

4597--B

2013-2014 Regular Sessions

I N S E N A T E

April 12, 2013

Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Higher Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to establishing a new category of tuition for non-resident students of the state university enrolled in distance learning courses

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

1 Section 1. The opening paragraph of subparagraph 4 of paragraph h of
2 subdivision 2 of section 355 of the education law, as amended by chapter
3 260 of the laws of 2011, is amended to read as follows:
4 The trustees shall not impose a differential tuition charge based upon
5 need or income. Except as hereinafter provided, all students enrolled in
6 programs leading to like degrees at state-operated institutions of the
7 state university shall be charged a uniform rate of tuition except for
8 differential tuition rates based on state residency. Provided, however,
9 that the trustees may authorize the presidents of the colleges of tech-
10 nology and the colleges of agriculture and technology to set differing
11 rates of tuition for each of the colleges for students enrolled in
12 degree-granting programs leading to an associate degree and non-degree
13 granting programs so long as such tuition rate does not exceed the
14 tuition rate charged to students who are enrolled in like degree
15 programs or degree-granting undergraduate programs leading to a bacca-
16 laureate degree at other state-operated institutions of the state
17 university of New York. NOTWITHSTANDING ANY OTHER PROVISION OF THIS
18 SUBPARAGRAPH, THE TRUSTEES MAY AUTHORIZE THE SETTING OF A SEPARATE CATE-

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

LBD10265-04-4

1 GORY OF TUITION RATE, THAT SHALL BE GREATER THAN THE TUITION RATE FOR
2 RESIDENT STUDENTS AND LESS THAN THE TUITION RATE FOR NON-RESIDENT
3 STUDENTS, ONLY FOR STUDENTS ENROLLED IN DISTANCE LEARNING COURSES WHO
4 ARE NOT RESIDENTS OF THE STATE. Except as otherwise authorized in this
5 subparagraph, the trustees shall not adopt changes affecting tuition
6 charges prior to the enactment of the annual budget, provided however
7 that:

8 S 2. Subparagraph 4 of paragraph h of subdivision 2 of section 355 of
9 the education law, as amended by chapter 309 of the laws of 1996, is
10 amended to read as follows:

11 (4) The trustees shall not impose a differential tuition charge based
12 upon need or income. All students enrolled in programs leading to like
13 degrees at state-operated institutions of the state university shall be
14 charged a uniform rate of tuition except for differential tuition rates
15 based on state residency. Provided, however, that the trustees may
16 authorize the presidents of the colleges of technology and the colleges
17 of agriculture and technology to set differing rates of tuition for each
18 of the colleges for students enrolled in degree-granting programs lead-
19 ing to an associate degree and non-degree granting programs so long as
20 such tuition rate does not exceed the tuition rate charged to students
21 who are enrolled in like degree programs or degree-granting undergradu-
22 ate programs leading to a baccalaureate degree at other state-operated
23 institutions of the state university of New York. NOTWITHSTANDING ANY
24 OTHER PROVISION OF THIS SUBPARAGRAPH, THE TRUSTEES MAY AUTHORIZE THE
25 SETTING OF A SEPARATE CATEGORY OF TUITION RATE, THAT SHALL BE GREATER
26 THAN THE TUITION RATE FOR RESIDENT STUDENTS AND LESS THAN THE TUITION
27 RATE FOR NON-RESIDENT STUDENTS, ONLY FOR STUDENTS ENROLLED IN DISTANCE
28 LEARNING COURSES WHO ARE NOT RESIDENTS OF THE STATE. The trustees shall
29 not adopt changes affecting tuition charges prior to the enactment of
30 the annual budget.

31 S 3. This act shall take effect April 1, 2015, provided that the
32 amendments to subparagraph 4 of paragraph h of subdivision 2 of section
33 355 of the education law made by section one of this act shall be
34 subject to the expiration and reversion of such subparagraph pursuant to
35 section 16 of chapter 260 of the laws of 2011, as amended, when upon
36 such date the provisions of section two of this act shall take effect.