

5809--A

2015-2016 Regular Sessions

I N A S S E M B L Y

March 5, 2015

Introduced by M. of A. LUPINACCI, RAIA, HAWLEY, GRAF, CERETTO, WALTER, CURRAN, SKOUFIS, MURRAY, OAKS, CORWIN, BRABENEC, CROUCH, FINCH, ENGLE-BRIGHT -- Multi-Sponsored by -- M. of A. BARCLAY, KOLB, PALMESANO, THIELE -- read once and referred to the Committee on Higher Education -- recommitted to the Committee on Higher Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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, the opening paragraph of
5 item 1 of clause (A) of subparagraph (i) as amended by section 2 of part
6 X of chapter 56 of the laws of 2014, subitem (a) of item 1 of clause (A)
7 of subparagraph (i) as amended by section 2 of part U of chapter 56 of
8 the laws of 2014, subitem (b) of item 1 of clause (A) of subparagraph
9 (i) as amended by section 3 of part U of chapter 56 of the laws of 2014,
10 subitem (c) of item 1 of clause (A) of subparagraph (i) as amended by
11 section 1 of part U of chapter 56 of the laws of 2014, subitem (d) of
12 item 1 of clause (A) of subparagraph (i) as added by section 1 of part E
13 of chapter 58 of the laws of 2011, item 2 of clause (A) of subparagraph
14 (i) as amended by section 2 of part H of chapter 58 of the laws of 2011
15 and subparagraph (iii) as amended by section 3 of part H of chapter 58
16 of the laws of 2011, is amended to read as follows:

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

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

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

(A) (1) In the case of students who have not been granted an exclusion of parental income, who have qualified as an orphan, foster child, or ward of the court for the purposes of federal student financial aid programs authorized by Title IV of the Higher Education Act of 1965, as amended, or had a dependent for income tax purposes during the tax year next preceding the academic year for which application is made, except for those students who have been granted exclusion of parental income who have a spouse but no other dependent:

(a) For students first receiving aid after nineteen hundred ninety-three--nineteen hundred ninety-four and before two thousand--two thousand one, four thousand two hundred ninety dollars; or

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

(c) For students first receiving aid in two thousand--two thousand one and thereafter, five thousand dollars, except starting in two thousand fourteen--two thousand fifteen and thereafter such students shall receive five thousand one hundred sixty-five dollars; or

(d) FOR STUDENTS FIRST RECEIVING AID IN TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN 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 SIXTEEN--TWO THOUSAND SEVENTEEN 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 educa-

1 tional fees) charged and, if applicable, the college fee levied by the
 2 state university of New York pursuant to the April first, nineteen
 3 hundred sixty-four financing agreement with the New York state dormitory
 4 authority.

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

8 Amount of income	Schedule of reduction
9	of base amount
10 (A) Less than [seven] EIGHT	None
11 thousand SEVEN HUNDRED	
12 FIFTY dollars	
13 (B) [Seven] EIGHT thousand	Seven per centum of excess
14 SEVEN HUNDRED FIFTY	over [seven] EIGHT
15 dollars or more, but less than	thousand SEVEN HUNDRED
16 [eleven] THIRTEEN thousand	FIFTY dollars
17 SEVEN HUNDRED FIFTY dollars	
18 (C) [Eleven] THIRTEEN thousand	[Two] THREE
19 SEVEN HUNDRED FIFTY	hundred [eighty] FIFTY
20 dollars or more, but less than	dollars plus ten per centum of excess
21 [eighteen] TWENTY-TWO	over [eleven] THIRTEEN
22 thousand FIVE HUNDRED	thousand SEVEN HUNDRED
23 dollars	FIFTY dollars
24 (D) [Eighteen] TWENTY-TWO	[Nine] ONE THOUSAND
25 thousand FIVE HUNDRED	TWO hundred
26 dollars or more, but not more	[eighty] TWENTY-FIVE dollars
27 than [eighty] ONE	plus twelve per centum of
28 HUNDRED thousand dollars	excess over [eighteen]
29	TWENTY-TWO thousand
30	FIVE HUNDRED dollars;

