

STATE OF NEW YORK

5158

2023-2024 Regular Sessions

IN ASSEMBLY

March 3, 2023

Introduced by M. of A. TANNOUSIS -- 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 376 of the laws of 2019, 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 up to two additional semesters, or their equivalent, to the
12 extent credits necessary to complete his or her program of study were
13 deemed non-transferable from the closed institution or were deemed not
14 applicable to such student's program of study by the new institution.
15 Any semester, quarter, or term of attendance during which a student
16 receives any award under this article, after the effective date of the
17 former scholar incentive program and prior to academic year nineteen
18 hundred eighty-nine--nineteen hundred ninety, shall be counted toward
19 the maximum term of eligibility for tuition assistance under this
20 section, except that any semester, quarter or term of attendance during
21 which a student received an award pursuant to section six hundred
22 sixty-six of this subpart shall be counted as one-half of a semester,
23 quarter or term, as the case may be, toward the maximum term of eligi-
24 bility under this section. Any semester, quarter or term of attendance
25 during which a student received an award pursuant to section six hundred
26 sixty-seven-a of this subpart shall not be counted toward the maximum
27 term of eligibility under this section.

28 § 2. Subitem (a) of item 1 of clause (A) of subparagraph (i) of para-
29 graph (a) of subdivision 3 of section 667 of the education law, as
30 amended by section 1 of part DD of chapter 56 of the laws of 2021, is
31 amended to read as follows:

32 (a) Five thousand dollars, except starting in two thousand fourteen-
33 two thousand fifteen such students shall receive five thousand one
34 hundred sixty-five dollars, and except starting in two thousand [~~twen-~~
35 ~~ty-one--two thousand twenty-two and thereafter~~] twenty-two--two thousand
36 twenty-three such students shall receive five thousand six hundred
37 sixty-five dollars, except starting in two thousand twenty-three--two
38 thousand twenty-four and thereafter such students shall receive six
39 thousand sixty-eight dollars, except starting in two thousand twenty-
40 four--two thousand twenty-five and thereafter such students shall
41 receive six thousand four hundred seventy dollars, provided however that
42 nothing herein shall be construed as increasing any award made pursuant
43 to this section for an academic year prior to two thousand twenty-one--
44 two thousand twenty-two; or

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

48 Provided, however, starting in two thousand twenty-one--two thousand
49 twenty-two and thereafter the amount of income shall be eighteen thou-
50 sand dollars or more, but no more than one hundred thousand dollars.
51 Provided, however, starting in two thousand twenty-three--two thousand
52 twenty-four and thereafter the amount of income shall be eighteen thou-
53 sand dollars or more, but no more than one hundred ten thousand dollars.
54 Provided, however, starting in two thousand twenty-four--two thousand
55 twenty-five and thereafter the amount of income shall be eighteen thou-

said dollars or more, but no more than one hundred twenty-five thousand dollars.

§ 4. 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 twenty-three--two thousand twenty-four 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-four--two thousand twenty-five 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-five--two thousand twenty-six and thereafter the amount of income shall be eighteen thousand dollars or more, but no more than one hundred twenty-five thousand dollars.

§ 6. 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:

<u>Amount of income</u>	<u>Schedule of reduction of base amount</u>
<u>(A) Less than one thousand dollars</u>	<u>None</u>
<u>(B) One thousand dollars or more, but not more than</u>	<u>Twenty-six per centum of the excess over one thousand dollars</u>

five thousand six hundred 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.

§ 7. 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.

§ 8. This act shall take effect immediately.