

# STATE OF NEW YORK

7269

2017-2018 Regular Sessions

## IN ASSEMBLY

April 17, 2017

Introduced by M. of A. MALLIOTAKIS, LUPINACCI, KOLB -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to TAP awards

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

1 Section 1. Subdivisions 1 and 2 of section 667 of the education law,  
2 subdivision 1 as amended by chapter 622 of the laws of 2008 and subdivi-  
3 sion 2 as amended by section 1 of part J of chapter 58 of the laws of  
4 2011, are amended to read as follows:

5 1. Recipient qualifications. Tuition assistance program awards are  
6 available for all students who are enrolled in approved programs and who  
7 demonstrate the ability to complete such courses, in accordance with  
8 standards established by the commissioner provided, however, that no  
9 award shall be made unless tuition (exclusive of educational fees) and,  
10 if applicable, the college fee levied by the state university of New  
11 York pursuant to the April first, nineteen hundred sixty-four financing  
12 agreements with the New York state dormitory authority charged for the  
13 program in which the student is enrolled total at least two hundred  
14 dollars a year, and provided further that, no award can exceed one  
15 hundred percent of the amount of tuition charged. Nothing in this  
16 section, section six hundred sixty-one of this part, or any other  
17 provision of this chapter shall be read to exclude any graduate program  
18 from classification by the commissioner as an approved program for the  
19 purposes of this section.

20 2. Duration. No undergraduate shall be eligible for more than four  
21 academic years of study, or five academic years if the program of study  
22 normally requires five years. Students enrolled in a program of remedial  
23 study, approved by the commissioner in an institution of higher educa-  
24 tion and intended to culminate in a degree in undergraduate study shall,  
25 for purposes of this section, be considered as enrolled in a program of  
26 study normally requiring five years. An undergraduate student enrolled

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

LBD10414-02-7

1 in an eligible two year program of study approved by the commissioner  
2 shall be eligible for no more than three academic years of study. No  
3 graduate student shall be eligible for more than four academic years of  
4 study provided, however, that no graduate student shall be eligible for  
5 more than one degree program at the master's, first professional or  
6 doctorate level. No student shall be eligible for a total of more than  
7 the equivalent of eight years of combined undergraduate and graduate  
8 study. Any semester, quarter, or term of attendance during which a  
9 student receives any award under this article, after the effective date  
10 of the former scholar incentive program and prior to academic year nine-  
11 teen hundred eighty-nine--nineteen hundred ninety, shall be counted  
12 toward the maximum term of eligibility for tuition assistance under this  
13 section, except that any semester, quarter or term of attendance during  
14 which a student received an award pursuant to section six hundred  
15 sixty-six of this subpart shall be counted as one-half of a semester,  
16 quarter or term, as the case may be, toward the maximum term of eligi-  
17 bility under this section. Any semester, quarter or term of attendance  
18 during which a student received an award pursuant to section six hundred  
19 sixty-seven-a of this subpart shall not be counted toward the maximum  
20 term of eligibility under this section.

21 § 2. Subitem (c) of item 1 of clause (A) of subparagraph (i) of para-  
22 graph (a) of subdivision 3 of section 667 of the education law, as  
23 amended by section 1 of part U of chapter 56 of the laws of 2014, is  
24 amended to read as follows:

25 (c) For students first receiving aid in two thousand--two thousand one  
26 and thereafter, five thousand dollars, except starting in two thousand  
27 fourteen--two thousand fifteen and thereafter such students shall receive  
28 five thousand one hundred sixty-five dollars, except starting in two  
29 thousand seventeen--two thousand eighteen and thereafter such students  
30 shall receive five thousand six hundred sixty-five dollars, except  
31 starting in two thousand eighteen--two thousand nineteen and thereafter  
32 such students shall receive six thousand sixty-eight dollars, except  
33 starting in two thousand nineteen--two thousand twenty and thereafter  
34 such students shall receive six thousand four hundred seventy dollars;  
35 or

36 § 3. Subitem (a) of item 2 of clause (A) of subparagraph (i) of para-  
37 graph a of subdivision 3 of section 667 of the education law, as amended  
38 by section 2 of part H of chapter 58 of the laws of 2011, is amended to  
39 read as follows:

40 (a) For students first receiving aid in nineteen hundred ninety-four  
41 --nineteen hundred ninety-five and nineteen hundred ninety-five--nine-  
42 teen hundred ninety-six and thereafter, three thousand five hundred  
43 twenty-five dollars, or

44 § 4. Subparagraph (ii) of paragraph a of subdivision 3 of section 667  
45 of the education law is amended by adding a new closing paragraph to  
46 read as follows:

47 Provided, however, starting in two thousand seventeen--two thousand  
48 eighteen and thereafter the amount of income shall be eighteen thousand  
49 dollars or more, but no more than one hundred thousand dollars.  
50 Provided, however, starting in two thousand eighteen--two thousand nine-  
51 teen and thereafter the amount of income shall be eighteen thousand  
52 dollars or more, but no more than one hundred ten thousand dollars.  
53 Provided, however, starting in two thousand nineteen--two thousand twen-  
54 ty and thereafter the amount of income shall be eighteen thousand  
55 dollars or more, but no more than one hundred twenty-five thousand  
56 dollars.

