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I N   S E N A T E

March 5, 2014

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Introduced by Sen. LAVALLE -- 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 tuition assistance program awards

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

1     Section 1. Paragraph a of subdivision 3 of section 667 of the educa-  
2     tion law, as amended by section 1 of part B of chapter 60 of the laws of  
3     2000, item 1 of clause (A) of subparagraph (i) as amended by section 1  
4     of part H of chapter 58 of the laws of 2011, subitem (c) of item 1 of  
5     clause (A) of subparagraph (i) as separately amended by section 1 of  
6     part E and section 1 of part H of chapter 58 of the laws of 2011, subitem  
7     (d) of item 1 of clause (A) of subparagraph (i) as added by section  
8     1 of part E of chapter 58 of the laws of 2011, item 2 of clause (A) of  
9     subparagraph (i) as amended by section 2 of part H of chapter 58 of the  
10    laws of 2011 and subparagraph (iii) as amended by section 3 of part H of  
11    chapter 58 of the laws of 2011, is amended to read as follows:

12    a. Amount. The president shall make awards to students enrolled in  
13    degree-granting institutions or registered not-for-profit business  
14    schools qualified for tax exemption under S 501(c)(3) of the internal  
15    revenue code for federal income tax purposes in the following amounts:

16    (i) For each year of undergraduate study, assistance shall be provided  
17    as computed on the basis of the amount which is the lesser of the  
18    following:

19    (A) (1) In the case of students who have not been granted an exclusion  
20    of parental income or had a dependent for income tax purposes during the  
21    tax year next preceding the academic year for which application is made,  
22    except for those students who have been granted exclusion of parental  
23    income who have a spouse but no other dependent:

24    (a) For students first receiving aid after nineteen hundred ninety-  
25    three--nineteen hundred ninety-four and before two thousand--two thou-  
26    sand one, four thousand one hundred twenty-five dollars; or

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

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(b) For students first receiving aid in nineteen hundred ninety-three--nineteen hundred ninety-four or earlier, three thousand five hundred seventy-five dollars; or

(c) For students first receiving aid in two thousand--two thousand one and thereafter, five thousand dollars; or

(d) FOR STUDENTS FIRST RECEIVING AID IN TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN AND THEREAFTER, SIX THOUSAND FOUR HUNDRED SEVENTY DOLLARS; OR

(E) For undergraduate students enrolled in a program of study at a non-public degree-granting institution that does not offer a program of study that leads to a baccalaureate degree, or at a registered not-for-profit business school qualified for tax exemption under section 501(c)(3) of the internal revenue code for federal income tax purposes that does not offer a program of study that leads to a baccalaureate degree, four thousand dollars. Provided, however, that this subitem shall not apply to students enrolled in a program of study leading to a certificate or degree in nursing.

(2) In the case of students receiving awards pursuant to subparagraph (iii) of this paragraph and those students who have been granted exclusion of parental income who have a spouse but no other dependent.

(a) FOR STUDENTS RECEIVING AID IN TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN AND THEREAFTER, SIX THOUSAND FOUR HUNDRED SEVENTY DOLLARS, OR

(B) For students first receiving aid in nineteen hundred ninety-four--nineteen hundred ninety-five and nineteen hundred ninety-five--nineteen hundred ninety-six and thereafter, three thousand twenty-five dollars, or

[(b)] (C) For students first receiving aid in nineteen hundred ninety-two--nineteen hundred ninety-three and nineteen hundred ninety-three--nineteen hundred ninety-four, two thousand five hundred seventy-five dollars, or

[(c)] (D) For students first receiving aid in nineteen hundred ninety-one--nineteen hundred ninety-two or earlier, two thousand four hundred fifty dollars; or

(B) (1) Ninety-five percent of the amount of tuition (exclusive of educational fees) charged and, if applicable, the college fee levied by the state university of New York pursuant to the April first, nineteen hundred sixty-four financing agreement with the New York state dormitory authority.

