

NEW YORK AND HAS APPLIED TO PARTICIPATE AND BEEN ACCEPTED TO PARTICIPATE IN THE PROGRAM.

3. "LENDING INSTITUTION" OR "LENDER" SHALL MEAN ANY ENTITY THAT HAS ITSELF OR THROUGH AN AFFILIATE PROVIDED STUDENT LOANS TO AN ELIGIBLE PARTICIPANT.

4. "PROGRAM" SHALL MEAN THE NEW YORK STUDENT AFFORDABLE REFINANCING FOR TOMORROW PROGRAM (NEW START).

5. "FUND" SHALL MEAN THE NEW YORK AFFORDABLE REFINANCING FOR TOMORROW PROGRAM FUND ESTABLISHED BY SECTION NINETY-NINE-W OF THE STATE FINANCE LAW.

S 694-D. NEW YORK STUDENT AFFORDABLE REFINANCING FOR TOMORROW PROGRAM (NEW START). THE NEW YORK STUDENT AFFORDABLE REFINANCING FOR TOMORROW PROGRAM (NEW START) IS HEREBY ESTABLISHED FOR THE PURPOSES OF RELIEVING STUDENT DEBT BY DIRECTLY PAYING AN ELIGIBLE PARTICIPANT'S LOAN DEBT TO THE LENDING INSTITUTION OR LENDER AND PROVIDING A REPAYMENT PLAN WHEREBY PAYMENTS WILL BE DEPOSITED IN THE FUND.

1. THE CORPORATION SHALL PROMULGATE RULES AND REGULATIONS FOR THE ADMINISTRATION OF THIS PROGRAM AND SHALL MANAGE THE FUND IN CONSULTATION WITH THE OFFICE OF THE COMPTROLLER.

2. THE CORPORATION SHALL DETERMINE ADDITIONAL REQUIREMENTS FOR ELIGIBLE PARTICIPANTS, OTHER THAN THOSE SPECIFIED IN SECTION SIX HUNDRED NINETY-FOUR-E OF THIS PART, SHALL SET A FIXED INTEREST RATE FOR THE REPAYMENT OF REFINANCED LOANS, WHICH SHALL BE LOWER THAN THE AVERAGE MARKET RATE FOR PRIVATE STUDENT LOANS, AND SHALL ESTABLISH AN APPLICATION PROCESS FOR THE PROGRAM.

3. THE CORPORATION SHALL DETERMINE APPROPRIATE PAYMENT DEFERMENT AND FORBEARANCE OPTIONS FOR LOSS OF EMPLOYMENT OR EXTREME HARDSHIP.

S 694-E. PROGRAM ELIGIBILITY. 1. TO BE ELIGIBLE FOR THIS PROGRAM A PARTICIPANT MUST:

A. HAVE GRADUATED FROM THE STATE UNIVERSITY OF NEW YORK OR THE CITY UNIVERSITY OF NEW YORK WITHIN FOUR YEARS, OR FIVE YEARS IF ENROLLED IN A PROGRAM NORMALLY REQUIRING FIVE YEARS;

B. HAVE GRADUATED WITH A GRADE POINT AVERAGE AT OR ABOVE 3.0;

C. HAVE INCURRED STUDENT LOAN DEBT;

D. BE GAINFULLY EMPLOYED FOR AT LEAST THREE MONTHS PRIOR TO FILING AN APPLICATION TO PARTICIPATE IN THE PROGRAM;

E. AGREE TO SIGN A CONTRACT WITH THE CORPORATION TO ALLOW A DIRECT WITHDRAWAL OF PAYMENTS FROM THEIR PAY CHECKS UNTIL THE DEBT OBLIGATION IS PAID IN FULL; AND

F. MUST APPLY FOR THE PROGRAM WITHIN TWO YEARS AFTER COLLEGE GRADUATION.

S 694-F. PROGRAM. 1. THE CORPORATION SHALL MAKE LUMP SUM PAYMENTS TO LENDING INSTITUTIONS OR LENDERS TO PAY ELIGIBLE PARTICIPANTS' EDUCATION LOANS OUT OF THE FUNDS APPROPRIATED TO THE FUND FOR THE PURPOSES OF THIS PROGRAM IN AMOUNTS NOT TO EXCEED THIRTY-FIVE THOUSAND DOLLARS PER PARTICIPANT.

