STATE OF NEW YORK

8080--A

2023-2024 Regular Sessions

IN ASSEMBLY

September 27, 2023

Introduced by M. of A. FORREST, MITAYNES, ALVAREZ, BICHOTTE HERMELYN, GALLAGHER, SHRESTHA, TAYLOR, TAPIA, MAMDANI, GONZALEZ-ROJAS, ARDILA, SIMON, DAVILA -- read once and referred to the Committee on Higher Education -- recommitted to the Committee on Higher Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law and the state finance law, in relation to providing free tuition to students who attend the state university of New York

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

Section 1. This act shall be known and may be cited as "new deal for SUNY: the New York state higher education equality act".

§ 2. Paragraph h of subdivision 2 of section 355 of the education law is amended by adding a new subparagraph 1-a to read as follows:

(1-a) Notwithstanding any other provision of law, rule or regulation to the contrary, the trustees shall implement a program to permit any student who has been admitted to a state-operated institution of the state university of New York to attend without the payment of tuition and fees if such student fulfills the requirements of such program pursuant to the provisions of this subparagraph.

(i) The trustees shall provide an application process and administer the program which shall be available to any student eligible for resident tuition rates, who is enrolled in credit-bearing academic coursework and is on track to graduate.

(ii) Any student not successfully completing credit-bearing academic coursework in a semester shall still be eligible to receive all other grants, awards, and scholarships for which they qualify but shall not be eligible for the tuition and student fee waiver described herein.

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

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(iii) Students shall be eligible to receive a one semester exemption from the requirement to complete credit-bearing academic coursework for such tuition waiver as promulgated by the trustees. Such exemption shall not preclude any student from exercising their right to appeal pursuant to higher education services corporation policy.

(iv) Notwithstanding any other provision of law, rule or regulation to the contrary subject to amounts made available by appropriation, commencing in the academic year next succeeding the effective date of this subdivision, and every academic year thereafter, the state university shall be entitled to annually receive one hundred percent reimbursement for the annual cost of tuition and student fees for each matriculated undergraduate student at a state university senior college and community college who is enrolled in credit-bearing academic coursework and is on track to graduate from the fund established pursuant to section ninety-seven-aaaa of the state finance law.

§ 3. Section 667 of the education law is amended by adding a new subdivision 1-a to read as follows:

1-a. Notwithstanding any other provision of law, rule or regulation to the contrary, commencing in the academic year next succeeding the effective date of this subdivision, and every academic year thereafter, all funding appropriated for tuition assistance program awards pursuant to this section shall be deposited into the fund specified in section ninety-seven-aaaa of the state finance law.

§ 4. Section 669-h of the education law is amended by adding a new subdivision 7 to read as follows:

7. Notwithstanding any other provision of law, rule or regulation to the contrary, commencing in the academic year next succeeding the effective date of this subdivision, and every academic year thereafter, all funding appropriated for the excelsior scholarship pursuant to this section shall be deposited into the fund specified in section ninety-seven-aaaa of the state finance law.

§ 5. Subdivision 1 of section 6304 of the education law is amended by adding a new paragraph e to read as follows:

e. Notwithstanding any other provision of law, rule or regulation to the contrary, the trustees, sponsors, or other governing body of a community college shall implement a program to permit any student who has been admitted to a state-operated institution of the state university to attend without the payment of tuition and fees if such student fulfills the requirements of such program pursuant to the provisions of this paragraph.

(i) The trustees shall provide an application process and administer the program which shall be available to any student eligible for resident tuition rates, who is enrolled in credit-bearing academic coursework and is on track to graduate.

(ii) Any student not successfully completing credit-bearing academic coursework in a semester shall still be eligible to receive all other grants, awards, and scholarships for which they qualify but shall not be eligible for the tuition and student fee waiver described herein.

(iii) Students shall be eligible to receive a one semester exemption from the requirement to complete credit-bearing academic coursework for such tuition waiver as promulgated by the trustees. Such exemption shall not preclude any student from exercising their right to appeal pursuant to higher education services corporation policy.

§ 6. Subdivision 1 of section 6304 of the education law is amended by adding a new paragraph a-1 to read as follows:

a-1. Notwithstanding any other provision of law, rule or regulation to the contrary, state financial aid shall be increased above the one-third amount of operating costs set forth in paragraph a of this subdivision by an amount which is equal to the cost of tuition awarded to students who apply and qualify for the program set forth in paragraph e of this subdivision and such aid shall be deposited into the fund specified in section ninety-seven-aaaa of the state finance law.

§ 7. The state finance law is amended by adding a new section 97-aaaa to read as follows:

§ 97-aaaa. State university tuition fund. 1. There is hereby established in the joint custody of the state comptroller and the commissioner of taxation and finance a fund to be known as the state university tuition fund.

2. The fund shall consist of moneys received by the state pursuant to subparagraph one-a of paragraph h of subdivision two of section three hundred fifty-five of the education law, moneys donated or given to the state, and all other moneys appropriated, credited or transferred thereto from any other fund or source.

3. Moneys of the fund shall be made available to the commissioner of education to be distributed to the state university of New York and shall be deposited with the state university no later than thirty days after the start of the semester. The state university shall receive an amount equal to the full cost of in-state undergraduate tuition and student fees for each qualifying, matriculated student who successfully completes credit-bearing academic coursework and is on track to graduate from the state university.

4. The full cost of tuition shall not include any additional funds the student may receive from any other New York state or federal grant, award, or scholarship program.

5. The deposit of these funds shall be utilized as first dollar awards to the students at the state university.

§ 8. This act shall take effect immediately.