(2) For the two thousand one--two thousand two academic year and thereafter one hundred percent of the amount of tuition (exclusive of educational fees) charged and, if applicable, the college fee levied by the state university of New York pursuant to the April first, nineteen hundred sixty-four financing agreement with the New York state dormitory authority.

(ii) Except for students as noted in subparagraph (iii) of this paragraph, the base amount as determined from subparagraph (i) of this paragraph, shall be reduced in relation to income as follows:

Amount of income	Schedule of reduction of base amount
(A) Less than [seven] EIGHT thousand SEVEN HUNDRED FIFTY dollars	None
(B) [Seven] EIGHT thousand SEVEN HUNDRED FIFTY	Seven per centum of excess over [seven] EIGHT

1	dollars or more, but less than	thousand SEVEN HUNDRED
2	[eleven] THIRTEEN thousand	FIFTY dollars
3	SEVEN HUNDRED FIFTY DOLLARS	
4	(C) [Eleven] THIRTEEN thousand	[Two] THREE
5	SEVEN HUNDRED FIFTY	hundred [eighty] FIFTY
6	dollars or more, but less than	dollars plus ten per centum of excess
7	[eighteen] TWENTY-TWO	over [eleven] THIRTEEN
8	thousand FIVE HUNDRED	thousand SEVEN HUNDRED
9	dollars	fifty dollars
10	(D) [Eighteen] TWENTY-TWO	[Nine] ONE THOUSAND
11	thousand FIVE HUNDRED	TWO hundred
12	dollars or more, but not more	[eighty] TWENTY-FIVE dollars
13	than [eighty] ONE	plus twelve per centum of
14	HUNDRED thousand dollars	excess over [eighteen]
15		TWENTY-TWO thousand
16		FIVE HUNDRED dollars;

17 PROVIDED THAT DEPENDENT STUDENTS WHOSE PARENTAL INCOME EXCEEDS EIGHTY  
 18 THOUSAND DOLLARS BUT NOT MORE THAN ONE HUNDRED THOUSAND DOLLARS, OR  
 19 STUDENTS WITH A DEPENDENT AND INCOME IN EXCESS OF EIGHTY THOUSAND  
 20 DOLLARS, BUT NOT MORE THAN ONE HUNDRED THOUSAND DOLLARS, SHALL ONLY BE  
 21 ELIGIBLE FOR AWARDS IF HE OR SHE FIRST RECEIVES AN AWARD BEGINNING WITH  
 22 THE TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN ACADEMIC YEAR.

23 (iii) (A) For students who have been granted exclusion of parental  
 24 income and were single with no dependent for income tax purposes during  
 25 the tax year next preceding the academic year for which application is  
 26 made, the base amount, as determined in subparagraph (i) of this para-  
 27 graph, shall be reduced in relation to income as follows:

28	Amount of income	Schedule of reduction
29		of base amount
30	(1) Less than [three] TEN thousand	None
31	FIVE HUNDRED dollars	
32	(2) [Three] TEN thousand	Thirty-one per centum of
33	FIVE HUNDRED dollars or more,	amount in excess of
34	but not more than [ten]	[three] TEN thousand
35	THIRTY-FIVE thousand dollars	FIVE HUNDRED
36		dollars;

37 PROVIDED THAT STUDENTS WITH INCOMES IN EXCESS OF TEN THOUSAND DOLLARS  
 38 BUT NOT MORE THAN THIRTY-FIVE THOUSAND DOLLARS, SHALL ONLY BE ELIGIBLE  
 39 FOR AWARDS IF HE OR SHE FIRST RECEIVES AN AWARD BEGINNING WITH THE TWO  
 40 THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN ACADEMIC YEAR.

