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

7152

I N S E N A T E

May 1, 2012

Introduced by Sens. LAVALLE, JOHNSON, ZELDIN -- 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 payments to community colleges by the state, and to repeal subdivision 10 of section 6305 of the education law relating to state reimbursement to counties for amounts paid on behalf of non-resident students in attendance at the fashion institute of technology

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

Section 1. Subdivision 3 of section 6302 of the education law, as amended by chapter 552 of the laws of 1984, is amended to read as follows:

3. In the city of New York, the [board] DEPARTMENT of education, with the approval of the state university trustees, may act as a local sponsor in the establishment and operation, as a community college, of a post secondary technical vocational training institution which is partly supported by such [board] DEPARTMENT of education and partly supported by an educational foundation for an industry chartered by the board of regents. In addition to the community college programs and curricula authorized by this article, the institution may offer such baccalaureate, masters degree programs and curricula in support of its mission, in accordance with standards and regulations prescribed by the state university trustees, as may be authorized pursuant to the provisions of the master plan. Notwithstanding any other provision of law, the institution shall be financed and administered in the manner provided for community colleges; PROVIDED, HOWEVER, THAT SUBJECT TO THE AVAILABILITY OF STATE APPROPRIATION, CHARGE BACKS FOR BACCALAUREATE AND MASTERS DEGREE NON-RESIDENTS OF THE LOCAL COLLEGE SPONSOR, AS REQUIRED BY SECTION SIXTY-THREE HUNDRED FIVE OF THIS ARTICLE TO BE PAID BY THE NEW YORK STATE COUNTY OF SUCH NON-RESIDENT STUDENT, SHALL BE PAID BY THE STATE OF NEW YORK. ON OR BEFORE MARCH THIRTY-FIRST, TWO THOUSAND THIRTEEN, THE STATE SHALL MAKE FIFTY PERCENT OF SUCH PAYMENT TO SUCH COMMUNITY COLLEGE, AND ON OR AFTER JUNE FIRST, TWO THOUSAND THIRTEEN, THE

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

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STATE SHALL MAKE THE REMAINING FIFTY PERCENT OF SUCH PAYMENT TO SUCH COMMUNITY COLLEGE, AND ON JUNE FIRST, TWO THOUSAND FOURTEEN AND EVERY YEAR THEREAFTER, THE STATE SHALL PAY ONE HUNDRED PERCENT OF SUCH PAYMENT TO SUCH COMMUNITY COLLEGE. IN THE EVENT OF THE FAILURE OF THE STATE TO MAKE SUCH PAYMENTS, THE COUNTIES ISSUING THE CERTIFICATES OF RESIDENCE SHALL MAKE SUCH PAYMENTS.

S 2. Subdivision 5 of section 6305 of the education law, as amended by chapter 681 of the laws of 1971, is amended to read as follows:

5. Amounts payable to such colleges by a county pursuant to this section shall be a general county charge[; provided, however, that with respect to the amounts allocable to each community college a county may charge back such amounts in whole or in part to the cities and towns in the county in proportion to the number of students who, on the basis of certificates of residence issued by such county, were attending each such college as non-residents of the local sponsors thereof during the terms for which the county has been charged, and who were residents of each such city or town at the beginning of such terms].

S 3. Subdivision 10 of section 6305 of the education law is REPEALED.

S 4. This act shall take effect immediately.