

# STATE OF NEW YORK

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5100

2019-2020 Regular Sessions

## IN ASSEMBLY

February 7, 2019

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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 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 chapter 400 of the laws of 2018, are amended to  
4 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.

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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. An undergraduate student enrolled in an approved two or four-year  
9 program of study approved by the commissioner who must transfer to  
10 another institution as a result of permanent college closure shall be  
11 eligible for two additional semesters, or their equivalent, as deter-  
12 mined by the commissioner, in order to complete his or her program. Any  
13 semester, quarter, or term of attendance during which a student receives  
14 any award under this article, after the effective date of the former  
15 scholar incentive program and prior to academic year nineteen hundred  
16 eighty-nine--nineteen hundred ninety, shall be counted toward the maxi-  
17 mum term of eligibility for tuition assistance under this section,  
18 except that any semester, quarter or term of attendance during which a  
19 student received an award pursuant to section six hundred sixty-six of  
20 this subpart shall be counted as one-half of a semester, quarter or  
21 term, as the case may be, toward the maximum term of eligibility under  
22 this section. Any semester, quarter or term of attendance during which a  
23 student received an award pursuant to section six hundred sixty-seven-a  
24 of this subpart shall not be counted toward the maximum term of eligi-  
25 bility under this section.

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

30 (c) For students first receiving aid in two thousand--two thousand one  
31 and thereafter, five thousand dollars, except starting in two thousand  
32 fourteen--two thousand fifteen and thereafter such students shall receive  
33 five thousand one hundred sixty-five dollars, except starting in two  
34 thousand nineteen--two thousand twenty and thereafter such students  
35 shall receive five thousand six hundred sixty-five dollars, except  
36 starting in two thousand twenty--two thousand twenty-one and thereafter  
37 such students shall receive six thousand sixty-eight dollars, except  
38 starting in two thousand twenty-one--two thousand twenty-two and there-  
39 after such students shall receive six thousand four hundred seventy  
40 dollars; or

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

45 (a) For students first receiving aid in nineteen hundred ninety-four  
46 --nineteen hundred ninety-five and nineteen hundred ninety-five--nine-  
47 teen hundred ninety-six and thereafter, three thousand five hundred  
48 twenty-five dollars, or

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

52 Provided, however, starting in two thousand nineteen--two thousand  
53 twenty and thereafter the amount of income shall be eighteen thousand  
54 dollars or more, but no more than one hundred thousand dollars.  
55 Provided, however, starting in two thousand twenty--two thousand twen-  
56 ty-one and thereafter the amount of income shall be eighteen thousand

dollars or more, but no more than one hundred ten thousand dollars. Provided, however, starting in two thousand twenty-one--two thousand twenty-two and thereafter the amount of income shall be eighteen thousand dollars or more, but no more than one hundred twenty-five thousand dollars.

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

(vi) For the two thousand two--two thousand three academic year and thereafter, 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 below [~~five hundred~~] one thousand dollars.

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

Provided, however, starting in two thousand nineteen--two thousand twenty and thereafter the amount of income shall be eighteen thousand dollars or more, but no more than one hundred thousand dollars. Provided, however, starting in two thousand twenty--two thousand twenty-one and thereafter the amount of income shall be eighteen thousand dollars or more, but no more than one hundred ten thousand dollars. Provided, however, starting in two thousand twenty-one--two thousand twenty-two and thereafter the amount of income shall be eighteen thousand dollars or more, but no more than one hundred twenty-five thousand dollars.

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

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

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

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

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

(ii) except for students as noted in subparagraph (iii) of this paragraph, the base amount as determined in subparagraph (i) of this paragraph, shall be reduced in relation to income as follows:

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

(iii) For students who have been granted exclusion of parental income and were single with no dependents 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 incomeSchedule of reduction of base amount(A) Less than one thousand dollarsNone(B) One thousand dollars or more, but not more than five thousand sixTwenty-six per centum of the excess over one thousand dollarshundred sixty-six dollars

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

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

§ 8. Paragraph a, the opening paragraph of subparagraph 1 of paragraph b and paragraph d of subdivision 3 of section 663 of the education law, paragraph a as amended by section 4, the opening paragraph of subparagraph 1 of paragraph b as amended by section 5 and paragraph d as amended by section 6 of part J of chapter 58 of the laws of 2011, are 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.

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:

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

§ 9. This act shall take effect immediately.