2. LOANS THAT THE PARTICIPANT ACQUIRED FROM THE FEDERAL GOVERNMENT OR THOSE LOANS THAT HAVE A FIXED INTEREST RATE PROVIDED AT AN INTEREST RATE AT OR LOWER THAN THE CURRENT FEDERAL LOAN INTEREST RATE SHALL NOT BE ELIGIBLE FOR ACQUISITION UNDER THE PROGRAM.

S 694-G. REPAYMENT. 1. PARTICIPANTS SHALL REPAY THE TOTAL COST OF THE DEBT OBLIGATION TO THE FUND AT AN INTEREST RATE DETERMINED BY THE CORPORATION ACCORDING TO THE FOLLOWING:

A. DURING THE FIRST FIVE YEARS OF PARTICIPATION IN THE PROGRAM, THE PARTICIPANT SHALL PAY THREE PERCENT OF THE SALARY EARNED PER YEAR DURING EACH OF THOSE YEARS;

1 B. DURING THE NEXT FIVE YEARS OF PARTICIPATION IN THE PROGRAM, THE
2 PARTICIPANT SHALL PAY FIVE PERCENT OF THE SALARY EARNED PER YEAR DURING
3 EACH OF THOSE YEARS;

4 C. DURING THE ELEVENTH YEAR OF PARTICIPATION AND EACH YEAR THEREAFTER
5 UNTIL THE DEBT OBLIGATION IS PAID IN FULL, THE PARTICIPANT SHALL PAY
6 EIGHT PERCENT OF THE SALARY EARNED PER YEAR DURING EACH OF THOSE YEARS.

7 2. THERE SHALL BE NO PRE-PAYMENT PENALTIES UNDER THE PROGRAM AND
8 REPAYMENT SCHEDULES MAY BE CALCULATED AT A HIGHER PERCENTAGE RATE PER
9 YEAR OF SALARY IF THE PARTICIPANT CHOOSES OR REQUESTS A FASTER RE-PAY-
10 MENT OPTION.

11 S 2. The state finance law is amended by adding a new section 99-w to
12 read as follows:

13 S 99-W. NEW YORK STUDENT AFFORDABLE REFINANCING FOR TOMORROW PROGRAM
14 FUND. 1. THERE IS HEREBY ESTABLISHED WITHIN THE CUSTODY OF THE NEW YORK
15 STATE HIGHER EDUCATION SERVICES CORPORATION, IN CONSULTATION WITH THE
16 STATE COMPTROLLER, OR HIS OR HER DESIGNEE, A FUND TO BE KNOWN AS THE NEW
17 YORK STUDENT AFFORDABLE REFINANCING FOR TOMORROW PROGRAM FUND.

18 2. ALL MONIES RECEIVED PURSUANT TO THE NEW YORK STUDENT AFFORDABLE
19 REFINANCING FOR TOMORROW PROGRAM (NEW START) SHALL BE DEPOSITED INTO THE
20 FUND AND SHALL BE MANAGED PURSUANT TO PART SIX OF ARTICLE FOURTEEN OF
21 THE EDUCATION LAW.

22 3. ALL NECESSARY RULES AND REGULATIONS FOR THE SUCCESSFUL ADMINIS-
23 TRATION, INVESTMENT AND MANAGEMENT OF SUCH FUND SHALL BE PROMULGATED BY
24 SUCH CORPORATION, IN CONSULTATION WITH THE STATE COMPTROLLER, OR HIS OR
25 HER DESIGNEE.

26 S 3. This act shall take effect on the one hundred twentieth day after
27 it shall have become a law, provided, however, that effective immediate-
28 ly, the addition, amendment and/or repeal of any rule or regulation
29 necessary for the implementation of this act on its effective date is
30 authorized to be made and completed on or before such date.