

2551

2009-2010 Regular Sessions

I N S E N A T E

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Introduced by Sens. LAVALLE, ALESI, GRIFFO, LANZA, LARKIN, MAZIARZ, PADAVAN, SEWARD, SKELOS, VOLKER -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, the tax law and the state finance law, in relation to student tuition relief initiative for valued education awards

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

1 Section 1. The education law is amended by adding a new section 669-e  
2 to read as follows:

3 S 669-E. STUDENT TUITION RELIEF INITIATIVE FOR VALUED EDUCATION  
4 AWARDS. 1. RECIPIENT QUALIFICATIONS. A. STUDENT TUITION RELIEF INITI-  
5 ATIVE FOR VALUED EDUCATION AWARDS ARE AVAILABLE FOR ALL STUDENTS WITH AN  
6 ANNUAL STUDENT INCOME, AS DEFINED IN THIS ARTICLE, OF LESS THAN ONE  
7 HUNDRED FIFTY THOUSAND DOLLARS; AND

8 B. WHO MAINTAIN A MINIMUM GRADE POINT AVERAGE OF 2.0 AFTER THE FIRST  
9 AND SECOND ACADEMIC YEARS AND A MINIMUM GRADE POINT AVERAGE OF 2.5 AFTER  
10 THE THIRD AND FOURTH ACADEMIC YEARS, IF APPLICABLE; AND

11 C. WHO COMPLETE A MINIMUM OF TWENTY HOURS OF COMMUNITY SERVICE PER  
12 ACADEMIC YEAR AND CERTIFY WITH THE INSTITUTION AT WHICH THE RECIPIENT IS  
13 ATTENDING; AND

14 D. WHO ARE ENROLLED IN APPROVED PROGRAMS AND WHO DEMONSTRATE THE ABIL-  
15 ITY TO COMPLETE SUCH COURSES, IN ACCORDANCE WITH STANDARDS ESTABLISHED  
16 BY THE COMMISSIONER AND RULES AND REGULATIONS PROMULGATED BY THE PRESI-  
17 DENT.

18 2. DURATION. NO UNDERGRADUATE SHALL BE ELIGIBLE FOR MORE THAN FOUR  
19 ACADEMIC YEARS OF STUDY, OR FIVE ACADEMIC YEARS IF THE PROGRAM OF STUDY  
20 NORMALLY REQUIRES FIVE YEARS. STUDENTS ENROLLED IN A PROGRAM OF REMEDIAL  
21 STUDY, APPROVED BY THE COMMISSIONER IN AN INSTITUTION OF HIGHER EDUCA-  
22 TION AND INTENDED TO CULMINATE IN A DEGREE IN UNDERGRADUATE STUDY SHALL,  
23 FOR PURPOSES OF THIS SECTION, BE CONSIDERED AS ENROLLED IN A PROGRAM OF

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

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1 STUDY NORMALLY REQUIRING FIVE YEARS. AN UNDERGRADUATE STUDENT ENROLLED  
2 IN AN ELIGIBLE TWO YEAR PROGRAM OF STUDY APPROVED BY THE COMMISSIONER  
3 SHALL BE ELIGIBLE FOR NO MORE THAN THREE ACADEMIC YEARS OF STUDY.

4 3. STUDENT TUITION RELIEF INITIATIVE FOR VALUED EDUCATION AWARDS. A.  
5 THE PRESIDENT SHALL MAKE AWARDS TO STUDENTS ENROLLED IN DEGREE-GRANTING  
6 INSTITUTIONS OR REGISTERED NOT-FOR-PROFIT BUSINESS SCHOOLS QUALIFIED FOR  
7 TAX EXEMPTION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE FOR  
8 FEDERAL INCOME TAX PURPOSES IN THE AMOUNTS SET FORTH IN THIS SUBDIVI-  
9 SION.

10 B. FOR EACH YEAR OF UNDERGRADUATE STUDY, ASSISTANCE SHALL BE PROVIDED  
11 AS COMPUTED ON THE BASIS OF THE FOLLOWING: FOR STUDENTS WITH AN ANNUAL  
12 STUDENT INCOME EQUAL TO OR LESS THAN ONE HUNDRED FIFTY THOUSAND DOLLARS,  
13 THE AWARD SHALL BE IN THE AMOUNT OF ANNUAL TUITION (INCLUSIVE OF EDUCA-  
14 TIONAL FEES) AT THE STATE UNIVERSITY OF NEW YORK AND SHALL BE REDUCED BY  
15 THE AMOUNT OF AWARDS FROM ANY FEDERAL AND STATE STUDENT AID PROGRAM, AS  
16 DEFINED IN THIS ARTICLE.

