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

8249

2015-2016 Regular Sessions

I N A S S E M B L Y

June 15, 2015

Introduced by M. of A. WEPRIN -- read once and referred to the Committee on Judiciary

AN ACT to amend the domestic relations law and the family court act, in relation to child support for children attending a college ROTC program, a military college, a military preparatory school or one of the United States military academies

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

Section 1. Paragraph f of subdivision 1 of part B of section 236 of the domestic relations law, as amended by chapter 281 of the laws of 1980, is amended to read as follows:

f. The term "child support" shall mean a sum paid pursuant to court order or decree by either or both parents or pursuant to a valid agreement between the parties for care, maintenance and education of any unemancipated child under the age of twenty-one years. FOR PURPOSES OF THIS PARAGRAPH, A CHILD UNDER THE AGE OF TWENTY-ONE YEARS WHO ATTENDS A COLLEGE RESERVE OFFICERS' TRAINING CORPS (ROTC) PROGRAM, A MILITARY COLLEGE, A MILITARY PREPARATORY SCHOOL OR ONE OF THE UNITED STATES MILITARY ACADEMIES SHALL NOT BE DEEMED EMANCIPATED SOLELY FOR ATTENDING SUCH EDUCATIONAL INSTITUTION.

S 2. Subparagraph 2 of paragraph (b) of subdivision 1-b of section 240 of the domestic relations law, as added by chapter 567 of the laws of 1989, is amended to read as follows:

(2) "Child support" shall mean a sum to be paid pursuant to court order or decree by either or both parents or pursuant to a valid agreement between the parties for care, maintenance and education of any unemancipated child under the age of twenty-one years. FOR PURPOSES OF THIS SUBPARAGRAPH, A CHILD UNDER THE AGE OF TWENTY-ONE YEARS WHO ATTENDS A COLLEGE RESERVE OFFICERS' TRAINING CORPS (ROTC) PROGRAM, A MILITARY COLLEGE, A MILITARY PREPARATORY SCHOOL OR ONE OF THE UNITED STATES MILI-

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

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TARY ACADEMIES SHALL NOT BE DEEMED EMANCIPATED SOLELY FOR ATTENDING SUCH EDUCATIONAL INSTITUTION.

S 3. Subparagraph 2 of paragraph (b) of subdivision 1 of section 413 of the family court act, as amended by chapter 567 of the laws of 1989, is amended to read as follows:

(2) "Child support" shall mean a sum to be paid pursuant to court order or decree by either or both parents or pursuant to a valid agreement between the parties for care, maintenance and education of any unemancipated child under the age of twenty-one years. FOR PURPOSES OF THIS SUBPARAGRAPH, A CHILD UNDER THE AGE OF TWENTY-ONE YEARS WHO ATTENDS A COLLEGE RESERVE OFFICERS' TRAINING CORPS (ROTC) PROGRAM, A MILITARY COLLEGE, A MILITARY PREPARATORY SCHOOL OR ONE OF THE UNITED STATES MILITARY ACADEMIES SHALL NOT BE DEEMED EMANCIPATED SOLELY FOR ATTENDING SUCH EDUCATIONAL INSTITUTION.

S 4. This act shall take effect immediately.