

STATE OF NEW YORK

6792

2021-2022 Regular Sessions

IN SENATE

May 17, 2021

Introduced by Sen. BROOKS -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the education law, in relation to military enhanced recognition, incentive and tribute ("MERIT") scholarships

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

1 Section 1. Section 668-e of the education law, as added by chapter 106
2 of the laws of 2003, is amended to read as follows:
3 § 668-e. Military enhanced recognition, incentive and tribute
4 ("MERIT") scholarships. 1. Eligible persons. a. Notwithstanding subdivi-
5 sions three and five of section six hundred sixty-one of this title,
6 children, spouses and financial dependents of a member of the armed
7 forces of the United States or state organized militia who at any time
8 [~~on or after the second day of August, nineteen hundred ninety,~~] while
9 in service in the armed forces of the United States, as defined by
10 subdivision eight of section one of the military law or in a force of
11 the state organized militia, as defined in subdivision nine of section
12 one of the military law: (i) while a legal resident of New York state,
13 died, became severely and permanently disabled or was classified as
14 missing in action in a combat theater or combat zone of operations as
15 part of military operations, or died as a result of injury or illness
16 suffered or incurred during such military service; [~~or~~] (ii) while a
17 legal resident of New York state, died or became severely and permanent-
18 ly disabled as a result of injury or illness suffered or incurred during
19 military training operations in preparation for duty in a combat theater
20 or combat zone of operations; or (iii) while a legal resident of New
21 York state, received a service-connected disability rating from the
22 department of veterans affairs with a minimum of zero percent and maxi-
23 mum of one hundred percent.

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

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1 b. A member of the armed forces of the United States who: (i) became
2 severely and permanently disabled as a result of service in the armed
3 forces of the United States, as defined by subdivision eight of section
4 one of the military law, in a combat theater or combat zone of oper-
5 ations as part of military operations at any time [~~on or after the~~
6 ~~second day of August, nineteen hundred ninety~~]; and (ii) was a legal
7 resident of New York state at the time of military service.

8 c. A member of the armed forces of the United States who: (i) became
9 severely and permanently disabled as a result of injury or illness
10 suffered or incurred during military training operations in preparation
11 for duty in a combat theater or combat zone of operations; and (ii) was
12 a legal resident of New York state at the time of military service.

13 d. A member of the armed forces of the United States military who:
14 (i) received a service-connected disability rating from the department
15 of veterans affairs consisting of a minimum of zero percent and a maxi-
16 imum of one hundred percent; and (ii) was a legal resident of New York
17 state at the time of military service.

18 e. A member of the state organized militia who: (i) became severely
19 and permanently disabled as a result of injury or illness suffered or
20 incurred during active military service, as defined in subdivision six
21 of section one of the military law related to duty in a combat theater
22 or combat zone of operations; and (ii) was a legal resident of New York
23 state at the time of active military service.

24 2. Amount. The president shall grant annual scholarships in amounts
25 determined [~~in accordance with subdivisions two and three of section six~~
26 ~~hundred sixty eight d of this part~~] by the provisions of this section.

27 a. Upon the recipients' attendance at a state university of New York
28 (SUNY), for full-time undergraduate studies, the MERIT scholarship will
29 provide funds for the following expenses:

30 (i) An amount equal to the recipient's actual tuition or the SUNY
31 in-state tuition rate;

32 (ii) An amount equal to the recipient's non-tuition costs; including,
33 room and board, allowances for books, supplies and transportation up to
34 the average cost of attendance at SUNY universities and colleges; and

35 (iii) An amount equal to the cost of residence either on or off-cam-
36 pus. A student living on campus will receive a larger room and board
37 allowance than a commuter student; unless housing is not available for
38 students on campus, in which case a commuter student will receive the
39 same allowance as a student living on campus.

40 b. Upon the recipients' attendance at a state university of New York
41 (SUNY), for a full-time graduate program, including, but not excluding a
42 masters or doctorate program between the age of eighteen and twenty-sev-
43 en, the MERIT scholarship will provide funds for an amount equal to the
44 recipient's actual tuition or the SUNY in-state tuition rate;

45 3. Requirements. Eligible recipients of the MERIT scholarship must
46 adhere to the following to remain eligible for the MERIT scholarship:

47 (i) Be matriculated at an approved postsecondary institution in New
48 York state.

49 (ii) Have graduated from high school in the United States, or have a
50 high school equivalency diploma earned through passing the test assess-
51 ing secondary completion (TASC), formally known as the GED, or passed a
52 federally approved "ability to benefit" test as defined by the commis-
53 sioner of the state education department or have graduated from a recog-
54 nized university providing baccalaureate level education within the
55 United States.

1 (iii) Be enrolled as a full-time student taking twelve or more credits
2 per semester or quarter. Unless the student is participating in a non-
3 required semester outside of the academic year i.e. a summer semester or
4 quarter.

5 (v) Must complete their undergraduate or graduate program within one
6 year of the determined length of the course work given that:

7 (A) An eligible undergraduate program is structured to be completed
8 within four or five years, the recipient of the award must complete
9 their attendance of the program within five or six years; or

10 (B) An eligible graduate program that is structured to be completed in
11 two or four years, must be completed within the time frame of three or
12 five years.

13 4. Residence. a. An applicant for an award at the undergraduate level
14 of study shall be a legal resident of the State of New York; and

15 b. An applicant for an award at the graduate level of study shall be a
16 legal resident of the State of New York.

17 § 2. This act shall take effect immediately.