17 4. IN NO EVENT SHALL THE AMOUNT OF TOTAL FEDERAL AND STATE AID THAT IS  
18 RECEIVED BY THE APPLICANT DURING THE SCHOOL YEAR EXCEED THE COST OF  
19 ANNUAL TUITION (INCLUSIVE OF TUITION AND FEES) AND, IF APPLICABLE, THE  
20 COLLEGE FEE LEVIED BY THE STATE UNIVERSITY OF NEW YORK PURSUANT TO THE  
21 APRIL FIRST, NINETEEN HUNDRED SIXTY-FOUR FINANCING AGREEMENT WITH THE  
22 NEW YORK STATE DORMITORY AUTHORITY.

23 5. INSTITUTIONAL PARTICIPATION. A PARTICIPATING INSTITUTION MUST BE  
24 LOCATED IN NEW YORK STATE. IF THE TOTAL FEDERAL AND STATE AID THAT IS  
25 RECEIVED BY AN APPLICANT DURING THE SCHOOL YEAR DOES NOT EXCEED THE  
26 ANNUAL COST OF TUITION (INCLUSIVE OF TUITION AND FEES), THE PARTICIPAT-  
27 ING INSTITUTION MUST PROVIDE AID TO THE STUDENT IN AN AMOUNT EQUIVALENT  
28 TO THE STUDENT TUITION RELIEF INITIATIVE FOR VALUED EDUCATION AWARD.

29 6. CONVERSION TO STUDENT LOAN. THE CORPORATION SHALL CONVERT TO A  
30 STUDENT LOAN THE FULL AMOUNT OF THE AWARD GIVEN PURSUANT TO THIS  
31 SECTION, PLUS INTEREST, ACCORDING TO A SCHEDULE TO BE DETERMINED BY THE  
32 CORPORATION IF THE APPLICANT DOES NOT RESIDE IN NEW YORK STATE FOR AT  
33 LEAST FIVE YEARS AFTER THE LAST AWARD HAS BEEN ADMINISTERED TO THE  
34 APPLICANT IF FIVE YEARS AFTER THE COMPLETION OF THE DEGREE PROGRAM IT IS  
35 FOUND THAT THE APPLICANT IS NOT EMPLOYED AFTER USING DUE DILIGENCE TO  
36 FIND EMPLOYMENT, ABSENT OTHER CIRCUMSTANCES, TO BE DETERMINED BY THE  
37 CORPORATION, INCLUDING, BUT NOT LIMITED TO, FULL TIME ATTENDANCE IN A  
38 PROGRAM OF STUDY APPROVED BY THE COMMISSIONER OR SERVING IN ACTIVE DUTY  
39 IN THE UNITED STATES MILITARY.

40 S 2. The education law is amended by adding a new section 669-f to  
41 read as follows:

42 S 669-F. ENHANCED STUDENT TUITION RELIEF INITIATIVE FOR VALUED EDUCA-  
43 TION AWARDS. 1. RECIPIENT QUALIFICATIONS. A. STUDENT TUITION RELIEF  
44 INITIATIVE FOR VALUED EDUCATION AWARDS ARE AVAILABLE FOR ALL STUDENTS  
45 WITH AN ANNUAL STUDENT INCOME, AS DEFINED IN THIS ARTICLE, OF LESS THAN  
46 ONE HUNDRED FIFTY THOUSAND DOLLARS; AND

47 B. WHO MAINTAIN A MINIMUM GRADE POINT AVERAGE OF 2.0 AFTER THE FIRST  
48 AND SECOND ACADEMIC YEARS AND A MINIMUM GRADE POINT AVERAGE OF 2.5 AFTER  
49 THE THIRD AND FOURTH ACADEMIC YEARS, IF APPLICABLE; AND

50 C. WHO COMPLETE A MINIMUM OF TWENTY HOURS OF COMMUNITY SERVICE PER  
51 ACADEMIC YEAR AND CERTIFY WITH THE INSTITUTION AT WHICH THE RECIPIENT IS  
52 ATTENDING; AND

53 D. WHO ARE ENROLLED IN APPROVED PROGRAMS AND WHO DEMONSTRATE THE ABIL-  
54 ITY TO COMPLETE SUCH COURSES, IN ACCORDANCE WITH STANDARDS ESTABLISHED  
55 BY THE COMMISSIONER AND RULES AND REGULATIONS PROMULGATED BY THE PRESI-

