

9443

I N A S S E M B L Y

March 3, 2016

Introduced by M. of A. MOYA -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to tuition assistance program awards for graduate students

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

1 Section 1. Subdivision 2 of section 667 of the education law, as  
2 amended by section 1 of part J of chapter 58 of the laws of 2011, is  
3 amended to read as follows:  
4 2. Duration. No undergraduate shall be eligible for more than four  
5 academic years of study, or five academic years if the program of study  
6 normally requires five years. Students enrolled in a program of remedial  
7 study, approved by the commissioner in an institution of higher educa-  
8 tion and intended to culminate in a degree in undergraduate study shall,  
9 for purposes of this section, be considered as enrolled in a program of  
10 study normally requiring five years. An undergraduate student enrolled  
11 in an eligible two year program of study approved by the commissioner  
12 shall be eligible for no more than three academic years of study. NO  
13 GRADUATE STUDENT SHALL BE ELIGIBLE FOR MORE THAN FOUR ACADEMIC YEARS OF  
14 STUDY PROVIDED, HOWEVER, THAT NO GRADUATE STUDENT SHALL BE ELIGIBLE FOR  
15 MORE THAN ONE DEGREE PROGRAM AT THE MASTER'S, FIRST PROFESSIONAL OR  
16 DOCTORATE LEVEL. NO STUDENT SHALL BE ELIGIBLE FOR A TOTAL OF MORE THAN  
17 THE EQUIVALENT OF EIGHT YEARS OF COMBINED UNDERGRADUATE AND GRADUATE  
18 STUDY. Any semester, quarter, or term of attendance during which a  
19 student receives any award under this article, after the effective date  
20 of the former scholar incentive program and prior to academic year nine-  
21 teen hundred eighty-nine--nineteen hundred ninety, shall be counted  
22 toward the maximum term of eligibility for tuition assistance under this  
23 section, except that any semester, quarter or term of attendance during  
24 which a student received an award pursuant to section six hundred  
25 sixty-six of this subpart shall be counted as one-half of a semester,  
26 quarter or term, as the case may be, toward the maximum term of eligi-  
27 bility under this section. Any semester, quarter or term of attendance  
28 during which a student received an award pursuant to section six hundred

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

1 sixty-seven-a of this subpart shall not be counted toward the maximum  
2 term of eligibility under this section.

3 S 2. Paragraph c of subdivision 3 of section 667 of the education law,  
4 as relettered by section 2 of part J of chapter 58 of the laws of 2011,  
5 is relettered paragraph d and a new paragraph c is added to read as  
6 follows:

7 C. AMOUNT. THE PRESIDENT SHALL MAKE AWARDS TO GRADUATE STUDENTS IN THE  
8 FOLLOWING AMOUNTS:

9 (I) FOR EACH YEAR OF GRADUATE STUDY, ASSISTANCE SHALL BE PROVIDED AS  
10 COMPUTED ON THE BASIS OF THE AMOUNT WHICH IS THE LESSER OF THE FOLLOW-  
11 ING:

12 (A) FIVE HUNDRED FIFTY DOLLARS; OR

13 (B) ONE HUNDRED PERCENT OF THE AMOUNT OF TUITION CHARGED (EXCLUSIVE OF  
14 EDUCATIONAL FEES).

15 (II) EXCEPT FOR STUDENTS AS NOTED IN SUBPARAGRAPH (III) OF THIS PARA-  
16 GRAPH, THE BASE AMOUNT AS DETERMINED IN SUBPARAGRAPH (I) OF THIS PARA-  
17 GRAPH, SHALL BE REDUCED IN RELATION TO INCOME AS FOLLOWS:

18 AMOUNT OF INCOME SCHEDULE OF REDUCTION OF

19 OF BASE AMOUNT

20 (A) LESS THAN TWO THOUSAND DOLLARS NONE

21 (B) TWO THOUSAND DOLLARS OR MORE, BUT SEVEN AND SEVEN-TENTHS

22 NOT MORE THAN TWENTY THOUSAND DOLLARS PER CENTUM OF THE EXCESS

23 OVER TWO

24 THOUSAND DOLLARS

25 (III) FOR STUDENTS WHO HAVE BEEN GRANTED EXCLUSION OF PARENTAL INCOME  
26 AND WERE SINGLE WITH NO DEPENDENT FOR INCOME TAX PURPOSES DURING THE TAX  
27 YEAR NEXT PRECEDING THE ACADEMIC YEAR FOR WHICH APPLICATION IS MADE, THE  
28 BASE AMOUNT AS DETERMINED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH, SHALL  
29 BE REDUCED IN RELATION TO INCOME AS FOLLOWS:

30 AMOUNT OF INCOME SCHEDULE OF REDUCTION

31 OF BASE AMOUNT

32 (A) LESS THAN ONE THOUSAND DOLLARS NONE

33 (B) ONE THOUSAND DOLLARS OR MORE, TWENTY-SIX PER CENTUM OF THE

34 BUT NOT MORE THAN FIVE THOUSAND EXCESS OVER ONE

35 SIX HUNDRED SIXTY-SIX DOLLARS THOUSAND DOLLARS

36 (IV) IF THE AMOUNT OF REDUCTION IS NOT A WHOLE DOLLAR, IT SHALL BE  
37 REDUCED TO THE NEXT LOWEST WHOLE DOLLAR.

