

STATE OF NEW YORK

1602--A

2025-2026 Regular Sessions

IN ASSEMBLY

January 10, 2025

Introduced by M. of A. SIMON, DINOWITZ, MAGNARELLI, TANNOUSIS, McDONOUGH, JACKSON, CRUZ, KELLES, STIRPE, WALKER, FORREST, RAGA, SEAWRIGHT, SHIMSKY, JACOBSON, HEVESI, LUNSFORD, ALVAREZ, REYES, R. CARROLL, GONZALEZ-ROJAS, SHRESTHA, KIM, SIMPSON, MEEKS, SIMONE, CLARK, DAVILA, BURDICK, RAJKUMAR, LEVENBERG, LEE, STECK, GALLAGHER, WOERNER, WIEDER, SAYEGH, SANTABARBARA, BURROUGHS, FALL, COLTON, VALDEZ, GRIFFIN, CUNNINGHAM, CHLUDZINSKI -- read once and referred to the Committee on Higher Education -- recommitted to the Committee on Higher Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to the New York state district attorney and indigent legal services attorney loan forgiveness program

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

1 Section 1. Paragraph b of subdivision 2 of section 679-e of the
2 education law, as amended by section 1 of part VV of chapter 56 of the
3 laws of 2009, is amended to read as follows:
4 b. "Eligible period" means the [~~six-year~~] eight-year period after
5 completion of the [~~third~~] second year and before the commencement of the
6 [~~tenth~~] eleventh year of employment as an eligible attorney. For
7 purposes of this section, all periods of time during which an admitted
8 attorney was employed as an eligible attorney and all periods of time
9 during which a law school graduate awaiting admission to the New York
10 state bar was employed by a prosecuting [~~or~~] agency, criminal defense
11 agency, or non-profit indigent civil legal services corporation as
12 permitted by section four hundred eighty-four of the judiciary law shall
13 be combined.

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

LBD00120-03-6

1 § 2. Paragraph d of subdivision 2 of section 679-e of the education
2 law, as amended by section 1 of part VV of chapter 56 of the laws of
3 2009, is amended to read as follows:

4 d. "Year of qualified service" means the twelve month period measured
5 from the anniversary of the attorney's employment as an eligible attor-
6 ney, or as a law school graduate awaiting admission to the New York
7 state bar employed by a prosecuting [~~or~~] agency, criminal defense
8 agency, or non-profit indigent civil legal services corporation as
9 permitted by section four hundred eighty-four of the judiciary law,
10 adjusted for any interruption in employment. Vacation or leave time
11 provided by the employer or leave taken for a condition that is a quali-
12 fying reason for leave under the Family and Medical Leave Act of 1993,
13 29 U.S.C. 2612(a)(1) and (3) shall not be considered an interruption in
14 qualifying employment. Any period of [~~temporary leave from service~~]
15 interruption in qualifying employment taken by an eligible attorney
16 shall not be considered in the calculation of qualified service. Howev-
17 er, the period of [~~temporary leave shall be considered an~~] interruption
18 in qualifying employment and the calculation of the time period of qual-
19 ified service shall recommence when the eligible attorney returns to
20 [~~full-time~~] service.

21 § 3. Paragraph a of subdivision 3 of section 679-e of the education
22 law, as amended by section 1 of part VV of chapter 56 of the laws of
23 2009, is amended to read as follows:

24 a. An eligible attorney may apply for reimbursement after the
25 completion of each year of qualified service provided however that
26 reimbursement to each eligible attorney shall not exceed [~~three thousand~~
27 ~~four hundred~~] eight thousand dollars, per qualifying year, subject to
28 appropriations available therefor. The president may establish: (i) an
29 application deadline and (ii) a method of selecting recipients if in any
30 given year there are insufficient funds to cover the needs of all the
31 applicants. Awards shall be within the amounts appropriated for such
32 purpose and based on availability of funds.

33 § 4. Paragraph b of subdivision 3 of section 679-e of the education
34 law, as amended by section 1 of part VV of chapter 56 of the laws of
35 2009, is amended to read as follows:

36 b. An eligible attorney may apply after the completion of the [~~fourth~~]
37 second year of qualified service, and annually thereafter after the
38 completion of the [~~fifth~~] third through [~~ninth~~] eleventh year of quali-
39 fied service, and may seek a student loan expense grant for only the
40 previous year of qualified service within the time periods prescribed by
41 the president. An eligible attorney may receive student loan expense
42 grants for no more than [~~six~~] eight years of qualified service within an
43 eligible period.

44 § 5. This act shall take effect April 1, 2027. Nothing in this act
45 shall be implemented in a manner that diminishes the current award or
46 status of eligible attorneys currently participating in the program.