1 DENT, PROVIDED THAT NO AWARD CAN EXCEED TWELVE THOUSAND FIVE HUNDRED  
2 DOLLARS.

3 2. DURATION. NO UNDERGRADUATE SHALL BE ELIGIBLE FOR MORE THAN FOUR  
4 ACADEMIC YEARS OF STUDY, OR FIVE ACADEMIC YEARS IF THE PROGRAM OF STUDY  
5 NORMALLY REQUIRES FIVE YEARS. STUDENTS ENROLLED IN A PROGRAM OF REMEDIAL  
6 STUDY, APPROVED BY THE COMMISSIONER IN AN INSTITUTION OF HIGHER EDUCA-  
7 TION AND INTENDED TO CULMINATE IN A DEGREE IN UNDERGRADUATE STUDY SHALL,  
8 FOR PURPOSES OF THIS SECTION, BE CONSIDERED AS ENROLLED IN A PROGRAM OF  
9 STUDY NORMALLY REQUIRING FIVE YEARS. AN UNDERGRADUATE STUDENT ENROLLED  
10 IN AN ELIGIBLE TWO YEAR PROGRAM OF STUDY APPROVED BY THE COMMISSIONER  
11 SHALL BE ELIGIBLE FOR NO MORE THAN THREE ACADEMIC YEARS OF STUDY.

12 3. ENHANCED STUDENT TUITION RELIEF INITIATIVE FOR VALUED EDUCATION  
13 AWARDS. A. THE PRESIDENT SHALL MAKE AWARDS TO STUDENTS ENROLLED IN  
14 DEGREE-GRANTING INSTITUTIONS OR REGISTERED NOT-FOR-PROFIT BUSINESS  
15 SCHOOLS QUALIFIED FOR TAX EXEMPTION UNDER SECTION 501(C)(3) OF THE  
16 INTERNAL REVENUE CODE FOR FEDERAL INCOME TAX PURPOSES IN THE AMOUNTS SET  
17 FORTH IN THIS SUBDIVISION.

18 B. FOR EACH YEAR OF UNDERGRADUATE STUDY, ASSISTANCE SHALL BE PROVIDED  
19 AS COMPUTED ON THE BASIS OF THE FOLLOWING:

20 (I) FOR STUDENTS WITH AN ANNUAL STUDENT INCOME EQUAL TO OR LESS THAN  
21 ONE HUNDRED TWENTY-FIVE THOUSAND DOLLARS, THE AWARD SHALL BE IN THE  
22 AMOUNT OF TEN PERCENT OF THE ANNUAL STUDENT INCOME AND SHALL BE REDUCED  
23 BY THE AMOUNT OF AWARDS FROM ANY FEDERAL STUDENT AID PROGRAM, AS DEFINED  
24 IN THIS ARTICLE, AND AWARDS FROM THE TUITION ASSISTANCE PROGRAM, AS  
25 DEFINED IN THIS ARTICLE. IF THE TOTAL OF ALL FEDERAL AND STATE AID DOES  
26 NOT EQUAL THE ANNUAL TUITION (INCLUSIVE OF EDUCATIONAL FEES) AT THE  
27 STATE UNIVERSITY OF NEW YORK, THE AMOUNT OF THE STUDENT TUITION RELIEF  
28 INITIATIVE FOR VALUED EDUCATION AWARD WILL BE INCREASED SO THAT THE  
29 TOTAL OF FEDERAL AND STATE AID IS EQUIVALENT TO THE AMOUNT OF ANNUAL  
30 TUITION (INCLUSIVE OF EDUCATIONAL FEES) AT THE STATE UNIVERSITY OF NEW  
31 YORK.

32 (II) FOR STUDENTS WITH AN ANNUAL INCOME GREATER THAN ONE HUNDRED TWEN-  
33 TY-FIVE THOUSAND DOLLARS, THE AWARD SHALL BE TWENTY-FIVE THOUSAND  
34 DOLLARS REDUCED BY TEN PERCENT OF THE ANNUAL STUDENT INCOME.

35 4. STUDENT CONTRIBUTION FOR COST OF TUITION; LIMITATION. A. THE FAMILY  
36 AND STUDENT CONTRIBUTION FOR THE COST OF TUITION AND EDUCATIONAL FEES  
37 AFTER ANY FEDERAL STUDENT AID PROGRAM, AS DEFINED IN THIS ARTICLE,  
38 TUITION ASSISTANCE AWARDS, AND STUDENT TUITION RELIEF INITIATIVE FOR  
39 VALUED EDUCATION HAVE BEEN AWARDED SHALL NOT EXCEED TEN PERCENT OF THE  
40 STUDENT ANNUAL INCOME.

