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

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 355 of the education law is amended by adding a new subdivision 20 to read as follows:

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

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

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

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

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

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E. NOTHING IN THIS SUBDIVISION SHALL BE CONSTRUED TO ESTABLISH LOWER ADMISSIONS STANDARDS FOR CHILDREN OF SUBJECT VETERANS; HOWEVER, IN THE CASE OF CHILDREN OF A VETERAN AND A NONVETERAN HAVING EQUIVALENT CREDENTIALS, THE CHILDREN OF THE VETERAN SHALL BE GIVEN PREFERENCE IN DETERMINING ADMISSIONS.

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

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

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

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

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

E. NOTHING IN THIS SUBDIVISION SHALL BE CONSTRUED TO ESTABLISH LOWER ADMISSIONS STANDARDS FOR CHILDREN OF SUBJECT VETERANS; HOWEVER, IN THE CASE OF CHILDREN OF A VETERAN AND A NONVETERAN HAVING EQUIVALENT CREDENTIALS, THE CHILDREN OF THE VETERAN SHALL BE GIVEN PREFERENCE IN DETERMINING ADMISSIONS.

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