

STATE OF NEW YORK

2483--A

2017-2018 Regular Sessions

IN SENATE

January 13, 2017

Introduced by Sens. LAVALLE, MURPHY, PERALTA -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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

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

1 Section 1. Paragraph a of subdivision 3 of section 667 of the educa-
2 tion law, as amended by section 1 of part B of chapter 60 of the laws of
3 2000, item 1 of clause (A) of subparagraph (i) as amended by section 1
4 of part H of chapter 58 of the laws of 2011, the opening paragraph of
5 item 1 of clause (A) of subparagraph (i) as amended by section 2 of part
6 X of chapter 56 of the laws of 2014, subitem (a) of item 1 of clause (A)
7 of subparagraph (i) as amended by section 2 of part U of chapter 56 of
8 the laws of 2014, subitem (b) of item 1 of clause (A) of subparagraph
9 (i) as amended by section 3 of part U of chapter 56 of the laws of 2014,
10 subitem (c) of item 1 of clause (A) of subparagraph (i) as amended by
11 section 1 of part U of chapter 56 of the laws of 2014, subitem (d) of
12 item 1 of clause (A) of subparagraph (i) as added by section 1 of part E
13 of chapter 58 of the laws of 2011, item 2 of clause (A) of subparagraph
14 (i) as amended by section 2 of part H of chapter 58 of the laws of 2011
15 and subparagraph (iii) as amended by section 3 of part H of chapter 58
16 of the laws of 2011, is amended to read as follows:

17 a. Amount. The president shall make awards to students enrolled in
18 degree-granting institutions or registered not-for-profit business
19 schools qualified for tax exemption under § 501(c)(3) of the internal
20 revenue code for federal income tax purposes in the following amounts:

21 (i) For each year of undergraduate study, assistance shall be provided
22 as computed on the basis of the amount which is the lesser of the
23 following:

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

LBD02997-02-7

1 (A) (1) In the case of students who have not been granted an exclusion
2 of parental income, who have qualified as an orphan, foster child, or
3 ward of the court for the purposes of federal student financial aid
4 programs authorized by Title IV of the Higher Education Act of 1965, as
5 amended, or had a dependent for income tax purposes during the tax year
6 next preceding the academic year for which application is made, except
7 for those students who have been granted exclusion of parental income
8 who have a spouse but no other dependent:

9 (a) For students first receiving aid after nineteen hundred ninety-
10 three--nineteen hundred ninety-four and before two thousand--two thou-
11 sand one, four thousand two hundred ninety dollars; or

12 (b) For students first receiving aid in nineteen hundred ninety-three-
13 -nineteen hundred ninety-four or earlier, three thousand seven hundred
14 forty dollars; or

15 (c) For students first receiving aid in two thousand--two thousand one
16 and thereafter, five thousand dollars, except starting in two thousand
17 fourteen--two thousand fifteen and thereafter such students shall receive
18 five thousand one hundred sixty-five dollars; or

19 (d) For students first receiving aid in two thousand eighteen--two
20 thousand nineteen and thereafter, six thousand four hundred seventy
21 dollars; or

22 (e) For undergraduate students enrolled in a program of study at a
23 non-public degree-granting institution that does not offer a program of
24 study that leads to a baccalaureate degree, or at a registered not-for-
25 profit business school qualified for tax exemption under section
26 501(c)(3) of the internal revenue code for federal income tax purposes
27 that does not offer a program of study that leads to a baccalaureate
28 degree, four thousand dollars. Provided, however, that this subitem
29 shall not apply to students enrolled in a program of study leading to a
30 certificate or degree in nursing.

31 (2) In the case of students receiving awards pursuant to subparagraph
32 (iii) of this paragraph and those students who have been granted exclu-
33 sion of parental income who have a spouse but no other dependent.

34 (a) For students receiving aid in two thousand eighteen--two thousand
35 nineteen and thereafter, six thousand four hundred seventy dollars, or

36 (b) For students first receiving aid in nineteen hundred ninety-four
37 --nineteen hundred ninety-five and nineteen hundred ninety-five--nine-
38 teen hundred ninety-six and thereafter, three thousand twenty-five
39 dollars, or

40 [~~(b)~~] (c) For students first receiving aid in nineteen hundred nine-
41 ty-two--nineteen hundred ninety-three and nineteen hundred ninety-three-
42 -nineteen hundred ninety-four, two thousand five hundred seventy-five
43 dollars, or

44 [~~(c)~~] (d) For students first receiving aid in nineteen hundred nine-
45 ty-one--nineteen hundred ninety-two or earlier, two thousand four
46 hundred fifty dollars; or

47 (B) (1) Ninety-five percent of the amount of tuition (exclusive of
48 educational fees) charged and, if applicable, the college fee levied by
49 the state university of New York pursuant to the April first, nineteen
50 hundred sixty-four financing agreement with the New York state dormitory
51 authority.

52 (2) For the two thousand one--two thousand two academic year and ther-
53 eafter one hundred percent of the amount of tuition (exclusive of educa-
54 tional fees) charged and, if applicable, the college fee levied by the
55 state university of New York pursuant to the April first, nineteen

1 hundred sixty-four financing agreement with the New York state dormitory
2 authority.