41 B. IN NO EVENT SHALL THE AMOUNT OF TOTAL FEDERAL AND STATE AID THAT IS  
42 RECEIVED BY THE APPLICANT DURING THE SCHOOL YEAR EXCEED THE COST OF  
43 ANNUAL TUITION (INCLUSIVE OF TUITION AND FEES) AND, IF APPLICABLE, THE  
44 COLLEGE FEE LEVIED BY THE STATE UNIVERSITY OF NEW YORK PURSUANT TO THE  
45 APRIL FIRST, NINETEEN HUNDRED SIXTY-FOUR FINANCING AGREEMENT WITH THE  
46 NEW YORK STATE DORMITORY AUTHORITY.

47 5. INSTITUTIONAL PARTICIPATION. A PARTICIPATING INSTITUTION MUST BE  
48 LOCATED IN NEW YORK STATE AND ENTER INTO AN AGREEMENT WITH THE HIGHER  
49 EDUCATION SERVICES CORPORATION TO ENSURE THAT THE STUDENT CONTRIBUTION  
50 FOR ANNUAL TUITION AND FEES FOR ANY APPLICANT RECEIVING AN ENHANCED  
51 STUDENT TUITION RELIEF INITIATIVE FOR VALUED EDUCATION AWARD IS NOT MORE  
52 THAN TEN PERCENT OF THE STUDENT NET ANNUAL INCOME.

53 6. CONVERSION TO STUDENT LOAN. THE CORPORATION SHALL CONVERT TO A  
54 STUDENT LOAN THE FULL AMOUNT OF THE AWARD GIVEN PURSUANT TO THIS  
55 SECTION, PLUS INTEREST, ACCORDING TO A SCHEDULE TO BE DETERMINED BY THE  
56 CORPORATION IF THE APPLICANT DOES NOT RESIDE IN NEW YORK STATE FOR AT

1 LEAST FIVE YEARS AFTER THE LAST AWARD HAS BEEN ADMINISTERED TO THE  
2 APPLICANT IF FIVE YEARS AFTER THE COMPLETION OF THE DEGREE PROGRAM IT IS  
3 FOUND THAT THE APPLICANT IS NOT EMPLOYED AFTER USING DUE DILIGENCE TO  
4 FIND EMPLOYMENT, ABSENT OTHER CIRCUMSTANCES, TO BE DETERMINED BY THE  
5 CORPORATION, INCLUDING, BUT NOT LIMITED TO, FULL TIME ATTENDANCE IN A  
6 PROGRAM OF STUDY APPROVED BY THE COMMISSIONER OR SERVING ACTIVE DUTY IN  
7 THE UNITED STATES MILITARY.

8 S 3. Paragraph 3 of subsection (e) of section 697 of the tax law, as  
9 separately amended by section 1 of part M of chapter 57 and section 45-f  
10 of part C of chapter 58 of the laws of 2008, is amended to read as  
11 follows:

12 (3) Nothing herein shall be construed to prohibit the department, its  
13 officers or employees from furnishing information to the office of  
14 temporary and disability assistance relating to the payment of the cred-  
15 it for certain household and dependent care services necessary for gain-  
16 ful employment under subsection (c) of section six hundred six of this  
17 article and the earned income credit under subsection (d) of section six  
18 hundred six of this article, or pursuant to a local law enacted by a  
19 city having a population of one million or more pursuant to subsection  
20 (f) of section thirteen hundred ten of this chapter, only to the extent  
21 necessary to calculate qualified state expenditures under paragraph  
22 seven of subdivision (a) of section four hundred nine of the federal  
23 social security act or to document the proper expenditure of federal  
24 temporary assistance for needy families funds under section four hundred  
25 three of such act. The office of temporary and disability assistance may  
26 redisclose such information to the United States department of health  
27 and human services only to the extent necessary to calculate such quali-  
28 fied state expenditures or to document the proper expenditure of such  
29 federal temporary assistance for needy families funds. Nothing herein  
30 shall be construed to prohibit the delivery by the commissioner to a  
31 commissioner of jurors, appointed pursuant to section five hundred four  
32 of the judiciary law, or, in counties within cities having a population  
33 of one million or more, to the county clerk of such county, of a mailing  
34 list of individuals to whom income tax forms are mailed by the commis-  
35 sioner for the sole purpose of compiling a list of prospective jurors as  
36 provided in article sixteen of the judiciary law. Provided, however,  
37 such delivery shall only be made pursuant to an order of the chief  
38 administrator of the courts, appointed pursuant to section two hundred  
39 ten of the judiciary law. No such order may be issued unless such chief  
40 administrator is satisfied that such mailing list is needed to compile a  
41 proper list of prospective jurors for the county for which such order is  
42 sought and that, in view of the responsibilities imposed by the various  
43 laws of the state on the department, it is reasonable to require the  
44 commissioner to furnish such list. Such order shall provide that such  
45 list shall be used for the sole purpose of compiling a list of prospec-  
46 tive jurors and that such commissioner of jurors, or such county clerk,  
47 shall take all necessary steps to insure that the list is kept confiden-  
48 tial and that there is no unauthorized use or disclosure of such list.  
49 Furthermore, nothing herein shall be construed to prohibit the delivery  
50 to a taxpayer or his or her duly authorized representative of a certi-  
51 fied copy of any return or report filed in connection with his or her  
52 tax or to prohibit the publication of statistics so classified as to  
53 prevent the identification of particular reports or returns and the  
54 items thereof, or the inspection by the attorney general or other legal  
55 representatives of the state of the report or return of any taxpayer or  
56 of any employer filed under section one hundred seventy-one-h of this

