

STATE OF NEW YORK

9139

IN SENATE

April 30, 2024

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

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:

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

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

5 (1-a) Notwithstanding any other provision of law, rule or regulation
6 to the contrary, the trustees shall implement a program to permit any
7 student who has been admitted to a state-operated institution of the
8 state university of New York to attend without the payment of tuition
9 and fees if such student fulfills the requirements of such program
10 pursuant to the provisions of this subparagraph.

11 (i) The trustees shall provide an application process and administer
12 the program which shall be available to any student eligible for resi-
13 dent tuition rates, who is enrolled in credit-bearing academic course-
14 work and is on track to graduate.

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

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

24 (iv) Notwithstanding any other provision of law, rule or regulation to
25 the contrary subject to amounts made available by appropriation,
26 commencing in the academic year next succeeding the effective date of
27 this subdivision, and every academic year thereafter, the state univer-

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

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1 sity shall be entitled to annually receive one hundred percent
2 reimbursement for the annual cost of tuition and student fees for each
3 matriculated undergraduate student at a state university senior college
4 and community college who is enrolled in credit-bearing academic course-
5 work and is on track to graduate from the fund established pursuant to
6 section ninety-seven-aaaa of the state finance law.

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

9 1-a. Notwithstanding any other provision of law, rule or regulation to
10 the contrary, commencing in the academic year next succeeding the effec-
11 tive date of this subdivision, and every academic year thereafter, all
12 funding appropriated for tuition assistance program awards pursuant to
13 this section shall be deposited into the fund specified in section nine-
14 ty-seven-aaaa of the state finance law.

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

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

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

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

32 (i) The trustees shall provide an application process and administer
33 the program which shall be available to any student eligible for resi-
34 dent tuition rates, who is enrolled in credit-bearing academic course-
35 work and is on track to graduate.

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

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

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

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

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

1 § 97-aaaa. State university tuition fund. 1. There is hereby estab-
2 lished in the joint custody of the state comptroller and the commission-
3 er of taxation and finance a fund to be known as the state university
4 tuition fund.

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

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

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

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

23 § 8. This act shall take effect immediately.