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

5713

2011-2012 Regular Sessions

I N S E N A T E

June 13, 2011

Introduced by Sen. JOHNSON -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the education law, in relation to application for a waiver from licensing requirements for entities providing certain professional services

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

Section 1. The opening paragraph of paragraph a and paragraph c of subdivision 1 of section 6503-a of the education law, as added by chapter 130 of the laws of 2010, are amended to read as follows:

Notwithstanding any laws to the contrary, except as provided in subdivision two of this section, a not-for-profit corporation formed for charitable, educational, or religious purposes or other similar purposes deemed acceptable by the department; or an education corporation as defined in subdivision one of section two hundred sixteen-a of this chapter may provide the following services, provided that, except as otherwise provided in paragraph b of this subdivision, the entity was in existence prior to the effective date of this section and has [obtained] APPLIED TO THE DEPARTMENT FOR a waiver [issued by the department] pursuant to this section by no later than [July] FEBRUARY first, two thousand twelve:

c. [Within one hundred twenty days after] AFTER the commissioner prescribes the application form and posts notice of its availability on the department's website, any entity described in paragraph a of this subdivision providing services on the effective date of this section, must apply for a waiver NO LATER THAN FEBRUARY FIRST, TWO THOUSAND TWELVE. Upon submission of [such] AN application, [the] AN entity may continue to operate and provide services until the department shall either deny or approve the entity's application. After the department renders a timely initial determination that the applicant has submitted the information necessary to verify that the requirements of paragraphs

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

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d, e, and f of this subdivision are satisfied, applications for waivers shall be approved or denied within ninety days; provided however, that if the waiver application is denied the entity shall cease providing professional services, pursuant to paragraph a of this subdivision, in the state of New York.

S 2. This act shall take effect immediately.