1 chapter, where such taxpayer or employer shall bring action to set aside  
2 or review the tax based thereon, or against whom an action or proceeding  
3 under this chapter or under this chapter and article eighteen of the  
4 labor law has been recommended by the commissioner, the commissioner of  
5 labor with respect to unemployment insurance matters, or the attorney  
6 general or has been instituted, or the inspection of the reports or  
7 returns required under this article by the comptroller or duly desig-  
8 nated officer or employee of the state department of audit and control,  
9 for purposes of the audit of a refund of any tax paid by a taxpayer  
10 under this article, or the furnishing to the state department of labor  
11 of unemployment insurance information obtained or derived from quarterly  
12 combined withholding, wage reporting and unemployment insurance returns  
13 required to be filed by employers pursuant to paragraph four of  
14 subsection (a) of section six hundred seventy-four of this article, for  
15 purposes of administration of such department's unemployment insurance  
16 program, employment services program, federal and state employment and  
17 training programs, employment statistics and labor market information  
18 programs, worker protection programs, federal programs for which the  
19 department has administrative responsibility or for other purposes  
20 deemed appropriate by the commissioner of labor consistent with the  
21 provisions of the labor law, and redisclosure of such information in  
22 accordance with the provisions of sections five hundred thirty-six and  
23 five hundred thirty-seven of the labor law or any other applicable law,  
24 or the furnishing to the state office of temporary and disability  
25 assistance of information obtained or derived from New York state  
26 personal income tax returns as described in paragraph (b) of subdivision  
27 two of section one hundred seventy-one-g of this chapter for the purpose  
28 of reviewing support orders enforced pursuant to title six-A of article  
29 three of the social services law to aid in the determination of whether  
30 such orders should be adjusted, or the furnishing of information  
31 obtained from the reports required to be submitted by employers regard-  
32 ing newly hired or re-hired employees pursuant to section one hundred  
33 seventy-one-h of this chapter to the state office of temporary and disa-  
34 bility assistance, the state department of health, the state department  
35 of labor and the workers' compensation board for purposes of adminis-  
36 tration of the child support enforcement program, verification of indi-  
37 viduals' eligibility for one or more of the programs specified in  
38 subsection (b) of section eleven hundred thirty-seven of the federal  
39 social security act and for other public assistance programs authorized  
40 by state law, and administration of the state's employment security and  
41 workers' compensation programs, and to the national directory of new  
42 hires established pursuant to section four hundred fifty-three-A of the  
43 federal social security act for the purposes specified in such section,  
44 or the furnishing to the state office of temporary and disability  
45 assistance of the amount of an overpayment of income tax and interest  
46 thereon certified to the comptroller to be credited against past-due  
47 support pursuant to section one hundred seventy-one-c of this chapter  
48 and of the name and social security number of the taxpayer who made such  
49 overpayment, or the disclosing to the commissioner of finance of the  
50 city of New York, pursuant to section one hundred seventy-one-l of this  
51 chapter, of the amount of an overpayment and interest thereon certified  
52 to the comptroller to be credited against a city of New York tax warrant  
53 judgment debt and of the name and social security number of the taxpayer  
54 who made such overpayment, or the furnishing to the New York state high-  
55 er education services corporation of the amount of an overpayment of  
56 income tax and interest thereon certified to the comptroller to be cred-

