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

2551

2009-2010 Regular Sessions

I N S E N A T E

February 23, 2009

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:

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

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

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

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

D. WHO ARE ENROLLED IN APPROVED PROGRAMS AND WHO DEMONSTRATE THE ABILITY TO COMPLETE SUCH COURSES, IN ACCORDANCE WITH STANDARDS ESTABLISHED BY THE COMMISSIONER AND RULES AND REGULATIONS PROMULGATED BY THE PRESIDENT.

2. DURATION. NO UNDERGRADUATE SHALL BE ELIGIBLE FOR MORE THAN FOUR ACADEMIC YEARS OF STUDY, OR FIVE ACADEMIC YEARS IF THE PROGRAM OF STUDY NORMALLY REQUIRES FIVE YEARS. STUDENTS ENROLLED IN A PROGRAM OF REMEDIAL STUDY, APPROVED BY THE COMMISSIONER IN AN INSTITUTION OF HIGHER EDUCATION AND INTENDED TO CULMINATE IN A DEGREE IN UNDERGRADUATE STUDY SHALL, 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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STUDY NORMALLY REQUIRING FIVE YEARS. AN UNDERGRADUATE STUDENT ENROLLED IN AN ELIGIBLE TWO YEAR PROGRAM OF STUDY APPROVED BY THE COMMISSIONER SHALL BE ELIGIBLE FOR NO MORE THAN THREE ACADEMIC YEARS OF STUDY.

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

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

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

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

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

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

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

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

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

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

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

2. DURATION. NO UNDERGRADUATE SHALL BE ELIGIBLE FOR MORE THAN FOUR ACADEMIC YEARS OF STUDY, OR FIVE ACADEMIC YEARS IF THE PROGRAM OF STUDY NORMALLY REQUIRES FIVE YEARS. STUDENTS ENROLLED IN A PROGRAM OF REMEDIAL STUDY, APPROVED BY THE COMMISSIONER IN AN INSTITUTION OF HIGHER EDUCATION AND INTENDED TO CULMINATE IN A DEGREE IN UNDERGRADUATE STUDY SHALL, FOR PURPOSES OF THIS SECTION, BE CONSIDERED AS ENROLLED IN A PROGRAM OF STUDY NORMALLY REQUIRING FIVE YEARS. AN UNDERGRADUATE STUDENT ENROLLED IN AN ELIGIBLE TWO YEAR PROGRAM OF STUDY APPROVED BY THE COMMISSIONER SHALL BE ELIGIBLE FOR NO MORE THAN THREE ACADEMIC YEARS OF STUDY.

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

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

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

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

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

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

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

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

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

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

(3) Nothing herein shall be construed to prohibit the department, its officers or employees from furnishing information to the office of temporary and disability assistance relating to the payment of the credit for certain household and dependent care services necessary for gainful employment under subsection (c) of section six hundred six of this article and the earned income credit under subsection (d) of section six hundred six of this article, or pursuant to a local law enacted by a city having a population of one million or more pursuant to subsection (f) of section thirteen hundred ten of this chapter, only to the extent necessary to calculate qualified state expenditures under paragraph seven of subdivision (a) of section four hundred nine of the federal social security act or to document the proper expenditure of federal temporary assistance for needy families funds under section four hundred three of such act. The office of temporary and disability assistance may redisclose such information to the United States department of health and human services only to the extent necessary to calculate such qualified state expenditures or to document the proper expenditure of such federal temporary assistance for needy families funds. Nothing herein shall be construed to prohibit the delivery by the commissioner to a commissioner of jurors, appointed pursuant to section five hundred four of the judiciary law, or, in counties within cities having a population of one million or more, to the county clerk of such county, of a mailing list of individuals to whom income tax forms are mailed by the commissioner for the sole purpose of compiling a list of prospective jurors as provided in article sixteen of the judiciary law. Provided, however, such delivery shall only be made pursuant to an order of the chief administrator of the courts, appointed pursuant to section two hundred ten of the judiciary law. No such order may be issued unless such chief administrator is satisfied that such mailing list is needed to compile a proper list of prospective jurors for the county for which such order is sought and that, in view of the responsibilities imposed by the various laws of the state on the department, it is reasonable to require the commissioner to furnish such list. Such order shall provide that such list shall be used for the sole purpose of compiling a list of prospective jurors and that such commissioner of jurors, or such county clerk, shall take all necessary steps to insure that the list is kept confidential and that there is no unauthorized use or disclosure of such list. Furthermore, nothing herein shall be construed to prohibit the delivery to a taxpayer or his or her duly authorized representative of a certified copy of any return or report filed in connection with his or her tax or to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns and the items thereof, or the inspection by the attorney general or other legal representatives of the state of the report or return of any taxpayer or of any employer filed under section one hundred seventy-one-h of this

