

# STATE OF NEW YORK

5851

2017-2018 Regular Sessions

## IN SENATE

May 3, 2017

Introduced by Sen. MARCELLINO -- 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 establishing the New  
York state leaders of tomorrow scholarship; and to amend the state  
finance law, in relation to the disposition of moneys from the state  
lottery fund

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. The education law is amended by adding a new section 669-i  
2 to read as follows:

3 § 669-i. The New York state leaders of tomorrow scholarship. 1.  
4 Recipient qualifications. (a) Eligible students. Awards shall be made to  
5 the valedictorian from each public high school in New York state who are  
6 enrolled in approved programs in public or private not-for-profit degree  
7 granting institutions; provided, that, no award shall exceed one hundred  
8 percent of the amount of tuition charged.

9 (b) GPA requirements. Notwithstanding paragraph c of subdivision four  
10 of section six hundred sixty-one of this part, a school shall certify  
11 that a recipient has achieved a grade point average necessary for  
12 successful completion of his or her coursework to receive payment under  
13 the award.

14 2. Duration. No undergraduate shall be eligible for more than four  
15 academic years of study, or five academic years if the program of study  
16 normally requires five years. An undergraduate student enrolled in an  
17 eligible two-year program approved by the commissioner shall be eligible  
18 for no more than two academic years. Under no circumstances shall a  
19 student receive an award for a two-year program for more than two  
20 consecutive years of academic study or four consecutive semesters of  
21 academic study; or at a four or five-year program, for more than four  
22 consecutive years or eight consecutive semesters of academic study or  
23 five consecutive years, or ten consecutive semesters of study if the

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

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1 program normally requires five years. Notwithstanding, such duration may  
2 be extended for an allowable interruption of study including, but not  
3 limited to, death of a family member, medical leave, military service,  
4 and parental leave, as established by the corporation in regulations.

5 3. Amount. Within the amounts appropriated therefor and based on  
6 availability of funds, awards shall be granted beginning with the two  
7 thousand eighteen--two thousand nineteen academic year and thereafter to  
8 applicants that the corporation has determined are eligible to receive  
9 such awards. The amount of the award under this program shall be a total  
10 sum of five thousand dollars per recipient.

11 4. Matching awards. Commencing with the two thousand seventeen--two  
12 thousand eighteen academic year and thereafter, participating insti-  
13 tutions shall credit each recipient's remaining tuition expenses in an  
14 amount equal to the recipient's award under this section. Such credit  
15 shall be applied after the recipient has received an institutional aid  
16 package, if any, to ensure that this program does not reduce institu-  
17 tional aid that would otherwise be granted.

18 5. Rules and regulations. The corporation is authorized to promulgate  
19 rules and regulations, and may promulgate emergency regulations, neces-  
20 sary for the implementation of the provisions of this section.

21 § 2. Subdivision 3 of section 92-c of the state finance law, as  
22 amended by chapter 913 of the laws of 1977, is amended to read as  
23 follows:

24 3. The moneys in such fund shall be appropriated or transferred only  
25 (i) for repayment of first instance expenditures incurred in the opera-  
26 tion of the state lottery, (ii) for the state fiscal year commencing  
27 April first, nineteen hundred seventy-six only for the purpose of  
28 providing aid to pupils with special educational needs as defined in  
29 paragraph e of subdivision one of section thirty-six hundred two of the  
30 education law, and pupils with handicapping conditions receiving state  
31 financial support for programs delineated in paragraph f of subdivision  
32 one of section thirty-six hundred two, article eighty-three, article  
33 eighty-five, article eighty-seven, article eighty-eight, article eight-  
34 y-nine, article forty and subdivision seventeen of section thirty-six  
35 hundred two of the education law, and for any state fiscal year commenc-  
36 ing after such nineteen hundred seventy-six fiscal year for the purpose  
37 of providing aid to all school children pursuant to the provisions of  
38 subdivision four of this section, (iii) for elementary and secondary  
39 education, (iv) for expenditures for machines or other capital equipment  
40 which the division of the lottery is authorized to purchase for the  
41 operation of the lottery [~~and~~], (v) for payment in the state fiscal  
42 years commencing April first, nineteen hundred seventy-seven, nineteen  
43 hundred seventy-eight and nineteen hundred seventy-nine into the winter  
44 sports education trust fund, as created in section four hundred ninety-  
45 five-a of article ten-C of the education law, for the purposes of such  
46 fund in accordance with the provisions of subdivision five of this  
47 section[~~—Payments~~], provided that payments into such trust fund shall  
48 discontinue at such time as the sum of one hundred million dollars, in  
49 the aggregate, has been paid into such fund or upon March thirty-first,  
50 nineteen hundred eighty, whichever event occurs first, and (vi) for the  
51 New York state leaders of tomorrow scholarship established by section  
52 six hundred sixty-nine-i of the education law. Nothing herein shall  
53 prohibit the purchase of machines or other capital equipment from funds  
54 appropriated for expenditures under paragraph (i) hereof.

55 § 3. This act shall take effect immediately.