STATE OF NEW YORK

5167

2023-2024 Regular Sessions

IN SENATE

February 23, 2023

Introduced by Sen. ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the education law and the state finance law, in relation to creating a volunteer firefighter scholarship program and a volunteer fire fighter scholarship fund; and making an appropriation relating therefor

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 669-i to read as follows:

§ 669-i. Volunteer firefighter scholarship program. 1. Eligibility. (a) A volunteer firefighter scholarship award shall be made to an applicant who:

(i) serves as an active volunteer firefighter as defined in subdivision one of section two hundred fifteen of the general municipal law who has attended twenty-five percent of emergency calls for each year; and

(ii) complies with the applicable provisions of this article and all requirements promulgated by the office of higher education, hereinafter referred to as the "office", for the administration of the program.

(b) Student loans eligible for this program are:

(i) student loans accrued while attending a private or public institution of higher education within New York state from which the recipient received credits which were used to acquire a bachelor's degree at an approved program; or

(ii) student loans accrued while attending an accredited trade school or vocational program within New York state from which the recipient received a certificate or license.

2. Amount. Within amounts appropriated therefor and based on availability of funds, awards shall be granted to applicants that the office has determined are eligible to receive such awards. The office shall grant such awards in an amount up to four times the current tuition rate

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

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at a state university of New York college. Upon notification of an award under this program, the office shall pay the interest on the recipient's student loans for eight years and, upon the completion of the program's requirements, any remaining student loan interest and principal up to four times the current tuition rate at a state university of New York college. If the amount of the recipient's remaining student loan interest and principal is less than four times the current tuition rate at a state university of New York college at the end of the program, an amount equal to the difference between (a) four times the current tuition rate at a state university of New York college or the initial principal on the recipient's student loans, whichever is less, and (b) the amount of principal and interest paid at the end of the program shall be issued to the recipient. In the event that a recipient fails to maintain eligibility in the program, no further payments shall be made until the recipient again becomes eligible for the program.

3. Conditions. (a) A recipient shall agree to reside exclusively in New York state and shall not be employed in any other state, for eight years.

(b) A recipient shall be an active volunteer firefighter as defined in subdivision one of section two hundred fifteen of the general municipal law who has attended twenty-five percent of emergency calls for each year, for eight years. The recipient shall annually submit to the office an affidavit signed by his or her chief or company director verifying the recipient's participation in emergency calls is at or above twenty-five percent for the prior year.

4. Contract. (a) A recipient shall sign a contract with the office to have his or her full award converted to a student loan according to a schedule to be determined by the office if such recipient fails to fulfill the requirements set out in subdivision three of this section unless such requirement is waived by the commissioner. The terms and conditions of the contract shall be established by the rules and regulations by the office. A waiver issued by the commissioner shall only be for up to one year of requirements and must be renewed by the commission to waive requirements for additional years. Any obligation to comply with such provisions as outlined in this paragraph shall be cancelled upon the death of the recipient.

(b) The commissioner may, in extreme circumstances including, but not limited to, temporary or permanent disability, illness and family emergency resulting in relocation or extended family leave, waive an amount of the award converted into a student loan equal to the amount of the award multiplied by the years the recipient fulfilled his or her requirements under subdivision three of this section divided by eight.

(c) Notwithstanding any provisions of this paragraph to the contrary, the office is authorized to promulgate rules and regulations to provide for the waiver or suspension of any financial obligation which would involve extreme hardship.

5. Recipient selection. The office shall establish: (a) an application deadline of within two years of completing a qualifying course of study; (b) a method of selecting recipients if in any given year there are insufficient funds to cover the needs of all the applicants provided that priority shall be given to eligible applicants; and (c) a method of recording how much each recipient owes in student loans at any time, how much each recipient had taken out in principal in student loans and how much has been paid on each recipient's student loans by the program.

6. Rules and regulations. The office is authorized to promulgate rules and regulations, and may promulgate emergency regulations, necessary for

the implementation of the provisions of this section including, but not limited to, the criteria for distributing the awards, which may include a lottery or other form of random selection.

§ 2. The state finance law is amended by adding a new section 91-e to read as follows:

§ 91-e. Volunteer firefighter scholarship 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 "volunteer firefighter scholarship fund".

2. Such fund shall consist of all revenues received from contributions, donations and all other moneys appropriated, credited or transferred thereto from any other fund or source pursuant to law.

3. Moneys of the fund, following appropriation by the legislature, may be expended for the volunteer firefighter scholarship program established pursuant to section six hundred sixty-nine-i of the education law. Moneys shall be paid out of the fund on the audit and warrant of the state comptroller on vouchers certified or approved by the commissioner of education.

§ 3. The sum of one million dollars ($1,000,000), or so much thereof as may be necessary, is hereby appropriated to the volunteer firefighter scholarship fund as established pursuant to section 91-e of the state finance law from any moneys in the state treasury in the general fund to the credit of the account not otherwise appropriated for services and expenses of the account for the purposes of carrying out the provisions of this act. Such moneys shall be payable on the audit and warrant of the comptroller on vouchers certified or approved by the commissioner of education in the manner prescribed by law.

§ 4. This act shall take effect on the one hundred eightieth day after it shall have become a law.