

STATE OF NEW YORK

4752

2023-2024 Regular Sessions

IN SENATE

February 14, 2023

Introduced by Sen. LANZA -- 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 663 of the educa-
2 tion law, as amended by section 4 of part J of chapter 58 of the laws of
3 2011, is amended to read as follows:

4 a. In determining the amount of an award for graduate and undergradu-
5 ate students, the income of the parents shall be excluded if the student
6 has been emancipated from his parents.

7 § 2. The opening paragraph of subparagraph 1 of paragraph b of subdivi-
8 sion 3 of section 663 of the education law, as amended by section 5 of
9 part J of chapter 58 of the laws of 2011, is amended to read as follows:

10 The applicant is a student who was married on or before December thir-
11 ty-first of the calendar year prior to the beginning of the academic
12 year for which application is made or is an undergraduate student who
13 has reached the age of twenty-two on or before June thirtieth prior to
14 the academic year for which application is made or is a graduate student
15 and who, during the calendar year next preceding the semester, quarter
16 or term of attendance for which application is made and at all times
17 subsequent thereto up to and including the entire period for which
18 application is made:

19 § 3. Paragraph d of subdivision 3 of section 663 of the education law,
20 as amended by section 6 of part J of chapter 58 of the laws of 2011, is
21 amended to read as follows:

22 d. Any graduate or undergraduate student who was allowed to exclude
23 parental income pursuant to the provisions of former subdivision three
24 of section six hundred three of this chapter as they existed prior to

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

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1 July first, nineteen hundred seventy-four may continue to exclude such
2 income for so long as he continues to comply with such provisions.

3 § 4. Subdivisions 1 and 2 of section 667 of the education law, subdi-
4 vision 1 as amended by chapter 622 of the laws of 2008 and subdivision 2
5 as amended by chapter 376 of the laws of 2019, are amended to read as
6 follows:

7 1. Recipient qualifications. Tuition assistance program awards are
8 available for all students who are enrolled in approved programs and who
9 demonstrate the ability to complete such courses, in accordance with
10 standards established by the commissioner provided, however, that no
11 award shall be made unless tuition (exclusive of educational fees) and,
12 if applicable, the college fee levied by the state university of New
13 York pursuant to the April first, nineteen hundred sixty-four financing
14 agreements with the New York state dormitory authority charged for the
15 program in which the student is enrolled total at least two hundred
16 dollars a year, and provided further that, no award can exceed one
17 hundred percent of the amount of tuition charged. Nothing in this
18 section, section six hundred sixty-one of this part, or any other
19 provision of this chapter shall be read to exclude any graduate program
20 from classification by the commissioner as an approved program for the
21 purposes of this section.

22 2. Duration. No undergraduate shall be eligible for more than four
23 academic years of study, or five academic years if the program of study
24 normally requires five years. Students enrolled in a program of remedial
25 study, approved by the commissioner in an institution of higher educa-
26 tion and intended to culminate in a degree in undergraduate study shall,
27 for purposes of this section, be considered as enrolled in a program of
28 study normally requiring five years. An undergraduate student enrolled
29 in an eligible two year program of study approved by the commissioner
30 shall be eligible for no more than three academic years of study. An
31 undergraduate student enrolled in an approved two or four-year program
32 of study approved by the commissioner who must transfer to another
33 institution as a result of permanent college closure shall be eligible
34 for up to two additional semesters, or their equivalent, to the extent
35 credits necessary to complete his or her program of study were deemed
36 non-transferable from the closed institution or were deemed not applica-
37 ble to such student's program of study by the new institution. No grad-
38 uate student shall be eligible for more than four academic years of
39 study provided, however, that no graduate student shall be eligible for
40 more than one degree program at the master's, first professional or
41 doctorate level. No student shall be eligible for a total of more than
42 the equivalent of eight years of combined undergraduate and graduate
43 study. Any semester, quarter, or term of attendance during which a
44 student receives any award under this article, after the effective date
45 of the former scholar incentive program and prior to academic year nine-
46 teen hundred eighty-nine--nineteen hundred ninety, shall be counted
47 toward the maximum term of eligibility for tuition assistance under this
48 section, except that any semester, quarter or term of attendance during
49 which a student received an award pursuant to section six hundred
50 sixty-six of this subpart shall be counted as one-half of a semester,
51 quarter or term, as the case may be, toward the maximum term of eligi-
52 bility under this section. Any semester, quarter or term of attendance
53 during which a student received an award pursuant to section six hundred
54 sixty-seven-a of this subpart shall not be counted toward the maximum
55 term of eligibility under this section.

56 § 5. This act shall take effect immediately.