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

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6297

2013-2014 Regular Sessions

I N   A S S E M B L Y

March 25, 2013
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Introduced by M. of A. GABRYSZAK -- read once and referred to the
  Committee on Higher Education

AN ACT to amend the education law, in relation to eliminating the use of
  certain pensions in the determination of the amount of student finan-
  cial aid

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

 1   Section 1. Subdivision 1 of section 663 of the education law, as
 2 amended by section 1 of part F of chapter 58 of the laws of 2011, is
 3 amended to read as follows:
 4   1. Income defined. Except as otherwise provided in this section,
 5 "income" shall be the total of the combined net taxable income [and
 6 income from pensions of New York state, local governments, the federal
 7 government and any private employer] of the applicant, the applicant's
 8 spouse, and the applicant's parents, including any pension and annuity
 9 income excluded for purposes of taxation pursuant to paragraph three-a
10 of subsection (c) of section six hundred twelve of the tax law, as
11 reported in New York state income tax returns for the calendar year next
12 preceding the beginning of the school year for which application for
13 assistance is made, except that any amount received by an applicant as a
14 scholarship at an educational institution or as a fellowship grant,
15 including the value of contributed services and accommodations, shall
16 not be included within the definition of "income" for the purposes of
17 this article. The term "parent" shall include birth parents, steppar-
18 ents, adoptive parents and the spouse of an adoptive parent. Income, if
19 not a whole dollar amount, shall be assumed to be equal to the next
20 lowest whole dollar amount. Any change in the status of an applicant
21 with regard to the persons responsible for the applicant's support
22 occurring after the beginning of any semester shall not be considered to
23 change the applicant's award for that semester.
24   S 2. This act shall take effect immediately.