38 (V) THE AWARD SHALL BE THE NET AMOUNT OF THE BASE AMOUNT DETERMINED  
39 PURSUANT TO SUBPARAGRAPH (II) OR (III) OF THIS PARAGRAPH BUT THE AWARD  
40 SHALL NOT BE REDUCED BELOW SEVENTY-FIVE DOLLARS. IF THE INCOME EXCEEDS  
41 THE MAXIMUM AMOUNT OF INCOME ALLOWABLE UNDER SUBPARAGRAPH (II) OR (III)  
42 OF THIS PARAGRAPH, NO AWARD SHALL BE MADE.

43 S 3. Subdivision 5 of section 663 of the education law, as amended by  
44 section 3 of part J of chapter 58 of the laws of 2011, is amended to  
45 read as follows:

46 5. Adjustments of income. A. EXCEPT FOR PURPOSES OF PARAGRAPHS A AND  
47 B OF SUBDIVISION THREE OF SECTION SIX HUNDRED SIXTY-SEVEN OF THIS PART,  
48 IF, DURING THE ACADEMIC YEAR IN WHICH THE APPLICANT WILL RECEIVE AN  
49 AWARD, ONE OR MORE OF EITHER THE PARENTS OF THE APPLICANT OR OTHER  
50 DEPENDENT CHILDREN OF SUCH PARENTS, THE SPOUSE OF THE APPLICANT, OR ONE  
51 OR MORE DEPENDENT CHILDREN OF THE APPLICANT, IN ADDITION TO THE APPLI-  
52 CANT, WILL BE IN FULL-TIME ATTENDANCE IN AN APPROVED PROGRAM, THE  
53 COMBINED NET TAXABLE INCOME DETERMINED UNDER SUBDIVISION ONE OF THIS  
54 SECTION SHALL BE DIVIDED BY THE TOTAL NUMBER OF THE AFORESAID PERSONS  
55 (INCLUDING THE APPLICANT) WHO WILL BE IN SUCH ATTENDANCE, AND THE

1 RESULTING QUOTIENT SHALL BE DEEMED THE APPLICABLE INCOME IN DETERMINING  
2 THE APPLICANT'S AWARD FOR SUCH ACADEMIC YEAR.

3 B. In the determination of income for purposes of paragraphs a and b  
4 of subdivision three of section six hundred sixty-seven of this part if,  
5 during the academic year in which the applicant will receive an award,  
6 one of either the parents of the applicant or other dependent child of  
7 such parents, the spouse of the applicant, or one or more dependent  
8 children of the applicant, in addition to the applicant, will be in  
9 full-time attendance in an approved program, the combined net taxable  
10 income determined under subdivision one of this section shall be reduced  
11 by three thousand dollars and an additional two thousand dollars for  
12 each other such person additional to the aforesaid persons (including  
13 the applicant) who will be in such attendance, and the resulting amount  
14 shall be deemed the applicable income in determining the applicant's  
15 award for the academic year.

16 S 4. Paragraph a of subdivision 3 of section 663 of the education law,  
17 as amended by section 4 of part J of chapter 58 of the laws of 2011, is  
18 amended to read as follows:

19 a. In determining the amount of an award for GRADUATE AND UNDERGRADU-  
20 ATE students, the income of the parents shall be excluded if the student  
21 has been emancipated from his parents.

22 S 5. The opening paragraph of subparagraph 1 of paragraph b of subdi-  
23 vision 3 of section 663 of the education law, as amended by section 5 of  
24 part J of chapter 58 of the laws of 2011, is amended to read as follows:

25 The applicant is a student who was married on or before December thir-  
26 ty-first of the calendar year prior to the beginning of the academic  
27 year for which application is made or is an undergraduate student who  
28 has reached the age of twenty-two on or before June thirtieth prior to  
29 the academic year for which application is made OR IS A GRADUATE  
30 STUDENT, and who, during the calendar year next preceding the semester,  
31 quarter or term of attendance for which application is made and at all  
32 times subsequent thereto up to and including the entire period for which  
33 application is made:

34 S 6. Paragraph d of subdivision 3 of section 663 of the education law,  
35 as amended by section 6 of part J of chapter 58 of the laws of 2011, is  
36 amended to read as follows:

37 d. Any GRADUATE OR undergraduate student who was allowed to exclude  
38 parental income pursuant to the provisions of subdivision three of  
39 section six hundred three of this chapter as they existed prior to July  
40 first, nineteen hundred seventy-four may continue to exclude such income  
41 for so long as he continues to comply with such provisions.

42 S 7. This act shall take effect July 1, 2016.