1 § 4-a. Subparagraph (vi) of paragraph a of subdivision 3 of section  
2 667 of the education law, as amended by section 1 of part B of chapter  
3 60 of the laws of 2000, is amended to read as follows:

4 (vi) For the two thousand two--two thousand three academic year and  
5 thereafter, the award shall be the net amount of the base amount deter-  
6 mined pursuant to subparagraph (i) of this paragraph reduced pursuant to  
7 subparagraph (ii) or (iii) of this paragraph but the award shall not be  
8 reduced below [~~five hundred~~] one thousand dollars.

9 § 5. Subparagraph (iii) of paragraph a of subdivision 3 of section 667  
10 of the education law is amended by adding a new closing paragraph to  
11 read as follows:

12 Provided, however, starting in two thousand seventeen--two thousand  
13 eighteen and thereafter the amount of income shall be eighteen thousand  
14 dollars or more, but no more than one hundred thousand dollars.  
15 Provided, however, starting in two thousand eighteen--two thousand nine-  
16 teen and thereafter the amount of income shall be eighteen thousand  
17 dollars or more, but no more than one hundred ten thousand dollars.  
18 Provided, however, starting in two thousand nineteen--two thousand twen-  
19 ty and thereafter the amount of income shall be eighteen thousand  
20 dollars or more, but no more than one hundred twenty-five thousand  
21 dollars.

22 § 6. Item 1 of clause (A) of paragraph (i) of paragraph b of subdivi-  
23 sion 3 of section 667 of the education law, as amended by chapter 309 of  
24 the laws of 1996, is amended to read as follows:

25 (1) [~~eight hundred~~] one thousand three hundred dollars, or

26 § 7. Paragraph c of subdivision 3 of section 667 of the education law,  
27 as relettered by section 2 of part J of chapter 58 of the laws of 2011,  
28 is relettered paragraph d and new paragraph c is added to read as  
29 follows:

30 c. Amount. The president shall make awards to graduate students in the  
31 following amounts:

32 (i) for each year of graduate study, assistance shall be provided as  
33 computed on the basis of the amount which is the lesser of the follow-  
34 ing: (A) five hundred fifty dollars; or (B) ninety percent of the amount  
35 of tuition (exclusive of education fees) charged,

36 (ii) except for students as noted in subparagraph (iii) of this para-  
37 graph, the base amount as determined in subparagraph (i) of this para-  
38 graph, shall be reduced in relation to income as follows:

<u>Amount of income</u>	<u>Schedule of reduction of</u> <u>base amount</u>
<u>(A) Less than two thousand dollars</u>	<u>None</u>
<u>(B) Two thousand dollars or more</u> <u>but not more than twenty</u> <u>thousand dollars</u>	<u>Seven and seven-tenths per</u> <u>centum of the excess over</u> <u>two thousand dollars</u>

45 (iii) For students who have been granted exclusion of parental income  
46 and were single with no dependents for income tax purposes during the  
47 tax year next preceding the academic year for which application is made,  
48 the base amount as determined in subparagraph (i) of this paragraph,  
49 shall be reduced in relation to income as follows:

<u>Amount of income</u>	<u>Schedule of reduction of base</u> <u>amount</u>
<u>(A) Less than one thousand</u>	<u>None</u>

1	<u>dollars</u>	
2	<u>(B) One thousand dollars or</u>	<u>Twenty-six per centum of the</u>
3	<u>more, but not more than</u>	<u>excess over one thousand dollars</u>
4	<u>five thousand six</u>	
5	<u>hundred sixty-six dollars</u>	

6 (iv) If the amount of reduction is not a whole dollar, it shall be  
7 reduced to the next lowest whole dollar.

8 (v) The award shall be the net amount of the base amount determined  
9 pursuant to subparagraph (ii) or (iii) of this paragraph but the award  
10 shall not be reduced below seventy-five dollars. If the income exceeds  
11 the maximum amount of income allowable under subparagraph (ii) or (iii)  
12 of this paragraph, no award shall be made.

13 § 8. Paragraph a, the opening paragraph of subparagraph 1 of paragraph  
14 b and paragraph d of subdivision 3 of section 663 of the education law,  
15 paragraph a as amended by section 4, the opening paragraph of subpara-  
16 graph 1 of paragraph b as amended by section 5 and paragraph d as  
17 amended by section 6 of part J of chapter 58 of the laws of 2011, are  
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 The applicant is a student who was married on or before December thir-  
23 ty-first of the calendar year prior to the beginning of the academic  
24 year for which application is made or is an undergraduate student who  
25 has reached the age of twenty-two on or before June thirtieth prior to  
26 the academic year for which application is made or is a graduate student  
27 and who, during the calendar year next preceding the semester, quarter  
28 or term of attendance for which application is made and at all times  
29 subsequent thereto up to and including the entire period for which  
30 application is made:

31 d. Any graduate or undergraduate student who was allowed to exclude  
32 parental income pursuant to the provisions of former subdivision three  
33 of section six hundred three of this chapter as they existed prior to  
34 July first, nineteen hundred seventy-four may continue to exclude such  
35 income for so long as he continues to comply with such provisions.

36 § 9. This act shall take effect immediately.