STATE OF NEW YORK

3769

2017-2018 Regular Sessions

IN SENATE

January 26, 2017

Introduced by Sen. FUNKE -- 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 the New York state district attorney and indigent legal services attorney loan forgiveness program

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

Section 1. Paragraph b of subdivision 2 of section 679-e of the education law, as amended by section 1 of part VV of chapter 56 of the laws of 2009, is amended to read as follows:

b. "Eligible period" means the six-year period after completion of the third year and before the commencement of the tenth year of employment as an eligible attorney. For purposes of this section, all periods of time during which an admitted attorney was employed as an eligible attorney and all periods of time during which a law school graduate awaiting admission to the New York state bar was employed by a prosecuting or criminal defense agency as permitted by section four hundred eighty-four of the judiciary law shall be combined. **A period of leave without pay, or other periods which an eligible attorney is not in a pay status shall not count toward the completion of required service period reemployment. The service completion date shall be extended by the total time spent in non-pay status. However, absence because of uniformed service with a recognized branch of the United States military, authorized maternity/paternity, FMLA, or due to compensable injury shall be considered creditable, within the sole discretion of the president, toward the required service period upon reemployment.**

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after January 1, 2010.

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

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