STATE OF NEW YORK

8805

IN SENATE

January 8, 2026

Introduced by Sen. BAILEY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the education law, in relation to expanding the veterans tuition awards program to allow the transfer of unused benefits to an eligible immediate family member; to amend a chapter of the laws of 2025 amending the education law relating to expanding the veterans tuition awards program to allow the transfer of unused benefits to a spouse, survivor or child, as proposed in legislative bills numbers S. 4358-A and A. 3240-A, in relation to the effectiveness thereof; and to repeal certain provisions of the education law relating thereto

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

Section 1. Paragraphs g and h of subdivision 1 of section 699-a of the education law, as added by a chapter of the laws of 2025 amending the education law relating to expanding the veterans tuition awards program to allow the transfer of unused benefits to a spouse, survivor or child, as proposed in legislative bills numbers S. 4358-A and A. 3240-A, are amended to read as follows:

g. "Eligible immediate family member" means a person who is the spouse, child or [~~survivor~~] financial dependent of a qualified veteran, and who resides in this state.

h. "Qualified veteran" means a veteran who [~~would be eligible to receive a tuition award if such veteran satisfied~~] satisfies the [~~enrollment and application~~] requirements set forth in paragraph a, b, c, or d of subdivision [~~two~~] one of this section.

§ 2. Paragraph i of subdivision 1 of section 699-a of the education law, as added by a chapter of the laws of 2025 amending the education law relating to expanding the veterans tuition awards program to allow the transfer of unused benefits to a spouse, survivor or child, as proposed in legislative bills numbers S. 4358-A and A. 3240-A, is REPEALED.

§ 3. Subdivision 5 of section 669-a of the education law, as added by a chapter of the laws of 2025 amending the education law relating to expanding the veterans tuition awards program to allow the transfer of unused benefits to a spouse, survivor or child, as proposed in legislative bills numbers S. 4358-A and A. 3240-A, is amended and a new subdivision 6 is added to read as follows:

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

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5. a. A qualified veteran who [~~would be eligible to receive a tuition award if such veteran satisfied the enrollment and application requirements set forth in paragraph a of subdivision two of this section, but~~] has not utilized such tuition award, may elect to transfer **in a single instance** all or [~~a portion of the~~] **any remaining** tuition award to [~~an~~] **one** eligible immediate family member [~~or members~~].

b. A qualified veteran who elects to transfer their award shall designate the eligible immediate family member [~~or members~~] to whom such award is being transferred[~~, including the number of semesters. Such designation shall be made on a form prescribed by the president, shall be appended to the application specified in subdivision two of this section, and the president shall make the form and relevant information of this section available on the corporation's website~~] **in the manner prescribed by the corporation**.

c. A child to whom a tuition award is transferred under this subdivision shall be under twenty-six years of age. [~~Such child shall not commence the use of a tuition award transferred under this subdivision unless the qualified veteran has served in the armed forces of the United States for at least ten years, except where such qualified veteran did not complete such service requirement due to:~~

~~(i) the qualified veteran's death;~~

~~(ii) discharge or release for a medical condition that pre-existed service;~~

~~(iii) discharge or release for hardship;~~

~~(iv) discharge or release for a physical or mental condition, not a disability, that did not result from their willful misconduct but did interfere with their performance of duty;~~

~~(v) discharge for a disability;~~

~~(vi) discharge for a reduction in force; or~~

~~(vii) involuntary force shaping.~~]

d. The tuition award transfers designated by a qualified veteran pursuant to this subdivision shall not exceed the award available to such veteran under this section.

e. The **total** number of tuition award transfers under this subdivision shall not exceed one hundred per year.

6. The president is authorized to promulgate rules and regulations to implement the provisions of this section. The president may establish a. an application deadline and b. a method of selecting which one hundred tuition award transfers are to be granted if in any given year there are more than one hundred eligible tuition award transfers requested.

§ 4. Section 4 of a chapter of the laws of 2025 amending the education law relating to expanding the veterans tuition awards program to allow the transfer of unused benefits to a spouse, survivor or child, as proposed in legislative bills numbers S. 4358-A and A. 3240-A, is amended to read as follows:

§ 4. This act shall take effect July 1, [~~2026~~] **2027**. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

§ 5. This act shall take effect immediately; provided however, that sections one, two and three shall take effect on the same date and in the same manner as a chapter of the laws of 2025 amending the education law relating to expanding the veterans tuition awards program to allow the transfer of unused benefits to a spouse, survivor or child, as proposed in legislative bills numbers S. 4358-A and A. 3240-A, takes effect.