STATE OF NEW YORK

5245--A

2021-2022 Regular Sessions

IN SENATE

February 26, 2021

Introduced by Sen. BROOKS -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to in-state tuition continuity for certain spouses and dependents of active duty service members

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

Section 1. Subparagraph 3 of paragraph h of subdivision 2 of section 355 of the education law is amended by adding a new clause (iii) to read as follows:

(iii) Such regulations shall further provide that the payment of tuition and fees by any student who is not a resident of New York state shall be paid at a rate or charge no greater than that imposed for students who are residents of this state if such student is enrolled in an institution or educational unit of the state university and is the spouse or the dependent of a member of the armed forces of the United States on full-time active duty and not stationed in this state immediately following being stationed therein.

§ 2. Subdivision 7 of section 6206 of the education law is amended by adding a new paragraph (a-3) to read as follows:

(a-3) The trustees shall further provide that the payment of tuition and fees by any student who is not a resident of New York state shall be paid at a rate or charge no greater than that imposed for students who are residents of the state if such student is enrolled in any college or educational unit of the city university of New York and is the spouse or the dependent of a member of the armed forces of the United States on full-time active duty and not stationed in this state immediately following being stationed therein.

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

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§ 3. Subdivision 8 of section 6305 of the education law, as amended by section 3 of part B of chapter 328 of the laws of 2014, is amended to read as follows:

8. Part-time and out-of-state students shall be charged such tuition and fees as may be approved by the state university trustees. Any student attending a community college who is a member or the spouse or the dependent of a member of the armed forces of the United States on full-time active duty and stationed in this state, whether or not a resident of this state, shall be charged the tuition rate for residents as approved by the state university trustees. Any student attending a community college in accordance with the federal GI bills and in compliance with all applicable eligibility requirements thereof, whether or not a resident of this state, shall be charged the tuition rate for residents as approved by the state university trustees. **Any student attending a community college who is the spouse or the dependent of a member of the armed forces of the United States on full-time active duty and not stationed in this state immediately following being stationed therein, whether or not a resident of this state, shall be charged the tuition rate for residents as approved by the state university trustees.**

§ 4. This act shall take effect July 1, 2022.