41 (B) For those students who have been granted exclusion of parental  
 42 income who have a spouse but no other dependent, for income tax purposes  
 43 during the tax year next preceding the academic year for which applica-  
 44 tion is made, the base amount, as determined in subparagraph (i) of this  
 45 paragraph, shall be reduced in relation to income as follows:

46	Amount of income	Schedule of reduction
47		of base amount
48	(1) Less than [seven] EIGHT	None
49	thousand SEVEN HUNDRED FIFTY	

1	dollars	
2	(2) [Seven] EIGHT thousand	Seven per centum of excess
3	SEVEN HUNDRED FIFTY	over [seven]
4	dollars or more, but less than	EIGHT thousand
5	[eleven] THIRTEEN	SEVEN HUNDRED FIFTY
6	thousand SEVEN HUNDRED	dollars
7	FIFTY dollars	
8	(3) [Eleven] THIRTEEN	[Two] THREE
9	thousand SEVEN HUNDRED	hundred [eighty]
10	FIFTY dollars or	FIFTY dollars plus
11	more, but less than	ten per centum of excess
12	[eighteen] TWENTY-TWO	over [eleven]
13	thousand FIVE HUNDRED	THIRTEEN thousand
14	dollars	SEVEN HUNDRED FIFTY dollars
15	(4) [Eighteen] TWENTY-TWO	[Nine] ONE
16	thousand FIVE HUNDRED	THOUSAND TWO
17	dollars or more, but not	hundred [eighty] TWENTY-FIVE
18	more than [forty] FIFTY	dollars plus twelve per centum
19	thousand dollars	of excess over [eighteen] TWENTY-TWO
20		thousand FIVE HUNDRED dollars;

21 PROVIDED THAT STUDENTS WITH INCOMES IN EXCESS OF FORTY THOUSAND DOLLARS  
 22 BUT NOT MORE THAN FIFTY THOUSAND DOLLARS, SHALL ONLY BE ELIGIBLE FOR  
 23 AWARDS IF HE OR SHE FIRST RECEIVES AN AWARD BEGINNING WITH THE TWO THOU-  
 24 SAND FIFTEEN--TWO THOUSAND SIXTEEN ACADEMIC YEAR.

25 (iv) If the amount of reduction is not a whole dollar, it shall be  
 26 reduced to the next lowest whole dollar. In the case of any student who  
 27 has received four or more payments pursuant to any and all awards  
 28 provided for in this subdivision, for the two thousand--two thousand one  
 29 academic year the base amount shall be reduced by an additional one  
 30 hundred fifty dollars for the two thousand one--two thousand two academ-  
 31 ic year and thereafter the base amount shall be reduced by an additional  
 32 one hundred dollars.

33 (v) The award shall be the net amount of the base amount determined  
 34 pursuant to subparagraph (i) of this paragraph reduced pursuant to  
 35 subparagraph (ii) or (iii) of this paragraph but the award shall not be  
 36 reduced for the two thousand--two thousand one and two thousand one--two  
 37 thousand two academic years below two hundred seventy-five dollars if  
 38 the amount of income is eighty thousand dollars or less and more than  
 39 seventy thousand dollars, three hundred twenty-five dollars if the  
 40 amount of income is seventy thousand dollars or less and more than sixty  
 41 thousand dollars and four hundred twenty-five dollars if the amount of  
 42 income is sixty thousand dollars or less.

43 (vi) For the two thousand two--two thousand three academic year and  
 44 thereafter, the award shall be the net amount of the base amount deter-  
 45 mined pursuant to subparagraph (i) of this paragraph reduced pursuant to  
 46 subparagraph (ii) or (iii) of this paragraph but the award shall not be  
 47 reduced below five hundred dollars.

48 S 2. This act shall take effect April 1, 2015, provided that the addi-  
 49 tion, amendment and/or repeal of any rule or regulation necessary for  
 50 the implementation of this act on its effective date is authorized and  
 51 directed to be made and completed by the president of the higher educa-  
 52 tion services corporation on or before such effective date.