

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.