

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:

1 Section 1. The opening paragraph of paragraph a and paragraph c of  
2 subdivision 1 of section 6503-a of the education law, as added by chap-  
3 ter 130 of the laws of 2010, are amended to read as follows:  
4 Notwithstanding any laws to the contrary, except as provided in subdi-  
5 vision two of this section, a not-for-profit corporation formed for  
6 charitable, educational, or religious purposes or other similar purposes  
7 deemed acceptable by the department; or an education corporation as  
8 defined in subdivision one of section two hundred sixteen-a of this  
9 chapter may provide the following services, provided that, except as  
10 otherwise provided in paragraph b of this subdivision, the entity was in  
11 existence prior to the effective date of this section and has [obtained]  
12 APPLIED TO THE DEPARTMENT FOR a waiver [issued by the department] pursu-  
13 ant to this section by no later than [July] FEBRUARY first, two thousand  
14 twelve:  
15 c. [Within one hundred twenty days after] AFTER the commissioner  
16 prescribes the application form and posts notice of its availability on  
17 the department's website, any entity described in paragraph a of this  
18 subdivision providing services on the effective date of this section,  
19 must apply for a waiver NO LATER THAN FEBRUARY FIRST, TWO THOUSAND  
20 TWELVE. Upon submission of [such] AN application, [the] AN entity may  
21 continue to operate and provide services until the department shall  
22 either deny or approve the entity's application. After the department  
23 renders a timely initial determination that the applicant has submitted  
24 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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1 d, e, and f of this subdivision are satisfied, applications for waivers  
2 shall be approved or denied within ninety days; provided however, that  
3 if the waiver application is denied the entity shall cease providing  
4 professional services, pursuant to paragraph a of this subdivision, in  
5 the state of New York.  
6 S 2. This act shall take effect immediately.