

5713

2011-2012 Regular Sessions

I N   S E N A T E

June 13, 2011

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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.