# STATE OF NEW YORK

2778--A

2017-2018 Regular Sessions

# IN ASSEMBLY

January 23, 2017

Introduced by M. of A. RYAN -- 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 allowing eligible non-resident undergraduate students to pay separate tuition rates for attendance at certain institutions; and providing for the repeal of such provisions upon expiration thereof

**The People of the State of New York, represented in Senate and Assembly, do enact as follows:**

Section 1. Paragraph h of subdivision 2 of section 355 of the education law is amended by adding a new subparagraph 4-a to read as follows:

**(4-a) Commencing with the two thousand nineteen--two thousand twenty academic year and ending in the two thousand twenty-three--two thousand twenty-four academic year, the board of trustees of the state university may designate Fredonia and Alfred state universities for participation in a program allowing eligible non-resident undergraduate students that reside within two hundred miles of a selected institution to pay separate tuition rates for attendance at those selected institutions. Such institutions in this program shall consider out-of-state competition, current or projected levels of high school graduates within an institution's recruitment region, and enrollment capacity and physical location of these institutions, if such institution participates in the program. The board of trustees of the state university is further authorized to set such separate tuition rates, which shall not be set below an amount equal to one and one-half times the in-state tuition rate at the designated institution. Such separate tuition rates may be offered only to eligible non-resident students, the total of which shall not exceed ten percent of enrollment at each designated institution. Each state-operated institution that is selected for participation in**

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

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**this program shall report annually to the board of trustees of the state university on the impact of this program.**

§ 2. This act shall take effect immediately; and shall expire and be deemed repealed June 1, 2024.