

STATE OF NEW YORK

8231

2023-2024 Regular Sessions

IN ASSEMBLY

November 6, 2023

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

AN ACT to amend the education law, in relation to permitting individuals
enrolled in the federal deferred action for childhood arrivals program
to apply for professional licenses

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

1 Section 1. Section 6501 of the education law is amended by adding a
2 new subdivision 3 to read as follows:

3 3. Notwithstanding any provision of law to the contrary, a qualified
4 applicant shall include individuals enrolled in the federal deferred
5 action for childhood arrivals program who meets all additional require-
6 ments prescribed for in the article for such particular profession.

7 § 2. Subdivision 6 of section 6524 of the education law, as amended by
8 chapter 669 of the laws of 2022, is amended to read as follows:

9 (6) Citizenship or immigration status: be a United States citizen, an
10 individual enrolled in the federal deferred action for childhood
11 arrivals program, or a noncitizen lawfully admitted for permanent resi-
12 dence in the United States; provided, however that the board of regents
13 may grant a three year waiver for a noncitizen physician to practice in
14 an area which has been designated by the department as medically under-
15 served, except that the board of regents may grant an additional exten-
16 sion not to exceed six years to a noncitizen physician to enable him or
17 her to secure citizenship or permanent resident status, provided such
18 status is being actively pursued; and provided further that the board of
19 regents may grant an additional three year waiver, and at its expira-
20 tion, an extension for a period not to exceed six additional years, for
21 the holder of an H-1b visa, an O-1 visa, or an equivalent or successor
22 visa thereto;

23 § 3. Subdivision 6 of section 6554 of the education law, as amended by
24 chapter 669 of the laws of 2022, is amended to read as follows:

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

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1 (6) Citizenship or immigration status: be a United States citizen, an
2 individual enrolled in the federal deferred action for childhood
3 arrivals program, or a noncitizen lawfully admitted for permanent resi-
4 dence in the United States;

5 § 4. Subdivision 6 of section 6604 of the education law, as amended by
6 chapter 669 of the laws of 2022, is amended to read as follows:

7 (6) Citizenship or immigration status: be a United States citizen, an
8 individual enrolled in the federal deferred action for childhood
9 arrivals program, or a noncitizen lawfully admitted for permanent resi-
10 dence in the United States; provided, however, that the board of regents
11 may grant a three year waiver for a noncitizen to practice in an area
12 which has been designated a federal dental health professions shortage
13 area, except that the board of regents may grant an additional extension
14 not to exceed six years to a noncitizen to enable him or her to secure
15 citizenship or permanent resident status, provided such status is being
16 actively pursued;

17 § 5. Subdivision 6 of section 6609 of the education law, as amended by
18 chapter 669 of the laws of 2022, is amended to read as follows:

19 (6) Citizenship or immigration status: be a United States citizen, an
20 individual enrolled in the federal deferred action for childhood
21 arrivals program, or a noncitizen lawfully admitted for permanent resi-
22 dence in the United States; provided, however, that the board of regents
23 may grant a three year waiver for a noncitizen to practice in an area
24 which has been designated a federal dental health professions shortage
25 area, except that the board of regents may grant an additional extension
26 not to exceed six years to a noncitizen to enable him or her to secure
27 citizenship or permanent resident status, provided such status is being
28 actively pursued;

29 § 6. Subdivision 6 of section 6704 of the education law, as amended by
30 chapter 669 of the laws of 2022, is amended to read as follows:

31 (6) Citizenship or immigration status: be a United States citizen, an
32 individual enrolled in the federal deferred action for childhood
33 arrivals program, or a noncitizen lawfully admitted for permanent resi-
34 dence in the United States; provided, however that the board of regents
35 may grant a one-time three-year waiver for a veterinarian who otherwise
36 meets the requirements of this article and who has accepted an offer to
37 practice veterinary medicine in a county in the state which the depart-
38 ment has certified as having a shortage of qualified applicants to fill
39 existing vacancies in veterinary medicine, and provided further that the
40 board of regents may grant an extension of such three-year waiver of not
41 more than one year;

42 § 7. Subdivision 6 of section 6711 of the education law, as amended by
43 chapter 669 of the laws of 2022, is amended to read as follows:

44 6. Citizenship or immigration status: be a United States citizen, an
45 individual enrolled in the federal deferred action for childhood
46 arrivals program, or a noncitizen lawfully admitted for permanent resi-
47 dence in the United States; provided, however that the board of regents
48 may grant a one-time three-year waiver for an animal health technician
49 who otherwise meets the requirements of this article and provided
50 further that the board of regents may grant an extension of such three-
51 year waiver of not more than one year;

52 § 8. Paragraph 6 of subdivision 1 of section 6805 of the education
53 law, as amended by chapter 669 of the laws of 2022, is amended to read
54 as follows:

55 (6) Citizenship or immigration status: be a United States citizen, an
56 individual enrolled in the federal deferred action for childhood

1 arrivals program, or a noncitizen lawfully admitted for permanent resi-
2 dence in the United States;

3 § 9. Subdivision 6 of section 6955 of the education law, as added by
4 chapter 669 of the laws of 2022, is amended to read as follows:

5 6. Citizenship or immigration status: be a United States citizen, an
6 individual enrolled in the federal deferred action for childhood
7 arrivals program, or a noncitizen lawfully admitted for permanent resi-
8 dence in the United States.

9 § 10. Paragraph 6 of subdivision 1 of section 7206 of the education
10 law, as amended by chapter 669 of the laws of 2022, is amended to read
11 as follows:

12 (6) Citizenship or immigration status: be a United States citizen, an
13 individual enrolled in the federal deferred action for childhood
14 arrivals program, or a noncitizen lawfully admitted for permanent resi-
15 dence in the United States;

16 § 11. Paragraph 6 of subdivision 1 of section 7206-a of the education
17 law, as amended by chapter 669 of the laws of 2022, is amended to read
18 as follows:

19 (6) Citizenship or immigration status: be a United States citizen, an
20 individual enrolled in the federal deferred action for childhood
21 arrivals program, or a noncitizen lawfully admitted for permanent resi-
22 dence in the United States;

23 § 12. Paragraph 6 of subdivision 1 of section 7324 of the education
24 law, as amended by chapter 669 of the laws of 2022, is amended to read
25 as follows:

26 (6) Citizenship or immigration status: be a United States citizen, an
27 individual enrolled in the federal deferred action for childhood
28 arrivals program, or a noncitizen lawfully admitted for permanent resi-
29 dence in the United States;

30 § 13. Paragraph 6 of subdivision 1 of section 7504 of the education
31 law, as amended by chapter 669 of the laws of 2022, is amended to read
32 as follows:

33 (6) Citizenship or immigration status: be a United States citizen, an
34 individual enrolled in the federal deferred action for childhood
35 arrivals program, or a noncitizen lawfully admitted for permanent resi-
36 dence in the United States;

37 § 14. Subdivision 5 of section 7804 of the education law, as amended
38 by chapter 669 of the laws of 2022, is amended to read as follows:

39 (5) Citizenship or immigration status: be a United States citizen, an
40 individual enrolled in the federal deferred action for childhood
41 arrivals program, or a noncitizen lawfully admitted for permanent resi-
42 dence in the United States;

43 § 15. This act shall take effect on the sixtieth day after it shall
44 have become a law. Effective immediately, the addition, amendment and/or
45 repeal of any rule or regulation necessary for the implementation of
46 this act on its effective date are authorized to be made and completed
47 on or before such effective date.