1 ited against the amount of a default in repayment of any education loan  
2 debt, including judgments, owed to the federal or New York state govern-  
3 ment that is being collected by the New York state higher education  
4 services corporation, and of the name and social security number of the  
5 taxpayer who made such overpayment, or the furnishing to the state  
6 department of health of the information required by paragraph (f) of  
7 subdivision two and subdivision two-a of section [two thousand five]  
8 TWENTY-FIVE hundred eleven of the public health law and by subdivision  
9 eight of section three hundred sixty-six-a and paragraphs (b) and (d) of  
10 subdivision two of section three hundred sixty-nine-ee of the social  
11 services law, or the furnishing to the state university of New York or  
12 the city university of New York respectively or the attorney general on  
13 behalf of such state or city university the amount of an overpayment of  
14 income tax and interest thereon certified to the comptroller to be cred-  
15 ited against the amount of a default in repayment of a state university  
16 loan pursuant to section one hundred seventy-one-e of this chapter and  
17 of the name and social security number of the taxpayer who made such  
18 overpayment, or the disclosing to a state agency, pursuant to section  
19 one hundred seventy-one-f of this chapter, of the amount of an overpay-  
20 ment and interest thereon certified to the comptroller to be credited  
21 against a past-due legally enforceable debt owed to such agency and of  
22 the name and social security number of the taxpayer who made such over-  
23 payment, or the furnishing of employee and employer information obtained  
24 through the wage reporting system, pursuant to section one hundred  
25 seventy-one-a of this chapter, as added by chapter five hundred forty-  
26 five of the laws of nineteen hundred seventy-eight, to the state office  
27 of temporary and disability assistance, the department of health or to  
28 the state office of the medicaid inspector general for the purpose of  
29 verifying eligibility for and entitlement to amounts of benefits under  
30 the social services law or similar law of another jurisdiction, locating  
31 absent parents or other persons legally responsible for the support of  
32 applicants for or recipients of public assistance and care under the  
33 social services law and persons legally responsible for the support of a  
34 recipient of services under section one hundred eleven-g of the social  
35 services law and, in appropriate cases, establishing support obligations  
36 pursuant to the social services law and the family court act or similar  
37 provision of law of another jurisdiction for the purpose of evaluating  
38 the effect on earnings of participation in employment, training or other  
39 programs designed to promote self-sufficiency authorized pursuant to the  
40 social services law by current recipients of public assistance and care  
41 and by former applicants and recipients of public assistance and care,  
42 (except that with regard to former recipients, information which relates  
43 to a particular former recipient shall be provided with client identify-  
44 ing data deleted), and to the state department of labor, or other indi-  
45 viduals designated by the commissioner of labor, for the purpose of the  
46 administration of such department's unemployment insurance program,  
47 employment services program, federal and state employment and training  
48 programs, employment statistics and labor market information programs,  
49 worker protection programs, federal programs for which the department  
50 has administrative responsibility or for other purposes deemed appropri-  
51 ate by the commissioner of labor consistent with the provisions of the  
52 labor law, and redisclosure of such information in accordance with the  
53 provisions of sections five hundred thirty-six and five hundred thirty-  
54 seven of the labor law, or the furnishing of information, which is  
55 obtained from the wage reporting system operated pursuant to section one  
56 hundred seventy-one-a of this chapter, as added by chapter five hundred

1 forty-five of the laws of nineteen hundred seventy-eight, to the state  
2 office of temporary and disability assistance so that it may furnish  
3 such information to public agencies of other jurisdictions with which  
4 the state office of temporary and disability assistance has an agreement  
5 pursuant to paragraph (h) or (i) of subdivision three of section twenty  
6 of the social services law, and to the state office of temporary and  
7 disability assistance for the purpose of fulfilling obligations and  
8 responsibilities otherwise incumbent upon the state department of labor,  
9 under section one hundred twenty-four of the federal family support act  
10 of nineteen hundred eighty-eight, by giving the federal parent locator  
11 service, maintained by the federal department of health and human  
12 services, prompt access to such information as required by such act, or  
13 to the state department of health to verify eligibility under the child  
14 health insurance plan pursuant to subdivisions two and two-a of section  
15 [two thousand five] TWENTY-FIVE hundred eleven of the public health law,  
16 to verify eligibility under the medical assistance and family health  
17 plus programs pursuant to subdivision eight of section three hundred  
18 sixty-six-a and paragraphs (b) and (d) of subdivision two of section  
19 three hundred sixty-nine-ee of the social services law, and to verify  
20 eligibility for the program for elderly pharmaceutical insurance cover-  
21 age under title three of article two of the elder law, or to the office  
22 of vocational and educational services for individuals with disabilities  
23 of the education department, the commission for the blind and visually  
24 handicapped and any other state vocational rehabilitation agency, for  
25 purposes of obtaining reimbursement from the federal social security  
26 administration for expenditures made by such office, commission or agen-  
27 cy on behalf of disabled individuals who have achieved economic self-  
28 sufficiency or TO THE HIGHER EDUCATION SERVICES CORPORATION FOR THE  
29 ADMINISTRATION OF THE STUDENT TUITION RELIEF INITIATIVE FOR VALUED  
30 EDUCATION PROGRAM AND THE ENHANCED STUDENT TUITION RELIEF INITIATIVE FOR  
31 VALUED EDUCATION FOR THE PURPOSE OF CONVERTING AWARDS TO LOANS PURSUANT  
32 TO SUBDIVISION SIX OF SECTION SIX HUNDRED SIXTY-NINE-E OF THE EDUCATION  
33 LAW OR to the higher education services corporation for the purpose of  
34 assisting the corporation in default prevention and default collection  
35 of education loan debt, including judgments, owed to the federal or New  
36 York state government; provided, however, that such information shall be  
37 limited to the names, social security numbers, home and/or business  
38 addresses, and employer names of defaulted or delinquent student loan  
39 borrowers.

