

# STATE OF NEW YORK

6709

2017-2018 Regular Sessions

## IN ASSEMBLY

March 16, 2017

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

AN ACT to amend the education law, in relation to the New York State  
district attorney and indigent legal services attorney loan forgive-  
ness program

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. Paragraphs b and d of subdivision 2 of section 679-e of the  
2 education law, as amended by section 1 or part VV of chapter 56 of the  
3 laws of 2009, are amended to read as follows:

4 b. "Eligible period" means the [~~six-year~~] seven-year period after  
5 completion of the [~~third~~] second year and before the commencement of the  
6 tenth year of employment as an eligible attorney. For purposes of this  
7 section, all periods of time during which an admitted attorney was  
8 employed as an eligible attorney and all periods of time during which a  
9 law school graduate awaiting admission to the New York state bar was  
10 employed by a prosecuting or criminal defense agency as permitted by  
11 section four hundred eighty-four of the judiciary law shall be combined.

12 d. "Year of qualified service" means the twelve month period measured  
13 from the anniversary of the attorney's employment as an eligible attor-  
14 ney, or as a law school graduate awaiting admission to the New York  
15 state bar employed by a prosecuting or criminal defense agency as  
16 permitted by section four hundred eighty-four of the judiciary law,  
17 adjusted for any interruption in employment. Provided, however, that any  
18 interruption in employment shall not include any period of disability as  
19 defined by subdivision nine of section two hundred one of the workers'  
20 compensation law or any period of family leave which is defined by  
21 subdivision fifteen of section two hundred one of the workers' compen-  
22 sation law. Any other period of temporary leave from service taken by an  
23 eligible attorney shall not be considered in the calculation of quali-  
24 fied service[~~. However, the~~] and such other period of temporary leave

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

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1 shall be considered an interruption in employment and the calculation of  
2 the time period of qualified service shall recommence when the eligible  
3 attorney returns to full time service.  
4 § 2. This act shall take effect immediately. Nothing in this act shall  
5 be implemented in a manner that diminishes the current award or status  
6 of eligible attorneys currently participating in the program.