

# STATE OF NEW YORK

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2066

2023-2024 Regular Sessions

## IN SENATE

January 18, 2023

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Introduced by Sen. STAVISKY -- 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 authorizing the board of trustees of the state university of New York to offer certain non-resident undergraduate students separate tuition rates for attendance at selected state-operated institutions; and providing for the repeal of such provisions upon the expiration thereof

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

1 Section 1. Paragraph h of subdivision 2 of section 355 of the educa-  
2 tion law is amended by adding a new subparagraph 4-c to read as follows:

3 (4-c) Commencing with the two thousand twenty-four--two thousand twen-  
4 ty-five academic year and ending in the two thousand twenty-eight--two  
5 thousand twenty-nine academic year, the board of trustees of the state  
6 university is authorized to designate selected state-operated insti-  
7 tutions of the state university for participation in a program allowing  
8 eligible non-resident undergraduate students to pay separate tuition  
9 rates for attendance at those selected institutions. In selecting insti-  
10 tutions for this program, such board of trustees shall consider out-of-  
11 state competition, current or projected levels of high school graduates  
12 within an institution's recruitment region, and enrollment capacity and  
13 physical location of these institutions. The board of trustees of the  
14 state university is further authorized to set such separate tuition  
15 rates, which shall not be set below an amount equal to one and one-half  
16 times the in-state tuition rate at the designated institution. Such  
17 separate tuition rates may be offered only to eligible non-resident  
18 students, the total of which shall not exceed ten percent of enrollment  
19 at each designated institution. Residents from the states of Connecti-  
20 cut, Massachusetts, New Jersey, Ohio, Pennsylvania and Vermont, and the  
21 Canadian provinces of Ontario and Quebec may be eligible for separate  
22 tuition rates at the designated state-operated institutions. Each state-

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

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1 operated institution that is selected for participation in this program  
2 shall report annually to the board of trustees of the state university  
3 on the impact of this program.  
4 § 2. This act shall take effect immediately and shall expire and be  
5 deemed repealed August 31, 2029.