

STATE OF NEW YORK

5795

2025-2026 Regular Sessions

IN SENATE

March 3, 2025

Introduced by Sens. SEPULVEDA, HOYLMAN-SIGAL, PARKER -- 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 providing excelsior scholarships for low-income law students

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

1 Section 1. Subdivision 1 of section 669-h of the education law, as
2 amended by section 1 of part T of chapter 56 of the laws of 2018, is
3 amended to read as follows:

4 1. Eligibility. An excelsior scholarship award shall be made to an
5 applicant who: (a) is matriculated in an approved program leading to an
6 undergraduate degree, juris doctor, or master of laws at a New York
7 state public institution of higher education; (b) if enrolled in (i) a
8 public institution of higher education prior to application, has
9 completed at least thirty combined credits per year following the
10 student's start date, or its equivalent, applicable to [~~his or her~~] such
11 applicant's program or programs of study or (ii) an institution of high-
12 er education prior to application, has completed at least thirty
13 combined credits per year following the student's start date, or its
14 equivalent, applicable to [~~his or her~~] such applicant's program or
15 programs of study and which were accepted upon transfer to a public
16 institution of higher education; (c) enrolls in at least twelve credits
17 per semester and completes at least thirty combined credits per year
18 following the student's start date, or its equivalent, applicable to
19 [~~his or her~~] such applicant's program or programs of study except in
20 limited circumstances as prescribed by the corporation in regulation.
21 Notwithstanding, in the student's last semester, the student may take at
22 least one course needed to meet [~~his or her~~] graduation requirements and
23 enroll in and complete at least twelve credit hours or its equivalent.
24 For students who are disabled as defined by the Americans With Disabili-

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

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1 ties Act of 1990, 42 USC 12101, the corporation shall prescribe rules
2 and regulations that allow applicants who are disabled to be eligible
3 for an award pursuant to this section based on modified criteria; (d)
4 has an adjusted gross income for the qualifying year, as such terms are
5 defined in this subdivision, equal to or less than: (i) one hundred
6 thousand dollars for recipients receiving an award in the two thousand
7 seventeen--two thousand eighteen academic year; (ii) one hundred ten
8 thousand dollars for recipients receiving an award in the two thousand
9 eighteen--two thousand nineteen academic year; and (iii) one hundred
10 twenty-five thousand dollars for recipients receiving an award in the
11 two thousand nineteen--two thousand twenty academic year and thereafter;
12 and (e) complies with the applicable provisions of this article and all
13 requirements promulgated by the corporation for the administration of
14 the program. Adjusted gross income shall be the total of the combined
15 adjusted gross income of the applicant and the applicant's parents or
16 the applicant and the applicant's spouse, if married. Qualifying year
17 shall be the adjusted gross income as reported on the federal income tax
18 return, or as otherwise obtained by the corporation, for the calendar
19 year coinciding with the tax year established by the U.S. department of
20 education to qualify applicants for federal student financial aid
21 programs authorized by Title IV of the Higher Education Act of nineteen
22 hundred sixty-five, as amended, for the school year in which application
23 for assistance is made. Provided, however, if an applicant demonstrates
24 to the corporation that there has been a change in such applicant's
25 adjusted gross income in the year(s) subsequent to the qualifying year
26 which would qualify such applicant for an award, the corporation shall
27 review and make a determination as to whether such applicant meets the
28 requirement set forth in paragraph (d) of this subdivision based on such
29 year. Provided, further that such change was caused by the death, perma-
30 nent and total physical or mental disability, divorce, or separation by
31 judicial decree or pursuant to an agreement of separation which is filed
32 with a court of competent jurisdiction of any person whose income was
33 required to be used to compute the applicant's total adjusted gross
34 income.

35 § 2. Subdivision 2 of section 669-h of the education law, as amended
36 by section 1 of part G of chapter 56 of the laws of 2022, is amended to
37 read as follows:

38 2. Amount. Within amounts appropriated therefor and based on avail-
39 ability of funds, awards shall be granted beginning with the two thou-
40 sand seventeen--two thousand eighteen academic year and thereafter to
41 applicants that the corporation has determined are eligible to receive
42 such awards. The corporation shall grant such awards in an amount up to
43 five thousand five hundred dollars or actual tuition, whichever is less;
44 provided, however, (a) a student who receives educational grants and/or
45 scholarships that cover the student's full cost of attendance shall not
46 be eligible for an award under this program; and (b) an award under this
47 program shall be applied to tuition after the application of payments
48 received under the tuition assistance program pursuant to section six
49 hundred sixty-seven of this subpart, tuition credits pursuant to section
50 six hundred eighty-nine-a of this article, federal Pell grant pursuant
51 to section one thousand seventy of title twenty of the United States
52 code, et seq., and any other program that covers the cost of attendance
53 unless exclusively for non-tuition expenses, and the award under this
54 program shall be reduced in the amount equal to such payments, provided
55 that the combined benefits do not exceed five thousand five hundred
56 dollars. Upon notification of an award under this program, the institu-

1 tion shall defer the amount of tuition. Notwithstanding paragraph h of
2 subdivision two of section three hundred fifty-five and paragraph (a) of
3 subdivision seven of section six thousand two hundred six of this chap-
4 ter, and any other law, rule or regulation to the contrary, the [~~under-~~
5 ~~graduate~~] tuition charged by the institution to recipients of an award
6 shall not exceed the tuition rate established by the institution for the
7 two thousand sixteen--two thousand seventeen academic year provided,
8 however, that in the two thousand twenty-two--two thousand twenty-three
9 academic year and every year thereafter, the [~~undergraduate~~] tuition
10 charged by the institution to recipients of an award shall be reset to
11 equal the tuition rate established by the institution for the forthcom-
12 ing academic year, provided further that the tuition credit calculated
13 pursuant to section six hundred eighty-nine-a of this article shall be
14 applied toward the tuition rate charged for recipients of an award under
15 this program. Provided further that the state university of New York
16 and the city university of New York shall provide an additional tuition
17 credit to students receiving an award to cover the remaining cost of
18 tuition.

19 § 3. Subdivision 3 of section 669-h of the education law, as added by
20 section 1 of part HHH of chapter 59 of the laws of 2017, is amended to
21 read as follows:

22 3. Duration. An eligible recipient shall not receive an award for more
23 than four academic years of full-time undergraduate study or five
24 academic years if the program of study normally requires five years. An
25 eligible recipient enrolled in an eligible two year program of study
26 shall not receive an award for more than two academic years. An eligible
27 recipient enrolled in a juris doctor or master of laws program shall not
28 receive an award for longer than the duration required to complete such
29 program. Notwithstanding, such duration may be extended for an allowable
30 interruption of study including, but not limited to, death of a family
31 member, medical leave, military service, and parental leave, as estab-
32 lished by the corporation in regulation.

33 § 4. Paragraph (b) of subdivision 4 of section 669-h of the education
34 law, as added by section 1 of part HHH of chapter 59 of the laws of
35 2017, is amended to read as follows:

36 (b) An applicant who has earned a bachelor's degree is ineligible to
37 receive an award pursuant to this section unless such applicant is
38 enrolled in a juris doctor or master of laws program.

39 § 5. This act shall take effect immediately.