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

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I N S E N A T E

February 13, 2012

Introduced by Sens. BONACIC, JOHNSON -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

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 amended by chapter 187 of the laws of 2011, 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 applied to the department for a waiver pursuant to this section by no later than [February] JULY first, two thousand [twelve] THIRTEEN:

c. 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] JULY first, two thousand [twelve] THIRTEEN. Upon submission of an application, 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 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 and shall be deemed to have been in full force and effect on and after February 1, 2012.

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

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