

4179

2011-2012 Regular Sessions

I N S E N A T E

March 22, 2011

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

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. "CERTIFIED COMMUNITY SERVICE" SHALL MEAN A PERIOD OF SERVING THE  
11 COMMUNITY THAT SATISFIES THE REQUIREMENTS PROMULGATED IN THE RULES AND  
12 REGULATIONS AUTHORIZED PURSUANT TO SUBDIVISION FIVE OF THIS SECTION.

13 B. "ELIGIBLE PERSON" SHALL MEAN ANY INDIVIDUAL THAT MEETS THE CRITERIA  
14 SET FORTH IN SUBDIVISION TWO THIS SECTION.

15 C. "UNDOCUMENTED" SHALL MEAN WITHOUT A VALID IMMIGRATION VISA.

16 3. TO BE ELIGIBLE FOR BENEFITS UNDER SUBDIVISION FOUR OF THIS SECTION,  
17 AN INDIVIDUAL SHALL:

18 A. HAVE GRADUATED FROM HIGH SCHOOL WITH A HIGH SCHOOL DIPLOMA OR ITS  
19 EQUIVALENT, INCLUDING, BUT NOT LIMITED TO A GED;

20 B. HAVE ENTERED THE UNITED STATES UNDOCUMENTED BEFORE THE AGE OF  
21 SIXTEEN;

22 C. BE UNDER THE AGE OF THIRTY-FIVE;

23 D. NOT HAVE BEEN CONVICTED IN THIS STATE OR ANY OTHER STATE OR TERRI-  
24 TORY OF A FELONY;

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

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1 E. HAVE RESIDED IN NEW YORK STATE FOR AT LEAST TWO YEARS BEFORE THE  
2 EFFECTIVE DATE OF THIS SECTION; AND  
3 F. (I) ENROLL OR BE ENROLLED IN A COLLEGE OR UNIVERSITY IN THE STATE  
4 OF NEW YORK AND COMPLETE AT LEAST TWO YEARS TOWARDS A FOUR-YEAR DEGREE  
5 WITHIN SIX YEARS; OR  
6 (II) SERVE AT LEAST TWO YEARS IN THE NEW YORK NATIONAL GUARD; OR  
7 (III) COMPLETE NINE HUNDRED TEN HOURS OF CERTIFIED COMMUNITY SERVICE.  
8 4. ANY ELIGIBLE PERSON SHALL HAVE ACCESS TO:  
9 A. STATE-FUNDED FINANCIAL AID PROGRAMS, INCLUDING, BUT NOT LIMITED TO  
10 GRANTS, LOANS AND SCHOLARSHIPS;  
11 B. NEW YORK STATE IDENTIFICATION OR DRIVERS' LICENSES;  
12 C. WORK OPPORTUNITIES WITH THE STATE OF NEW YORK; AND  
13 D. NEW YORK STATE HEALTH INSURANCE PROGRAMS.  
14 5. THE SECRETARY SHALL PROMULGATE RULES AND REGULATIONS TO EFFECT THE  
15 PURPOSES OF THIS SECTION AND TO FURTHER DEFINE THE REQUIREMENTS AND  
16 BENEFITS OF THIS SECTION.  
17 S 3. This act shall take effect on the one hundred twentieth day after  
18 it shall have become a law; provided, however, that effective immediate-  
19 ly, the addition, amendment and/or repeal of any rule or regulation  
20 necessary for the implementation of this act on its effective date are  
21 authorized and directed to be made and completed on or before such  
22 effective date.