chapter, where such taxpayer or employer shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding under this chapter or under this chapter and article eighteen of the labor law has been recommended by the commissioner, the commissioner of labor with respect to unemployment insurance matters, or the attorney general or has been instituted, or the inspection of the reports or returns required under this article by the comptroller or duly designated officer or employee of the state department of audit and control, for purposes of the audit of a refund of any tax paid by a taxpayer under this article, or the furnishing to the state department of labor of unemployment insurance information obtained or derived from quarterly combined withholding, wage reporting and unemployment insurance returns required to be filed by employers pursuant to paragraph four of subsection (a) of section six hundred seventy-four of this article, for purposes of administration of such department's unemployment insurance program, employment services program, federal and state employment and training programs, employment statistics and labor market information programs, worker protection programs, federal programs for which the department has administrative responsibility or for other purposes deemed appropriate by the commissioner of labor consistent with the provisions of the labor law, and redisclosure of such information in accordance with the provisions of sections five hundred thirty-six and five hundred thirty-seven of the labor law or any other applicable law, or the furnishing to the state office of temporary and disability assistance of information obtained or derived from New York state personal income tax returns as described in paragraph (b) of subdivision two of section one hundred seventy-one-g of this chapter for the purpose of reviewing support orders enforced pursuant to title six-A of article three of the social services law to aid in the determination of whether such orders should be adjusted, or the furnishing of information obtained from the reports required to be submitted by employers regarding newly hired or re-hired employees pursuant to section one hundred seventy-one-h of this chapter to the state office of temporary and disability assistance, the state department of health, the state department of labor and the workers' compensation board for purposes of administration of the child support enforcement program, verification of individuals' eligibility for one or more of the programs specified in subsection (b) of section eleven hundred thirty-seven of the federal social security act and for other public assistance programs authorized by state law, and administration of the state's employment security and workers' compensation programs, and to the national directory of new hires established pursuant to section four hundred fifty-three-A of the federal social security act for the purposes specified in such section, or the furnishing to the state office of temporary and disability assistance of the amount of an overpayment of income tax and interest thereon certified to the comptroller to be credited against past-due support pursuant to section one hundred seventy-one-c of this chapter and of the name and social security number of the taxpayer who made such overpayment, or the disclosing to the commissioner of finance of the city of New York, pursuant to section one hundred seventy-one-l of this chapter, of the amount of an overpayment and interest thereon certified to the comptroller to be credited against a city of New York tax warrant judgment debt and of the name and social security number of the taxpayer who made such overpayment, or the furnishing to the New York state higher education services corporation of the amount of an overpayment of income tax and interest thereon certified to the comptroller to be cred-

ited against the amount of a default in repayment of any education loan debt, including judgments, owed to the federal or New York state government that is being collected by the New York state higher education services corporation, and of the name and social security number of the taxpayer who made such overpayment, or the furnishing to the state department of health of the information required by paragraph (f) of subdivision two and subdivision two-a of section [two thousand five] TWENTY-FIVE hundred eleven of the public health law and by subdivision eight of section three hundred sixty-six-a and paragraphs (b) and (d) of subdivision two of section three hundred sixty-nine-ee of the social services law, or the furnishing to the state university of New York or the city university of New York respectively or the attorney general on behalf of such state or city university the amount of an overpayment of income tax and interest thereon certified to the comptroller to be credited against the amount of a default in repayment of a state university loan pursuant to section one hundred seventy-one-e of this chapter and of the name and social security number of the taxpayer who made such overpayment, or the disclosing to a state agency, pursuant to section one hundred seventy-one-f of this chapter, of the amount of an overpayment and interest thereon certified to the comptroller to be credited against a past-due legally enforceable debt owed to such agency and of the name and social security number of the taxpayer who made such overpayment, or the furnishing of employee and employer information obtained through the wage reporting system, pursuant to section one hundred seventy-one-a of this chapter, as added by chapter five hundred forty-five of the laws of nineteen hundred seventy-eight, to the state office of temporary and disability assistance, the department of health or to the state office of the medicaid inspector general for the purpose of verifying eligibility for and entitlement to amounts of benefits under the social services law or similar law of another jurisdiction, locating absent parents or other persons legally responsible for the support of applicants for or recipients of public assistance and care under the social services law and persons legally responsible for the support of a recipient of services under section one hundred eleven-g of the social services law and, in appropriate cases, establishing support obligations pursuant to the social services law and the family court act or similar provision of law of another jurisdiction for the purpose of evaluating the effect on earnings of participation in employment, training or other programs designed to promote self-sufficiency authorized pursuant to the social services law by current recipients of public assistance and care and by former applicants and recipients of public assistance and care, (except that with regard to former recipients, information which relates to a particular former recipient shall be provided with client identifying data deleted), and to the state department of labor, or other individuals designated by the commissioner of labor, for the purpose of the administration of such department's unemployment insurance program, employment services program, federal and state employment and training programs, employment statistics and labor market information programs, worker protection programs, federal programs for which the department has administrative responsibility or for other purposes deemed appropriate by the commissioner of labor consistent with the provisions of the labor law, and redisclosure of such information in accordance with the provisions of sections five hundred thirty-six and five hundred thirty-seven of the labor law, or the furnishing of information, which is obtained from the wage reporting system operated pursuant to section one hundred seventy-one-a of this chapter, as added by chapter five hundred

