

STATE OF NEW YORK

8374

IN SENATE

May 3, 2018

Introduced by Sen. SEPULVEDA -- 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 permitting individuals enrolled in the federal deferred action for childhood arrivals program to apply for professional licenses

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

1 Section 1. Section 6501 of the education law is amended by adding a
2 new subdivision 3 to read as follows:

3 3. Notwithstanding any provision of law to the contrary, a qualified
4 applicant shall include individuals enrolled in the federal deferred
5 action for childhood arrivals program who meets all additional require-
6 ments prescribed for in the article for such particular profession.

7 § 2. Subdivision 6 of section 6524 of the education law, as amended by
8 chapter 379 of the laws of 2008, is amended to read as follows:

9 (6) Citizenship or immigration status: be a United States citizen, an
10 individual enrolled in the federal deferred action for childhood
11 arrivals program, or an alien lawfully admitted for permanent residence
12 in the United States; provided, however that the board of regents may
13 grant a three year waiver for an alien physician to practice in an area
14 which has been designated by the department as medically underserved,
15 except that the board of regents may grant an additional extension not
16 to exceed six years to an alien physician to enable him or her to secure
17 citizenship or permanent resident status, provided such status is being
18 actively pursued; and provided further that the board of regents may
19 grant an additional three year waiver, and at its expiration, an exten-
20 sion for a period not to exceed six additional years, for the holder of
21 an H-1b visa, an O-1 visa, or an equivalent or successor visa thereto;

22 § 3. Subdivision 6 of section 6554 of the education law, as amended by
23 chapter 133 of the laws of 1982, is amended to read as follows:

24 (6) Citizenship or immigration status: be a United States citizen, an
25 individual enrolled in the federal deferred action for childhood
26 arrivals program, or an alien lawfully admitted for permanent residence
27 in the United States;

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

LBD15590-01-8

1 § 4. Subdivision 6 of section 6604 of the education law, as amended by
2 chapter 403 of the laws of 2002, is amended to read as follows:

3 (6) Citizenship or immigration status: be a United States citizen, an
4 individual enrolled in the federal deferred action for childhood
5 arrivals program, or an alien lawfully admitted for permanent residence
6 in the United States; provided, however, that the board of regents may
7 grant a three year waiver for an alien to practice in an area which has
8 been designated a federal dental health professions shortage area,
9 except that the board of regents may grant an additional extension not
10 to exceed six years to an alien to enable him or her to secure citizen-
11 ship or permanent resident status, provided such status is being active-
12 ly pursued;

13 § 5. Subdivision 6 of section 6609 of the education law, as amended by
14 chapter 403 of the laws of 2002, is amended to read as follows:

15 (6) Citizenship or immigration status: be a United States citizen, an
16 individual enrolled in the federal deferred action for childhood
17 arrivals program, or an alien lawfully admitted for permanent residence
18 in the United States; provided, however, that the board of regents may
19 grant a three year waiver for an alien to practice in an area which has
20 been designated a federal dental health professions shortage area,
21 except that the board of regents may grant an additional extension not
22 to exceed six years to an alien to enable him or her to secure citizen-
23 ship or permanent resident status, provided such status is being active-
24 ly pursued;

25 § 6. Subdivision 6 of section 6704 of the education law, as amended by
26 chapter 201 of the laws of 2007, is amended to read as follows:

27 (6) Citizenship or immigration status: be a United States citizen, an
28 individual enrolled in the federal deferred action for childhood
29 arrivals program, or an alien lawfully admitted for permanent residence
30 in the United States; provided, however that the board of regents may
31 grant a one-time three-year waiver for a veterinarian who otherwise
32 meets the requirements of this article and who has accepted an offer to
33 practice veterinary medicine in a county in the state which the depart-
34 ment has certified as having a shortage of qualified applicants to fill
35 existing vacancies in veterinary medicine, and provided further that the
36 board of regents may grant an extension of such three-year waiver of not
37 more than one year;

38 § 7. Subdivision 6 of section 6711 of the education law, as amended by
39 chapter 80 of the laws of 2000, is amended to read as follows:

40 6. Citizenship or immigration status: be a United States citizen, an
41 individual enrolled in the federal deferred action for childhood
42 arrivals program, or an alien lawfully admitted for permanent residence
43 in the United States; provided, however that the board of regents may
44 grant a one-time three-year waiver for an animal health technician who
45 otherwise meets the requirements of this article and provided further
46 that the board of regents may grant an extension of such three-year
47 waiver of not more than one year;

48 § 8. Paragraph 6 of subdivision 1 of section 6805 of the education
49 law, as amended by chapter 133 of the laws of 1982, is amended to read
50 as follows:

51 (6) Citizenship or immigration status: be a United States citizen, an
52 individual enrolled in the federal deferred action for childhood
53 arrivals program, or an alien lawfully admitted for permanent residence
54 in the United States;

55 § 9. Subdivision 6 of section 6955 of the education law, as added by
56 chapter 327 of the laws of 1992, is amended to read as follows:

1 6. Citizenship or immigration status: be a United States citizen, an
2 individual enrolled in the federal deferred action for childhood
3 arrivals program, or an alien lawfully admitted for permanent residence
4 in the United States.

5 § 10. Paragraph 6 of subdivision 1 of section 7206 of the education
6 law, as amended by chapter 133 of the laws of 1982, is amended to read
7 as follows:

8 (6) Citizenship or immigration status: be a United States citizen, an
9 individual enrolled in the federal deferred action for childhood
10 arrivals program, or an alien lawfully admitted for permanent residence
11 in the United States;

12 § 11. Paragraph 6 of subdivision 1 of section 7206-a of the education
13 law, as amended by chapter 133 of the laws of 1982, is amended to read
14 as follows:

15 (6) Citizenship or immigration status: be a United States citizen, an
16 individual enrolled in the federal deferred action for childhood
17 arrivals program, or an alien lawfully admitted for permanent residence
18 in the United States;

19 § 12. Paragraph 6 of subdivision 1 of section 7324 of the education
20 law, as amended by chapter 133 of the laws of 1982, is amended to read
21 as follows:

22 (6) Citizenship or immigration status: be a United States citizen, an
23 individual enrolled in the federal deferred action for childhood
24 arrivals program, or an alien lawfully admitted for permanent residence
25 in the United States;

26 § 13. Paragraph 6 of subdivision 1 of section 7504 of the education
27 law, as amended by chapter 133 of the laws of 1982, is amended to read
28 as follows:

29 (6) Citizenship or immigration status: be a United States citizen, an
30 individual enrolled in the federal deferred action for childhood
31 arrivals program, or an alien lawfully admitted for permanent residence
32 in the United States;

33 § 14. Subdivision 5 of section 7804 of the education law, as amended
34 by chapter 230 of the laws of 1997, is amended to read as follows:

35 (5) Citizenship or immigration status: be a United States citizen, an
36 individual enrolled in the federal deferred action for childhood
37 arrivals program, or an alien lawfully admitted for permanent residence
38 in the United States;

39 § 15. This act shall take effect on the sixtieth day after it shall
40 have become a law. Effective immediately, the addition, amendment and/or
41 repeal of any rule or regulation necessary for the implementation of
42 this act on its effective date are authorized and directed to be made
43 and completed on or before such effective date.