

# STATE OF NEW YORK

6281

2023-2024 Regular Sessions

## IN SENATE

April 11, 2023

Introduced by Sens. SEPULVEDA, GOUNARDES -- 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 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 Assembly, 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;

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

LBD07996-01-3

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

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

7 § 4. Subdivision 6 of section 6604 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 to practice in an area  
14 which has been designated a federal dental health professions shortage  
15 area, except that the board of regents may grant an additional extension  
16 not to exceed six years to a noncitizen to enable him or her to secure  
17 citizenship or permanent resident status, provided such status is being  
18 actively pursued;

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

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

31 § 6. Subdivision 6 of section 6704 of the education law, as amended by  
32 chapter 669 of the laws of 2022, is amended to read 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; provided, however that the board of regents  
37 may grant a one-time three-year waiver for a veterinarian who otherwise  
38 meets the requirements of this article and who has accepted an offer to  
39 practice veterinary medicine in a county in the state which the depart-  
40 ment has certified as having a shortage of qualified applicants to fill  
41 existing vacancies in veterinary medicine, and provided further that the  
42 board of regents may grant an extension of such three-year waiver of not  
43 more than one year;

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

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

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

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 § 9. Subdivision 6 of section 6955 of the education law, as added 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.

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

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

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

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

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

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

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

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

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

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

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