STATE OF NEW YORK

5748

2023-2024 Regular Sessions

IN ASSEMBLY

March 23, 2023

Introduced by M. of A. SLATER -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to family tuition account withdrawals for treatment of substance use disorder

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

Section 1. Subdivision 5 of section 695-e of the education law, as amended by chapter 593 of the laws of 2003, is amended to read as follows:

5. **a.** An account owner may withdraw all or part of the balance from an account on sixty days notice or such shorter period as may be authorized under rules governing the program. Such rules shall include provisions that will generally enable the determination as to whether a withdrawal is a nonqualified withdrawal or a qualified withdrawal.

b. For purposes of this subdivision, a qualified withdrawal shall include a withdrawal in which the account owner withdraws all or part of a balance from an account to fund treatment of substance use disorder, including detoxification and rehabilitation, for the designated beneficiary. Such treatment shall consist of at least fifteen hours and include, but need not be limited to, classroom instruction in areas deemed suitable by the commissioner.

§ 2. This act shall take effect immediately.

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

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