

# 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:

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

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

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

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

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

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

4 8. Part-time and out-of-state students shall be charged such tuition  
5 and fees as may be approved by the state university trustees. Any  
6 student attending a community college who is a member or the spouse or  
7 the dependent of a member of the armed forces of the United States on  
8 full-time active duty and stationed in this state, whether or not a  
9 resident of this state, shall be charged the tuition rate for residents  
10 as approved by the state university trustees. Any student attending a  
11 community college in accordance with the federal GI bills and in compli-  
12 ance with all applicable eligibility requirements thereof, whether or  
13 not a resident of this state, shall be charged the tuition rate for  
14 residents as approved by the state university trustees. Any student  
15 attending a community college who is the spouse or the dependent of a  
16 member of the armed forces of the United States on full-time active duty  
17 and not stationed in this state immediately following being stationed  
18 therein, whether or not a resident of this state, shall be charged the  
19 tuition rate for residents as approved by the state university trustees.

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