STATE OF NEW YORK

789

2023-2024 Regular Sessions

IN SENATE

January 6, 2023

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

AN ACT to amend the education law, in relation to extending certain benefits to active volunteer firefighters and active volunteer ambulance workers

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

Section 1. Subparagraph 1 of paragraph h of subdivision 2 of section 355 of the education law, as separately amended by chapters 552 and 616 of the laws of 1985, is amended to read as follows:

(1) Notwithstanding the provisions of any other general, special or local law, rule or regulation, such regulations may permit persons sixty years of age or over**, or residents who serve as active volunteer firefighters as defined in subdivision one of section two hundred fifteen of the general municipal law, or as active volunteer ambulance workers as defined in subdivision fourteen of section two hundred nineteen-k of the general municipal law** to audit courses given therein without tuition, examination, grading or credit therefor upon a space available basis, as determined by the president of each such institution, provided that such audit attendance does not deny course attendance at a state-operated institution by an individual who is otherwise qualified under the regulations promulgated pursuant to this section. **The board of trustees of the state university may prescribe regulations to authorize the granting of course credit for successful completion of an audited course by an active volunteer firefighter or an active volunteer ambulance worker. Pursuant to such regulations, each such institution may, as determined by its president, award credit for successful completion of such an audited course by an active volunteer firefighter or an active volunteer ambulance worker that is currently enrolled as a full-time or part-time student in such institution or that later becomes enrolled as a full-time or part-time student in such institution.**

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

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§ 2. Subdivision 5 of section 6303 of the education law, as amended by chapter 552 of the laws of 1984, is amended to read as follows:

5. Notwithstanding the provisions of any other general, special or local law, rule or regulation, community colleges may permit persons sixty years of age or over**, or residents who serve as active volunteer firefighters as defined in subdivision one of section two hundred fifteen of the general municipal law, or as active volunteer ambulance workers as defined in subdivision fourteen of section two hundred nineteen-k of the general municipal law** to audit courses given therein without tuition, examination, grading or credit therefor upon a space available basis, subject to the provisions of section sixty-three hundred four of this [~~chapter~~] **article**, as determined by the president of each such institution, provided that such audit attendance does not deny course attendance at a community college by an individual who is otherwise qualified under the regulations and the provisions of section sixty-three hundred four of this [~~chapter~~] **article**. **The board of trustees of the state university may prescribe regulations to authorize the granting of course credit for successful completion of an audited course by an active volunteer firefighter or an active volunteer ambulance worker. Pursuant to such regulations, each such institution may, as determined by its president, award credit for successful completion of such an audited course by an active volunteer firefighter or an active volunteer ambulance worker that is currently enrolled as a full-time or part-time student in such institution or that later becomes enrolled as a full-time or part-time student in such institution.** The provisions of this paragraph shall not affect any state aid to community colleges granted pursuant to **this** article [~~one hundred twenty-six of this chapter~~].

§ 3. This act shall take effect on the ninetieth day after it shall have become a law.