40 Provided, however, that with respect to employee information the  
41 office of temporary and disability assistance shall only be furnished  
42 with the names, social security account numbers and gross wages of those  
43 employees who are (A) applicants for or recipients of benefits under the  
44 social services law, or similar provision of law of another jurisdiction  
45 (pursuant to an agreement under subdivision three of section twenty of  
46 the social services law) or, (B) absent parents or other persons legally  
47 responsible for the support of applicants for or recipients of public  
48 assistance and care under the social services law or similar provision  
49 of law of another jurisdiction (pursuant to an agreement under subdivi-  
50 sion three of section twenty of the social services law), or (C) persons  
51 legally responsible for the support of a recipient of services under  
52 section one hundred eleven-g of the social services law or similar  
53 provision of law of another jurisdiction (pursuant to an agreement under  
54 subdivision three of section twenty of the social services law), or (D)  
55 employees about whom wage reporting system information is being  
56 furnished to public agencies of other jurisdictions, with which the

1 state office of temporary and disability assistance has an agreement  
2 pursuant to paragraph (h) or (i) of subdivision three of section twenty  
3 of the social services law, or (E) employees about whom wage reporting  
4 system information is being furnished to the federal parent locator  
5 service, maintained by the federal department of health and human  
6 services, for the purpose of enabling the state office of temporary and  
7 disability assistance to fulfill obligations and responsibilities other-  
8 wise incumbent upon the state department of labor, under section one  
9 hundred twenty-four of the federal family support act of nineteen  
10 hundred eighty-eight, and, only if, the office of temporary and disabil-  
11 ity assistance certifies to the commissioner that such persons are such  
12 applicants, recipients, absent parents or persons legally responsible  
13 for support or persons about whom information has been requested by a  
14 public agency of another jurisdiction or by the federal parent locator  
15 service and further certifies that in the case of information requested  
16 under agreements with other jurisdictions entered into pursuant to  
17 subdivision three of section twenty of the social services law, that  
18 such request is in compliance with any applicable federal law. Provided,  
19 further, that where the office of temporary and disability assistance  
20 requests employee information for the purpose of evaluating the effects  
21 on earnings of participation in employment, training or other programs  
22 designed to promote self-sufficiency authorized pursuant to the social  
23 services law, the office of temporary and disability assistance shall  
24 only be furnished with the quarterly gross wages (excluding any refer-  
25 ence to the name, social security number or any other information which  
26 could be used to identify any employee or the name or identification  
27 number of any employer) paid to employees who are former applicants for  
28 or recipients of public assistance and care and who are so certified to  
29 the commissioner by the commissioner of the office of temporary and  
30 disability assistance. Provided, further, that with respect to employee  
31 information, the department of health shall only be furnished with the  
32 information required pursuant to the provisions of paragraph (f) of  
33 subdivision two and subdivision two-a of section [two thousand five]  
34 TWENTY-FIVE hundred eleven of the public health law and subdivision  
35 eight of section three hundred sixty-six-a and paragraphs (b) and (d) of  
36 subdivision two of section three hundred sixty-nine-ee of the social  
37 services law, with respect to those individuals whose eligibility under  
38 the child health insurance plan, medical assistance program, and family  
39 health plus program is to be determined pursuant to such provisions and  
40 with respect to those members of any such individual's household whose  
41 income affects such individual's eligibility and who are so certified to  
42 the commissioner or by the department of health. Provided, further, that  
43 wage reporting information shall be furnished to the office of voca-  
44 tional and educational services for individuals with disabilities of the  
45 education department, the commission for the blind and visually hand-  
46 icapped and any other state vocational rehabilitation agency only if  
47 such office, commission or agency, as applicable, certifies to the  
48 commissioner that such information is necessary to obtain reimbursement  
49 from the federal social security administration for expenditures made on  
50 behalf of disabled individuals who have achieved self-sufficiency.  
51 Reports and returns shall be preserved for three years and thereafter  
52 until the commissioner orders them to be destroyed.

