

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 Assem-
bly, do enact as follows:

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

4 a. In determining the amount of an award for graduate and undergradu-
5 ate students, the income of the parents shall be excluded if the student
6 has been emancipated from his parents.

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

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

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

22 d. Any graduate or undergraduate student who was allowed to exclude
23 parental income pursuant to the provisions of former subdivision three
24 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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1 July first, nineteen hundred seventy-four may continue to exclude such
2 income for so long as he continues to comply with such provisions.

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

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

22 2. Duration. No undergraduate shall be eligible for more than four
23 academic years of study, or five academic years if the program of study
24 normally requires five years. Students enrolled in a program of remedial
25 study, approved by the commissioner in an institution of higher educa-
26 tion and intended to culminate in a degree in undergraduate study shall,
27 for purposes of this section, be considered as enrolled in a program of
28 study normally requiring five years. An undergraduate student enrolled
29 in an eligible two year program of study approved by the commissioner
30 shall be eligible for no more than three academic years of study. An
31 undergraduate student enrolled in an approved two or four-year program
32 of study approved by the commissioner who must transfer to another
33 institution as a result of permanent college closure shall be eligible
34 for two additional semesters, or their equivalent, as determined by the
35 commissioner, in order to complete his or her program. No graduate
36 student shall be eligible for more than four academic years of study
37 provided, however, that no graduate student shall be eligible for more
38 than one degree program at the master's, first professional or doctorate
39 level. No student shall be eligible for a total of more than the equiv-
40 alent of eight years of combined undergraduate and graduate study. Any
41 semester, quarter, or term of attendance during which a student receives
42 any award under this article, after the effective date of the former
43 scholar incentive program and prior to academic year nineteen hundred
44 eighty-nine--nineteen hundred ninety, shall be counted toward the maxi-
45 mum term of eligibility for tuition assistance under this section,
46 except that any semester, quarter or term of attendance during which a
47 student received an award pursuant to section six hundred sixty-six of
48 this subpart shall be counted as one-half of a semester, quarter or
49 term, as the case may be, toward the maximum term of eligibility under
50 this section. Any semester, quarter or term of attendance during which a
51 student received an award pursuant to section six hundred sixty-seven-a
52 of this subpart shall not be counted toward the maximum term of eligi-
53 bility under this section.

54 § 5. This act shall take effect immediately.