3 (ii) Except for students as noted in subparagraph (iii) of this para-
4 graph, the base amount as determined from subparagraph (i) of this para-
5 graph, shall be reduced in relation to income as follows:

6 Amount of income	7 Schedule of reduction of base amount
8 (A) Less than [seven] <u>eight</u> 9 thousand <u>seven hundred</u> 10 <u>fifty</u> dollars	None
11 (B) [Seven] <u>Eight</u> thousand 12 <u>seven hundred fifty</u> 13 dollars or more, but less than 14 [eleven] <u>thirteen</u> thousand 15 <u>seven hundred fifty</u> dollars	Seven per centum of excess over [seven] <u>eight</u> thousand <u>seven hundred</u> <u>fifty</u> dollars
16 (C) [Eleven] <u>Thirteen</u> thousand 17 <u>seven hundred fifty</u> 18 dollars or more, but less than 19 [eighteen] <u>twenty-two</u> 20 thousand <u>five hundred</u> 21 dollars	[Two] <u>Three</u> hundred [eighty] <u>fifty</u> dollars plus ten per centum of excess over [eleven] <u>thirteen</u> thousand <u>seven hundred</u> <u>fifty</u> dollars
22 (D) [Eighteen] <u>Twenty-two</u> 23 thousand <u>five hundred</u> 24 dollars or more, but not more 25 than [eighty] <u>one</u> 26 <u>hundred</u> thousand dollars	[Nine] <u>One thousand</u> <u>two</u> hundred [eighty] <u>twenty-five</u> dollars plus twelve per centum of excess over [eighteen] <u>twenty-two</u> thousand <u>five hundred</u> dollars;

29 provided that dependent students whose parental income exceeds eighty
30 thousand dollars but not more than one hundred thousand dollars, or
31 students with a dependent and income in excess of eighty thousand
32 dollars, but not more than one hundred thousand dollars, shall only be
33 eligible for awards if he or she first receives an award beginning with
34 the two thousand eighteen--two thousand nineteen academic year.

35 (iii) (A) For students who have been granted exclusion of parental
36 income and were single with no dependent for income tax purposes during
37 the tax year next preceding the academic year for which application is
38 made, the base amount, as determined in subparagraph (i) of this para-
39 graph, shall be reduced in relation to income as follows:

40 Amount of income	41 Schedule of reduction of base amount
42 (1) Less than [three] <u>ten</u> thousand 43 <u>five hundred</u> dollars	None
44 (2) [Three] <u>Ten</u> thousand 45 <u>five hundred</u> dollars or more, 46 but not more than [ten] 47 <u>thirty-five</u> thousand dollars	Thirty-one per centum of amount in excess of [three] <u>ten</u> thousand <u>five hundred</u> dollars;

provided that students with incomes in excess of ten thousand dollars but not more than thirty-five thousand dollars, shall only be eligible for awards if he or she first receives an award beginning with the two thousand eighteen--two thousand nineteen academic year.

(B) For those students who have been granted exclusion of parental income who have a spouse but no other dependent, for income tax purposes during the tax year next preceding the academic year for which application is made, the base amount, as determined in subparagraph (i) of this paragraph, shall be reduced in relation to income as follows:

Amount of income	Schedule of reduction of base amount
(1) Less than [seven] <u>eight</u> thousand <u>seven hundred fifty</u> dollars	None
(2) [Seven] <u>Eight</u> thousand <u>seven hundred fifty</u> dollars or more, but less than [eleven] <u>thirteen</u> thousand <u>seven hundred fifty</u> dollars	Seven per centum of excess over [seven] <u>eight</u> thousand <u>seven hundred fifty</u> dollars
(3) [Eleven] <u>Thirteen</u> thousand <u>seven hundred fifty</u> dollars or more, but less than [eighteen] <u>twenty-two</u> thousand <u>five hundred</u> dollars	[Two] <u>Three</u> hundred [eighty] <u>fifty</u> dollars plus ten per centum of excess over [eleven] <u>thirteen</u> thousand <u>seven hundred fifty</u> dollars
(4) [Eighteen] <u>Twenty-two</u> thousand <u>five hundred</u> dollars or more, but not more than [forty] <u>fifty</u> thousand dollars	[Nine] <u>One</u> thousand two hundred [eighty] <u>twenty-five</u> dollars plus twelve per centum of excess over [eighteen] <u>twenty-two</u> thousand <u>five hundred</u> dollars;

provided that students with incomes in excess of forty thousand dollars but not more than fifty thousand dollars, shall only be eligible for awards if he or she first receives an award beginning with the two thousand eighteen--two thousand nineteen academic year.

(iv) If the amount of reduction is not a whole dollar, it shall be reduced to the next lowest whole dollar. In the case of any student who has received four or more payments pursuant to any and all awards provided for in this subdivision, for the two thousand--two thousand one academic year the base amount shall be reduced by an additional one hundred fifty dollars for the two thousand one--two thousand two academic year and thereafter the base amount shall be reduced by an additional one hundred dollars.

(v) The award shall be the net amount of the base amount determined pursuant to subparagraph (i) of this paragraph reduced pursuant to subparagraph (ii) or (iii) of this paragraph but the award shall not be reduced for the two thousand--two thousand one and two thousand one--two thousand two academic years below two hundred seventy-five dollars if the amount of income is eighty thousand dollars or less and more than seventy thousand dollars, three hundred twenty-five dollars if the amount of income is seventy thousand dollars or less and more than sixty

1 thousand dollars and four hundred twenty-five dollars if the amount of
2 income is sixty thousand dollars or less.

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

8 § 2. This act shall take effect April 1, 2018, provided that the addi-
9 tion, amendment and/or repeal of any rule or regulation necessary for
10 the implementation of this act on its effective date are authorized and
11 directed to be made and completed by the president of the higher educa-
12 tion services corporation on or before such effective date.