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

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I N A S S E M B L Y

January 28, 2010

Introduced by M. of A. GLICK, PHEFFER, JAFFEE, CUSICK, CASTRO, ENGLEBRIGHT -- Multi-Sponsored by -- M. of A. DESTITO, GOTTFRIED, LIFTON, LUPARDO, MAGEE -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to providing an exemption of the first twenty thousand dollars of pension income from total income for the purpose of determining amount of awards and loans for student financial aid

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

Section 1. Subdivision 1 of section 663 of the education law, as amended by section 1 of part F of chapter 57 of the laws of 2009, is amended to read as follows:

1. Income defined. Except as otherwise provided in this section, "income" shall be the total of the combined net taxable income and income from pensions of New York state, local governments and the federal government, EXCEPT FOR THE FIRST TWENTY THOUSAND DOLLARS OF SAID PENSION INCOME of the applicant, the applicant's spouse, and the applicant's parents as reported in New York state income tax returns for the calendar year next preceding the beginning of the school year for which application for assistance is made, except that any amount received by an applicant as a scholarship at an educational institution or as a fellowship grant, including the value of contributed services and accommodations, shall not be included within the definition of "income" for the purposes of this article. The term "parent" shall include birth parents, stepparents, adoptive parents and the spouse of an adoptive parent. Income, if not a whole dollar amount, shall be assumed to be equal to the next lowest whole dollar amount. Any change in the status of an applicant with regard to the persons responsible for the applicant's support occurring after the beginning of any semester shall not be considered to change the applicant's award for that semester.

S 2. This act shall take effect immediately and shall apply to the 2010-2011 academic year.

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

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