S T A T E O F N E W Y O R K

5932

2009-2010 Regular Sessions

I N A S S E M B L Y

February 23, 2009

Introduced by M. of A. TOWNS -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to fostering compliance with selective service system registration requirements

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

Section 1. Article 13 of the education law is amended by adding a new section 609 to read as follows:

S 609. COMPLIANCE WITH SELECTIVE SERVICE ACT REQUIRED. 1. "STATEMENT OF SELECTIVE SERVICE STATUS" MEANS A STATEMENT CERTIFYING THAT:

(A) THE INDIVIDUAL FILING THE STATEMENT IS REGISTERED WITH THE SELECTIVE SERVICE SYSTEM IN ACCORDANCE WITH THE MILITARY SELECTIVE SERVICE ACT, 50 U.S.C. APP. S 453; OR

(B) THE INDIVIDUAL FILING THE STATEMENT IS NOT REQUIRED TO REGISTER WITH THE SELECTIVE SERVICE SYSTEM BECAUSE THE INDIVIDUAL IS:

(1) UNDER EIGHTEEN YEARS OF AGE;

(2) IN THE ARMED FORCES OF THE UNITED STATES ON ACTIVE DUTY, OTHER THAN IN A RESERVE OR NATIONAL GUARD UNIT;

(3) NEITHER A UNITED STATES CITIZEN NOR A RESIDENT ALIEN;

(4) A PERMANENT RESIDENT OF THE TRUST TERRITORY OF THE PACIFIC ISLANDS OR THE NORTHERN MARIANA ISLANDS; OR

(5) EXCUSED FROM REGISTRATION FOR SOME OTHER REASON PROVIDED BY FEDERAL LAW AND THAT REASON IS INCLUDED IN THE FILED STATEMENT.

2. FEMALES ARE NOT REQUIRED TO FILE A STATEMENT AS LONG AS THE FEDERAL MILITARY SELECTIVE SERVICE ACT EXCLUDES THEM FROM THE REQUIREMENT TO REGISTER.

3. A MALE OVER EIGHTEEN YEARS OF AGE IS NOT ELIGIBLE TO RECEIVE ANY LOAN, GRANT, SCHOLARSHIP OR OTHER FINANCIAL ASSISTANCE PURSUANT TO THIS ARTICLE OR ARTICLE THIRTEEN-A, FOURTEEN OR FOURTEEN-A OF THIS TITLE FOR EDUCATIONAL EXPENSES THAT IS PARTIALLY OR FULLY FUNDED OR GUARANTEED OR ADMINISTERED BY THE STATE OR A STATE AGENCY UNLESS THE INDIVIDUAL HAS

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

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FILED A STATEMENT OF SELECTIVE SERVICE STATUS WITH THE COLLEGE OR VOCATIONAL INSTITUTION IN WHICH THE INDIVIDUAL PLANS TO ENROLL.

4. THE DEPARTMENT AND THE PRESIDENT SHALL JOINTLY, BY RULE, SPECIFY THE FORM OF STATEMENTS OF SELECTIVE SERVICE STATUS AND THE SUPPORTING DOCUMENTS TO BE FILED TO BE IN COMPLIANCE WITH THIS SECTION. THE DEPARTMENT AND THE PRESIDENT SHALL ALSO PROVIDE FOR VERIFICATION OF COMPLIANCE. THE DEPARTMENT AND THE PRESIDENT SHALL JOINTLY DISTRIBUTE TO EACH COLLEGE OR VOCATIONAL INSTITUTION A COPY OF ALL RULES PROMULGATED UNDER THIS SECTION. EACH COLLEGE AND POST-SECONDARY VOCATIONAL SCHOOL SHALL MAKE A REASONABLE EFFORT TO INFORM MALE CANDIDATES FOR ENROLLMENT ABOUT THE SELECTIVE SERVICE REGISTRATION REQUIREMENT.

S 2. This act shall take effect on the first of July next succeeding the date on which it shall have become a law; provided that the commissioner of education and the president of the New York state higher education services corporation are authorized to jointly promulgate any and all rules and regulations and take any other measures necessary to implement this act on its effective date on or before such date.