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

220

2015-2016 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2015

Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

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:

Section 1. The opening paragraph of subparagraph 4 of paragraph h of subdivision 2 of section 355 of the education law, as amended by chapter 260 of the laws of 2011, is amended to read as follows:

The trustees shall not impose a differential tuition charge based upon need or income. Except as hereinafter provided, all students enrolled in programs leading to like degrees at state-operated institutions of the state university shall be charged a uniform rate of tuition except for differential tuition rates based on state residency. Provided, however, that the trustees may authorize the presidents of the colleges of technology and the colleges of agriculture and technology to set differing rates of tuition for each of the colleges for students enrolled in degree-granting programs leading to an associate degree and non-degree granting programs so long as such tuition rate does not exceed the tuition rate charged to students who are enrolled in like degree programs or degree-granting undergraduate programs leading to a baccalaureate degree at other state-operated institutions of the state university of New York. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBPARAGRAPH, THE TRUSTEES MAY AUTHORIZE THE SETTING OF A SEPARATE CATEGORY OF TUITION RATE, THAT SHALL BE GREATER THAN THE TUITION RATE FOR RESIDENT STUDENTS AND LESS THAN THE TUITION RATE FOR NON-RESIDENT STUDENTS, ONLY FOR STUDENTS ENROLLED IN DISTANCE LEARNING COURSES WHO ARE NOT RESIDENTS OF THE STATE. Except as otherwise authorized in this subparagraph, the trustees shall not adopt changes affecting tuition

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

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charges prior to the enactment of the annual budget, provided however that:

S 2. Subparagraph 4 of paragraph h of subdivision 2 of section 355 of the education law, as amended by chapter 309 of the laws of 1996, is amended to read as follows:

(4) The trustees shall not impose a differential tuition charge based upon need or income. All students enrolled in programs leading to like degrees at state-operated institutions of the state university shall be charged a uniform rate of tuition except for differential tuition rates based on state residency. Provided, however, that the trustees may authorize the presidents of the colleges of technology and the colleges of agriculture and technology to set differing rates of tuition for each of the colleges for students enrolled in degree-granting programs leading to an associate degree and non-degree granting programs so long as such tuition rate does not exceed the tuition rate charged to students who are enrolled in like degree programs or degree-granting undergraduate programs leading to a baccalaureate degree at other state-operated institutions of the state university of New York. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBPARAGRAPH, THE TRUSTEES MAY AUTHORIZE THE SETTING OF A SEPARATE CATEGORY OF TUITION RATE, THAT SHALL BE GREATER THAN THE TUITION RATE FOR RESIDENT STUDENTS AND LESS THAN THE TUITION RATE FOR NON-RESIDENT STUDENTS, ONLY FOR STUDENTS ENROLLED IN DISTANCE LEARNING COURSES WHO ARE NOT RESIDENTS OF THE STATE. The trustees shall not adopt changes affecting tuition charges prior to the enactment of the annual budget.

S 3. This act shall take effect April 1, 2016, provided that the amendments to subparagraph 4 of paragraph h of subdivision 2 of section 355 of the education law made by section one of this act shall be subject to the expiration and reversion of such subparagraph pursuant to section 16 of chapter 260 of the laws of 2011, as amended, when upon such date the provisions of section two of this act shall take effect.