STATE OF NEW YORK

1569

2023-2024 Regular Sessions

IN ASSEMBLY

January 17, 2023

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

AN ACT to amend the education law, in relation to establishing a novel virus essential workers scholarship program

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

Section 1. The education law is amended by adding a new section 608-b to read as follows:

§ 608-b. Novel virus essential worker scholarships. 1. Notwithstanding subdivision five of section six hundred sixty-one of this title, essential employees who worked during the outbreak of novel coronavirus disease two thousand nineteen (COVID-19) or during the outbreak of another novel virus which results in the declaration of a state disaster emergency and children of essential employees who have died as a result of contracting COVID-19 or another novel virus, shall be eligible to receive a scholarship in an annual amount determined pursuant to subdivision two of section six hundred sixty-eight-h of this title. The commissioner shall promulgate rules and regulations regarding who qualifies as an essential employee.

2. Awards under this section shall be payable for each of not more than four academic years of undergraduate study or five academic years if a program normally requires five years, as defined by the commissioner pursuant to this article.

3. For purposes of this section, "novel virus" means a virus or bacterial strain that has not been previously identified in humans.

§ 2. The education law is amended by adding a new section 668-h to read as follows:

§ 668-h. Novel virus essential worker scholarships. 1. Eligible groups. Notwithstanding subdivision five of section six hundred sixty-one of this part, essential employees who worked during the outbreak of novel coronavirus disease two thousand nineteen (COVID-19) or during the

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

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outbreak of another novel virus which results in the declaration of a state disaster emergency and children of essential employees who have died as a result of contracting COVID-19 or another novel virus, shall be eligible to receive a scholarship. The commissioner shall promulgate rules and regulations regarding who qualifies as an essential employee. For purposes of this section, "novel virus" means a virus or bacterial strain that has not been previously identified in humans.

2. Amount. (a) The president shall grant annual scholarships in the following amounts:

(1) If the recipient attends an institution of the city university of New York or an institution of the state university of New York other than the statutory colleges at Cornell, the college of environmental science and forestry at Syracuse and the college of ceramics at Alfred, the annual award shall be an amount equal to: the tuition charged at such institution provided that, notwithstanding any provision of law to the contrary, the tuition charged to award recipients shall not exceed that charged to state resident students attending such institution; the mandatory fees charged at such institution; and the non-tuition cost of attendance at such institution or college, provided that the scholarship shall not exceed an amount that is equal to the total cost of attendance determined for federal Title IV student financial aid purposes, less all other scholarships and grants provided by New York state, other states, the federal government, or other governments, and the amount of educational benefits paid under any program that would duplicate the purposes of this program, provided that any scholarships or grants provided to a recipient by the institution which are intended to fund any portion of the difference between the annual state award and the actual costs of attendance at any such institution shall not be considered to duplicate the purposes of this program; or

(2) If the recipient attends any other approved program within New York state, the annual award shall be based upon an amount equal to: the tuition charged to state resident students attending a four-year college of the state university of New York; the average mandatory fees charged at four-year colleges of the state university of New York, or the actual tuition and fees charged to the recipient, whichever is less; and the average non-tuition cost of attendance, as determined by the president and as approved by the director of the budget, for a student at the state university of New York or actual non-tuition cost of attendance at such institution, whichever is less, provided that the scholarship shall not exceed an amount that is equal to the total cost of attendance determined for federal Title IV student financial aid purposes, less all other scholarships and grants provided by New York state, other states, the federal government, or other governments, and the amount of educational benefits paid under any program that would duplicate the purposes of this program, provided that any scholarships or grants provided to a recipient by the institution which are intended to fund any portion of the difference between the annual state award and the actual costs of attendance at any such institution shall not be considered to duplicate the purposes of this program.

(3) "Non-tuition cost of attendance", as used in this subdivision, shall mean: (i) the actual amount charged by the institution for room and board, and (ii) an allowance for transportation, books and supplies as determined by the president and as approved by the director of the budget, provided that such determination shall be made no later than December first of each year for use in the succeeding academic year. In the event a student does not incur room or board charges at the institu-

tion, "non-tuition cost of attendance" shall mean an allowance for room and board as determined by the president and approved by the director of the budget. In determining allowances pursuant to this subparagraph, the president may take into consideration the allowances provided for in the Pell grant program.

(b) In no event shall the combination of all student financial aid received by a student exceed a recipient's total cost of attendance at the institution being attended.

3. Duration. Awards under this section shall be payable for each of not more than four academic years of undergraduate study or five academic years if a program normally requires five years, as defined by the commissioner pursuant to article thirteen of this title.

§ 3. Section 604 of the education law is amended by adding a new subdivision 13 to read as follows:

13. Novel virus essential worker scholarships pursuant to section six hundred sixty-eight-h of this title.

§ 4. This act shall take effect immediately.