31 PROVIDED THAT DEPENDENT STUDENTS WHOSE PARENTAL INCOME EXCEEDS EIGHTY
 32 THOUSAND DOLLARS BUT NOT MORE THAN ONE HUNDRED THOUSAND DOLLARS, OR
 33 STUDENTS WITH A DEPENDENT AND INCOME IN EXCESS OF EIGHTY THOUSAND
 34 DOLLARS, BUT NOT MORE THAN ONE HUNDRED THOUSAND DOLLARS, SHALL ONLY BE
 35 ELIGIBLE FOR AWARDS IF HE OR SHE FIRST RECEIVES AN AWARD BEGINNING WITH
 36 THE TWO THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN ACADEMIC YEAR.

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

42 Amount of income	Schedule of reduction
43	of base amount
44 (1) Less than [three] TEN thousand	None
45 FIVE HUNDRED dollars	
46 (2) [Three] TEN thousand	Thirty-one per centum of
47 FIVE HUNDRED dollars or more,	amount in excess of
48 but not more than [ten]	[three] TEN thousand
49 THIRTY-FIVE thousand dollars	FIVE HUNDRED
50	dollars;

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

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

10	Amount of income	Schedule of reduction
11		of base amount
12	(1) Less than [seven] EIGHT	None
13	thousand SEVEN HUNDRED FIFTY	
14	dollars	
15	(2) [Seven] EIGHT thousand	Seven per centum of excess
16	SEVEN HUNDRED FIFTY	over [seven]
17	dollars or more, but less than	EIGHT thousand
18	[eleven] THIRTEEN	SEVEN HUNDRED FIFTY
19	thousand SEVEN HUNDRED	dollars
20	FIFTY dollars	
21	(3) [Eleven] THIRTEEN	[Two] THREE
22	thousand SEVEN HUNDRED	hundred [eighty]
23	FIFTY dollars or	FIFTY dollars plus
24	more, but less than	ten per centum of excess
25	[eighteen] TWENTY-TWO	over [eleven]
26	thousand FIVE HUNDRED	THIRTEEN thousand
27	dollars	SEVEN HUNDRED FIFTY dollars
28	(4) [Eighteen] TWENTY-TWO	[Nine] ONE
29	thousand FIVE HUNDRED	THOUSAND TWO
30	dollars or more, but not	hundred [eighty] TWENTY-FIVE
31	more than [forty] FIFTY	dollars plus twelve per centum
32	thousand dollars	of excess over [eighteen] TWENTY-TWO
33		thousand FIVE HUNDRED dollars;

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

38 (iv) If the amount of reduction is not a whole dollar, it shall be
 39 reduced to the next lowest whole dollar. In the case of any student who
 40 has received four or more payments pursuant to any and all awards
 41 provided for in this subdivision, for the two thousand--two thousand one
 42 academic year the base amount shall be reduced by an additional one
 43 hundred fifty dollars for the two thousand one--two thousand two academ-
 44 ic year and thereafter the base amount shall be reduced by an additional
 45 one hundred dollars.

46 (v) The award shall be the net amount of the base amount determined
 47 pursuant to subparagraph (i) of this paragraph reduced pursuant to
 48 subparagraph (ii) or (iii) of this paragraph but the award shall not be
 49 reduced for the two thousand--two thousand one and two thousand one--two
 50 thousand two academic years below two hundred seventy-five dollars if
 51 the amount of income is eighty thousand dollars or less and more than
 52 seventy thousand dollars, three hundred twenty-five dollars if the
 53 amount of income is seventy thousand dollars or less and more than sixty

1 thousand dollars and four hundred twenty-five dollars if the amount of
2 income is sixty thousand dollars or less.

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

8 S 2. This act shall take effect April 1, 2017, provided that the addi-
9 tion, amendment and/or repeal of any rule or regulation necessary for
10 the implementation of this act on its effective date is authorized and
11 directed to be made and completed by the president of the higher educa-
12 tion services corporation on or before such effective date.