# STATE OF NEW YORK

5912

2019-2020 Regular Sessions

# IN ASSEMBLY

February 20, 2019

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

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:**

Section 1. Paragraph a of subdivision 3 of section 663 of the education law, as amended by section 4 of part J of chapter 58 of the laws of 2011, is amended to read as follows:

a. In determining the amount of an award for **graduate and undergraduate** students, the income of the parents shall be excluded if the student has been emancipated from his parents.

§ 2. The opening paragraph of subparagraph 1 of paragraph b of subdivision 3 of section 663 of the education law, as amended by section 5 of part J of chapter 58 of the laws of 2011, is amended to read as follows:

The applicant is a student who was married on or before December thirty-first of the calendar year prior to the beginning of the academic year for which application is made or is an undergraduate student who has reached the age of twenty-two on or before June thirtieth prior to the academic year for which application is made **or is a graduate student** and who, during the calendar year next preceding the semester, quarter or term of attendance for which application is made and at all times subsequent thereto up to and including the entire period for which application is made:

§ 3. Paragraph d of subdivision 3 of section 663 of the education law, as amended by section 6 of part J of chapter 58 of the laws of 2011, is amended to read as follows:

d. Any **graduate or** undergraduate student who was allowed to exclude parental income pursuant to the provisions of **former** subdivision three of section six hundred three of this chapter as they existed prior to

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

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July first, nineteen hundred seventy-four may continue to exclude such income for so long as he continues to comply with such provisions.

§ 4. Subdivisions 1 and 2 of section 667 of the education law, subdivision 1 as amended by chapter 622 of the laws of 2008 and subdivision 2 as amended by chapter 400 of the laws of 2018, are amended to read as follows:

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

2. Duration. No undergraduate shall be eligible for more than four academic years of study, or five academic years if the program of study normally requires five years. Students enrolled in a program of remedial study, approved by the commissioner in an institution of higher education and intended to culminate in a degree in undergraduate study shall, for purposes of this section, be considered as enrolled in a program of study normally requiring five years. An undergraduate student enrolled in an eligible two year program of study approved by the commissioner shall be eligible for no more than three academic years of study. An undergraduate student enrolled in an approved two or four-year program of study approved by the commissioner who must transfer to another institution as a result of permanent college closure shall be eligible for two additional semesters, or their equivalent, as determined by the commissioner, in order to complete his or her program. **No graduate student shall be eligible for more than four academic years of study provided, however, that no graduate student shall be eligible for more than one degree program at the master's, first professional or doctorate level. No student shall be eligible for a total of more than the equivalent of eight years of combined undergraduate and graduate study.** Any semester, quarter, or term of attendance during which a student receives any award under this article, after the effective date of the former scholar incentive program and prior to academic year nineteen hundred eighty-nine--nineteen hundred ninety, shall be counted toward the maximum term of eligibility for tuition assistance under this section, except that any semester, quarter or term of attendance during which a student received an award pursuant to section six hundred sixty-six of this subpart shall be counted as one-half of a semester, quarter or term, as the case may be, toward the maximum term of eligibility under this section. Any semester, quarter or term of attendance during which a student received an award pursuant to section six hundred sixty-seven-a of this subpart shall not be counted toward the maximum term of eligibility under this section.

§ 5. This act shall take effect immediately.