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

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

state office of temporary and disability assistance has an agreement pursuant to paragraph (h) or (i) of subdivision three of section twenty of the social services law, or (E) employees about whom wage reporting system information is being furnished to the federal parent locator service, maintained by the federal department of health and human services, for the purpose of enabling the state office of temporary and disability assistance to fulfill obligations and responsibilities otherwise incumbent upon the state department of labor, under section one hundred twenty-four of the federal family support act of nineteen hundred eighty-eight, and, only if, the office of temporary and disability assistance certifies to the commissioner that such persons are such applicants, recipients, absent parents or persons legally responsible for support or persons about whom information has been requested by a public agency of another jurisdiction or by the federal parent locator service and further certifies that in the case of information requested under agreements with other jurisdictions entered into pursuant to subdivision three of section twenty of the social services law, that such request is in compliance with any applicable federal law. Provided, further, that where the office of temporary and disability assistance requests employee information for the purpose of evaluating the effects on earnings of participation in employment, training or other programs designed to promote self-sufficiency authorized pursuant to the social services law, the office of temporary and disability assistance shall only be furnished with the quarterly gross wages (excluding any reference to the name, social security number or any other information which could be used to identify any employee or the name or identification number of any employer) paid to employees who are former applicants for or recipients of public assistance and care and who are so certified to the commissioner by the commissioner of the office of temporary and disability assistance. Provided, further, that with respect to employee information, the department of health shall only be furnished with the information required pursuant to the provisions of paragraph (f) of subdivision two and subdivision two-a of section [two thousand five] TWENTY-FIVE hundred eleven of the public health law and subdivision eight of section three hundred sixty-six-a and paragraphs (b) and (d) of subdivision two of section three hundred sixty-nine-ee of the social services law, with respect to those individuals whose eligibility under the child health insurance plan, medical assistance program, and family health plus program is to be determined pursuant to such provisions and with respect to those members of any such individual's household whose income affects such individual's eligibility and who are so certified to the commissioner or by the department of health. Provided, further, that wage reporting information shall be furnished to the office of vocational and educational services for individuals with disabilities of the education department, the commission for the blind and visually handicapped and any other state vocational rehabilitation agency only if such office, commission or agency, as applicable, certifies to the commissioner that such information is necessary to obtain reimbursement from the federal social security administration for expenditures made on behalf of disabled individuals who have achieved self-sufficiency. Reports and returns shall be preserved for three years and thereafter until the commissioner orders them to be destroyed.

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

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

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

In no [even shall] EVENT shall any award:

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

S 92-ee. New York state higher education endowment. There is hereby established in the custody of the comptroller a fund to be known as the New York state higher education endowment. Notwithstanding any other provision of law, all of the assets and income of the endowment shall be held and invested by the comptroller as trustee of such endowment, except such income as may be allocated or distributed by the comptroller pursuant to appropriation. The endowment shall consist of amounts transferred into such endowment, and any other amounts as may be deposited in the endowment from other public or private sources. Amounts transferred to or deposited into the endowment shall be dedicated to the city university of New York [and], the state university of New York, and THE STUDENT TUITION RELIEF INITIATIVE FOR VALUED EDUCATION AWARDS AS DEFINED IN SECTION SIX HUNDRED SIXTY-NINE-E OF THE EDUCATION LAW AND THE ENHANCED STUDENT TUITION RELIEF INITIATIVE FOR VALUED EDUCATION AWARDS AS DEFINED IN SECTION SIX HUNDRED SIXTY-NINE-F OF THE EDUCATION LAW, AND shall be used for no other purpose and distributions from the endowment shall be used to supplement, rather than supplant, appropriations from the state in support of the city university of New York [and], the state university of New York, AND THE STUDENT TUITION RELIEF INITIATIVE FOR VALUED EDUCATION AWARDS AS DEFINED IN SECTION SIX HUNDRED SIXTY-NINE-E OF THE EDUCATION LAW AND THE ENHANCED STUDENT TUITION RELIEF INITIATIVE FOR VALUED EDUCATION AWARDS AS DEFINED IN SECTION SIX HUNDRED SIXTY-NINE-F OF THE EDUCATION LAW. The full amount of the principal of the endowment shall be preserved and annual payments shall be made from the investment earnings of the endowment in support of the city university of New York and the state university of New York, THE STUDENT TUITION RELIEF INITIATIVE FOR VALUED EDUCATION AWARDS AS DEFINED IN SECTION SIX HUNDRED SIXTY-NINE-E OF THE EDUCATION LAW AND THE ENHANCED STUDENT TUITION RELIEF INITIATIVE FOR VALUED EDUCATION AWARDS AS DEFINED IN SECTION SIX HUNDRED SIXTY-NINE-F OF THE EDUCATION LAW, to provide funding for purposes including, but not limited to, employment of additional full-time faculty members, student financial aid to improve access, grants for research and development, and for additional higher education purposes as may be authorized.

S 7. This act shall take effect July 1, 2010 for students entering the first academic year of study at a higher education institution, and July 1, 2011 for students entering the first and second academic years of study at a higher education institution, and July 1, 2012 for students entering the first, second, and third academic years of study at a higher education institution, and July 1, 2013 for all students.