEN thousand
42	THIRTY-FIVE thousand dollars	FIVE HUNDRED
43		dollars;

44 PROVIDED THAT STUDENTS WITH INCOMES IN EXCESS OF TEN THOUSAND DOLLARS
 45 BUT NOT MORE THAN THIRTY-FIVE THOUSAND DOLLARS, SHALL ONLY BE ELIGIBLE
 46 FOR AWARDS IF HE OR SHE FIRST RECEIVES AN AWARD BEGINNING WITH THE TWO
 47 THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN ACADEMIC YEAR.

48 (B) For those students who have been granted exclusion of parental
 49 income who have a spouse but no other dependent, for income tax purposes
 50 during the tax year next preceding the academic year for which applica-

tion is made, the base amount, as determined in subparagraph (i) of this paragraph, shall be reduced in relation to income as follows:

Amount of income	Schedule of reduction of base amount
(1) Less than [seven] EIGHT thousand SEVEN HUNDRED FIFTY dollars	None
(2) [Seven] EIGHT thousand SEVEN HUNDRED FIFTY dollars or more, but less than [eleven] THIRTEEN thousand SEVEN HUNDRED FIFTY dollars	Seven per centum of excess over [seven] EIGHT thousand SEVEN HUNDRED FIFTY dollars
(3) [Eleven] THIRTEEN thousand SEVEN HUNDRED FIFTY dollars or more, but less than [eighteen] TWENTY-TWO thousand FIVE HUNDRED dollars	[Two] THREE hundred [eighty] FIFTY dollars plus ten per centum of excess over [eleven] THIRTEEN thousand SEVEN HUNDRED FIFTY dollars
(4) [Eighteen] TWENTY-TWO thousand FIVE HUNDRED dollars or more, but not more than [forty] FIFTY thousand dollars	[Nine] ONE THOUSAND TWO hundred [eighty] TWENTY-FIVE dollars plus twelve per centum of excess over [eighteen] TWENTY-TWO thousand FIVE HUNDRED dollars;

PROVIDED THAT STUDENTS WITH INCOMES IN EXCESS OF FORTY THOUSAND DOLLARS BUT NOT MORE THAN FIFTY THOUSAND DOLLARS, SHALL ONLY BE ELIGIBLE FOR AWARDS IF HE OR SHE FIRST RECEIVES AN AWARD BEGINNING WITH THE TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN ACADEMIC YEAR.

(iv) If the amount of reduction is not a whole dollar, it shall be reduced to the next lowest whole dollar. In the case of any student who has received four or more payments pursuant to any and all awards provided for in this subdivision, for the two thousand--two thousand one academic year the base amount shall be reduced by an additional one hundred fifty dollars for the two thousand one--two thousand two academic year and thereafter the base amount shall be reduced by an additional one hundred dollars.

(v) The award shall be the net amount of the base amount determined pursuant to subparagraph (i) of this paragraph reduced pursuant to subparagraph (ii) or (iii) of this paragraph but the award shall not be reduced for the two thousand--two thousand one and two thousand one--two thousand two academic years below two hundred seventy-five dollars if the amount of income is eighty thousand dollars or less and more than seventy thousand dollars, three hundred twenty-five dollars if the amount of income is seventy thousand dollars or less and more than sixty thousand dollars and four hundred twenty-five dollars if the amount of income is sixty thousand dollars or less.

(vi) For the two thousand two--two thousand three academic year and thereafter, the award shall be the net amount of the base amount determined pursuant to subparagraph (i) of this paragraph reduced pursuant to subparagraph (ii) or (iii) of this paragraph but the award shall not be reduced below five hundred dollars.

1 S 2. This act shall take effect April 1, 2015, provided that the addi-
2 tion, amendment and/or repeal of any rule or regulation necessary for
3 the implementation of this act on its effective date is authorized and
4 directed to be made and completed by the president of the higher educa-
5 tion services corporation on or before such effective date.