

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:

1 Section 1. Paragraph f of subdivision 1 of part B of section 236 of  
2 the domestic relations law, as amended by chapter 281 of the laws of  
3 1980, is amended to read as follows:

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

13 S 2. Subparagraph 2 of paragraph (b) of subdivision 1-b of section 240  
14 of the domestic relations law, as added by chapter 567 of the laws of  
15 1989, is amended to read as follows:

16 (2) "Child support" shall mean a sum to be paid pursuant to court  
17 order or decree by either or both parents or pursuant to a valid agree-  
18 ment between the parties for care, maintenance and education of any  
19 unemancipated child under the age of twenty-one years. FOR PURPOSES OF  
20 THIS SUBPARAGRAPH, A CHILD UNDER THE AGE OF TWENTY-ONE YEARS WHO ATTENDS  
21 A COLLEGE RESERVE OFFICERS' TRAINING CORPS (ROTC) PROGRAM, A MILITARY  
22 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.

LBD07787-03-5

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

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

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

15 S 4. This act shall take effect immediately.