53 S 4. Paragraph c of subdivision 1 of section 664 of the education law,  
54 as added by section 2 of part C of chapter 60 of the laws of 2000, is  
55 amended to read as follows:

1 c. A person may receive concurrently a tuition assistance award, A  
2 STUDENT TUITION RELIEF INITIATIVE FOR VALUED EDUCATION AWARD, AN  
3 ENHANCED STUDENT TUITION RELIEF INITIATIVE FOR VALUED EDUCATION AWARD  
4 and a scholarship for academic achievement pursuant to subdivision eigh-  
5 teen of section three hundred fifty-five of this chapter.

6 S 5. The opening paragraph of paragraph d of subdivision 3 of section  
7 667 of the education law, as added by chapter 83 of the laws of 1995, is  
8 amended to read as follows:

9 In no [even shall] EVENT shall any award:

10 S 6. Section 92-ee of the state finance law, as added by section 1 of  
11 part LL of chapter 57 of the laws of 2008, is amended to read as  
12 follows:

13 S 92-ee. New York state higher education endowment. There is hereby  
14 established in the custody of the comptroller a fund to be known as the  
15 New York state higher education endowment. Notwithstanding any other  
16 provision of law, all of the assets and income of the endowment shall be  
17 held and invested by the comptroller as trustee of such endowment,  
18 except such income as may be allocated or distributed by the comptroller  
19 pursuant to appropriation. The endowment shall consist of amounts trans-  
20 ferred into such endowment, and any other amounts as may be deposited in  
21 the endowment from other public or private sources. Amounts transferred  
22 to or deposited into the endowment shall be dedicated to the city  
23 university of New York [and], the state university of New York, and THE  
24 STUDENT TUITION RELIEF INITIATIVE FOR VALUED EDUCATION AWARDS AS DEFINED  
25 IN SECTION SIX HUNDRED SIXTY-NINE-E OF THE EDUCATION LAW AND THE  
26 ENHANCED STUDENT TUITION RELIEF INITIATIVE FOR VALUED EDUCATION AWARDS  
27 AS DEFINED IN SECTION SIX HUNDRED SIXTY-NINE-F OF THE EDUCATION LAW, AND  
28 shall be used for no other purpose and distributions from the endowment  
29 shall be used to supplement, rather than supplant, appropriations from  
30 the state in support of the city university of New York [and], the state  
31 university of New York, AND THE STUDENT TUITION RELIEF INITIATIVE FOR  
32 VALUED EDUCATION AWARDS AS DEFINED IN SECTION SIX HUNDRED SIXTY-NINE-E  
33 OF THE EDUCATION LAW AND THE ENHANCED STUDENT TUITION RELIEF INITIATIVE  
34 FOR VALUED EDUCATION AWARDS AS DEFINED IN SECTION SIX HUNDRED  
35 SIXTY-NINE-F OF THE EDUCATION LAW. The full amount of the principal of  
36 the endowment shall be preserved and annual payments shall be made from  
37 the investment earnings of the endowment in support of the city univer-  
38 sity of New York and the state university of New York, THE STUDENT  
39 TUITION RELIEF INITIATIVE FOR VALUED EDUCATION AWARDS AS DEFINED IN  
40 SECTION SIX HUNDRED SIXTY-NINE-E OF THE EDUCATION LAW AND THE ENHANCED  
41 STUDENT TUITION RELIEF INITIATIVE FOR VALUED EDUCATION AWARDS AS DEFINED  
42 IN SECTION SIX HUNDRED SIXTY-NINE-F OF THE EDUCATION LAW, to provide  
43 funding for purposes including, but not limited to, employment of addi-  
44 tional full-time faculty members, student financial aid to improve  
45 access, grants for research and development, and for additional higher  
46 education purposes as may be authorized.

47 S 7. This act shall take effect July 1, 2010 for students entering the  
48 first academic year of study at a higher education institution, and July  
49 1, 2011 for students entering the first and second academic years of  
50 study at a higher education institution, and July 1, 2012 for students  
51 entering the first, second, and third academic years of study at a high-  
52 er education institution, and July 1, 2013 for all students.