

6829--A

2011-2012 Regular Sessions

I N A S S E M B L Y

April 4, 2011

Introduced by M. of A. LINARES, WRIGHT, P. RIVERA, MENG, AUBRY, CASTRO, WEPRIN, JAFFEE, JACOBS, JEFFRIES, BRENNAN, THIELE, BARRON, ROBERTS, GIBSON, CAMARA, RODRIGUEZ, LAVINE, LANCMAN, DenDEKKER, ORTIZ, FARRELL, KAVANAGH, O'DONNELL, SCARBOROUGH, ROBINSON -- Multi-Sponsored by -- M. of A. GOTTFRIED, HOOPER, MONTESANO, NOLAN -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to establishing the New York dream act providing certain benefits to undocumented immigrants that satisfy certain criteria

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

- 1 Section 1. Short title. This act shall be known and may be cited as
2 the "New York dream act".
3 S 2. The executive law is amended by adding a new section 101 to read
4 as follows:
5 S 101. NEW YORK DREAM ACT. 1. THERE IS HEREBY ESTABLISHED WITHIN THE
6 DEPARTMENT, A DREAM ACT, WHEREBY UNDOCUMENTED IMMIGRANTS WHO SATISFY THE
7 REQUIREMENTS SET FORTH IN SUBDIVISION THREE OF THIS SECTION SHALL QUALI-
8 FY FOR THE BENEFITS SET FORTH IN SUBDIVISION FOUR OF THIS SECTION.
9 2. FOR THE PURPOSES OF THIS SECTION, THE TERM:
10 A. "ELIGIBLE PERSON" SHALL MEAN ANY INDIVIDUAL THAT MEETS THE CRITERIA
11 SET FORTH IN SUBDIVISION THREE OF THIS SECTION.
12 B. "UNDOCUMENTED" SHALL MEAN A NON-NATURALIZED IMMIGRANT.
13 3. TO BE ELIGIBLE FOR BENEFITS UNDER SUBDIVISION FOUR OF THIS SECTION,
14 AN INDIVIDUAL SHALL:
15 A. HAVE GRADUATED FROM HIGH SCHOOL WITH A HIGH SCHOOL DIPLOMA OR ITS
16 EQUIVALENT, INCLUDING, BUT NOT LIMITED TO A GED;
17 B. HAVE ENTERED THE UNITED STATES BEFORE THE AGE OF SIXTEEN;
18 C. BE UNDER THE AGE OF THIRTY-FIVE;

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

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1 D. NOT HAVE BEEN CONVICTED IN THIS STATE OR ANY OTHER STATE OR TERRI-
2 TORY OF A FELONY; AND

3 E. HAVE RESIDED IN NEW YORK STATE FOR AT LEAST TWO YEARS BEFORE THE
4 EFFECTIVE DATE OF THIS SECTION.

5 4. ANY ELIGIBLE PERSON SHALL HAVE ACCESS TO STATE-, CITY-, TOWN-
6 AND/OR VILLAGE-FUNDED FINANCIAL AID PROGRAMS, INCLUDING, BUT NOT LIMITED
7 TO GRANTS, LOANS AND SCHOLARSHIPS.

8 5. THE SECRETARY SHALL PROMULGATE RULES AND REGULATIONS TO EFFECT THE
9 PURPOSES OF THIS SECTION AND TO FURTHER DEFINE THE REQUIREMENTS AND
10 BENEFITS OF THIS SECTION.

11 S 3. This act shall take effect on the one hundred twentieth day after
12 it shall have become a law; provided, however, that effective immediate-
13 ly, the addition, amendment and/or repeal of any rule or regulation
14 necessary for the implementation of this act on its effective date are
15 authorized and directed to be made and completed on or before such
16 effective date.