

5557

2009-2010 Regular Sessions

I N A S S E M B L Y

February 13, 2009

Introduced by M. of A. V. LOPEZ, CLARK, SEMINERIO, SCHROEDER -- read
once and referred to the Committee on Veterans' Affairs

AN ACT to amend the education law, in relation to educational benefits
for children of certain veterans; state and city university

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 355 of the education law is amended by adding a new
2 subdivision 20 to read as follows:
3 20. A. THE STATE UNIVERSITY TRUSTEES SHALL MAKE AVAILABLE TO THE CHIL-
4 DREN OF A DECEASED OR PERMANENTLY SEVERELY DISABLED RESIDENT OF THIS
5 STATE WHO SERVED IN THE ARMED FORCES OF THE UNITED STATES IN THE VIETNAM
6 CONFLICT AT ANY TIME FROM THE TWENTY-SECOND DAY OF DECEMBER, NINETEEN
7 HUNDRED SIXTY-ONE, TO AND INCLUDING THE SEVENTH DAY OF MAY, NINETEEN
8 HUNDRED SEVENTY-FIVE, AND WHO DIED IN THE LINE OF DUTY OR HAS A
9 SERVICE-CONNECTED DISABILITY, A TUITION BENEFIT THAT MAY BE APPLIED TO
10 ANY COLLEGE, COMMUNITY COLLEGE, OR UNIVERSITY OF THE STATE UNIVERSITY OF
11 NEW YORK.
12 B. PARAGRAPH A OF THIS SUBDIVISION SHALL ALSO APPLY TO THE CHILD OR
13 CHILDREN OF A MEMBER OF THE ARMED FORCES WHO IS CLASSIFIED AS A FORMER
14 PRISONER OF WAR, OR WAS MISSING IN ACTION DURING THE TIME OF THE VIETNAM
15 CONFLICT, WHO HAS BEEN SO CLASSIFIED BY THE UNITED STATES DEPARTMENT OF
16 DEFENSE, WHO IS A RESIDENT OF THE STATE OF NEW YORK IF A FORMER PRISONER
17 OF WAR OR WAS A RESIDENT OF NEW YORK WHEN CLASSIFIED AS MISSING IN
18 ACTION.
19 C. THE TUITION BENEFIT SHALL BE ON THE TERMS AND CONDITIONS SET BY THE
20 STATE UNIVERSITY TRUSTEES, PROVIDED THAT ANY SUCH BENEFIT SHALL NOT
21 EXCEED AN AMOUNT EQUAL TO THE ACTUAL ANNUAL TUITION CHARGED TO BE OFFSET
22 BY ANY FINANCIAL ASSISTANCE AND OTHER RESOURCES AVAILABLE ON BEHALF OF
23 THE RECIPIENT.
24 D. SUCH COURSES SHALL BE THE STANDARD COLLEGE CURRICULUM AS PRESCRIBED
25 BY EACH INSTITUTION.

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

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1 E. NOTHING IN THIS SUBDIVISION SHALL BE CONSTRUED TO ESTABLISH LOWER
2 ADMISSIONS STANDARDS FOR CHILDREN OF SUBJECT VETERANS; HOWEVER, IN THE
3 CASE OF CHILDREN OF A VETERAN AND A NONVETERAN HAVING EQUIVALENT CREDEN-
4 TIALS, THE CHILDREN OF THE VETERAN SHALL BE GIVEN PREFERENCE IN DETER-
5 MINING ADMISSIONS.

6 S 2. Section 6206 of the education law is amended by adding a new
7 subdivision 7-a to read as follows:

8 7-A. A. THE BOARD OF TRUSTEES SHALL MAKE AVAILABLE TO THE CHILDREN OF
9 A DECEASED OR PERMANENTLY SEVERELY DISABLED RESIDENT OF THIS STATE WHO
10 SERVED IN THE ARMED FORCES OF THE UNITED STATES IN THE VIETNAM CONFLICT
11 AT ANY TIME FROM THE TWENTY-SECOND DAY OF DECEMBER, NINETEEN HUNDRED
12 SIXTY-ONE, TO AND INCLUDING THE SEVENTH DAY OF MAY, NINETEEN HUNDRED
13 SEVENTY-FIVE, AND WHO DIED IN THE LINE OF DUTY OR HAS A SERVICE-CONNECT-
14 ED DISABILITY, A TUITION BENEFIT THAT MAY BE APPLIED TO ANY COLLEGE,
15 COMMUNITY COLLEGE, OR UNIVERSITY OF THE CITY UNIVERSITY OF NEW YORK.

16 B. PARAGRAPH A OF THIS SUBDIVISION SHALL ALSO APPLY TO THE CHILD OR
17 CHILDREN OF A MEMBER OF THE ARMED FORCES WHO IS CLASSIFIED AS A FORMER
18 PRISONER OF WAR, OR WAS MISSING IN ACTION DURING THE TIME OF THE VIETNAM
19 CONFLICT, WHO HAS BEEN SO CLASSIFIED BY THE UNITED STATES DEPARTMENT OF
20 DEFENSE, WHO IS A RESIDENT OF THE STATE OF NEW YORK IF A FORMER PRISONER
21 OF WAR OR WAS A RESIDENT OF NEW YORK WHEN CLASSIFIED AS MISSING IN
22 ACTION.

23 C. THE TUITION BENEFIT SHALL BE ON THE TERMS AND CONDITIONS SET BY THE
24 CITY UNIVERSITY BOARD OF TRUSTEES, PROVIDED THAT ANY SUCH BENEFIT SHALL
25 NOT EXCEED AN AMOUNT EQUAL TO THE ACTUAL TUITION CHARGED TO BE OFFSET BY
26 ANY FINANCIAL ASSISTANCE AND OTHER RESOURCES ON BEHALF OF THE RECIPIENT.

27 D. SUCH COURSES SHALL BE THE STANDARD COLLEGE CURRICULUM AS PRESCRIBED
28 BY EACH INSTITUTION.

29 E. NOTHING IN THIS SUBDIVISION SHALL BE CONSTRUED TO ESTABLISH LOWER
30 ADMISSIONS STANDARDS FOR CHILDREN OF SUBJECT VETERANS; HOWEVER, IN THE
31 CASE OF CHILDREN OF A VETERAN AND A NONVETERAN HAVING EQUIVALENT CREDEN-
32 TIALS, THE CHILDREN OF THE VETERAN SHALL BE GIVEN PREFERENCE IN DETER-
33 MINING ADMISSIONS.

34 S 3. This act shall take effect on the first of July next succeeding
35 the date on which it shall have become a law.