

STATE OF NEW YORK

1602

2025-2026 Regular Sessions

IN ASSEMBLY

January 10, 2025

Introduced by M. of A. SIMON, EPSTEIN, DINOWITZ, MAGNARELLI, TANNOUSIS, McDONOUGH, JACKSON, CRUZ, KELLES, STIRPE, WALKER, FORREST, RAGA, SEAWRIGHT, SHIMSKY, JACOBSON, HEVESI, LUNSFORD, ALVAREZ, REYES, R. CARROLL, GONZALEZ-ROJAS, SHRESTHA, KIM, SIMPSON, MEEKS, SIMONE, CLARK, DAVILA, MAMDANI, BURDICK, RAJKUMAR, LEVENBERG -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to the New York state district attorney and indigent legal services attorney loan forgiveness program

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

1 Section 1. Paragraph b of subdivision 2 of section 679-e of the
2 education law, as amended by section 1 of part VV of chapter 56 of the
3 laws of 2009, is amended to read as follows:

4 b. "Eligible period" means the [~~six-year~~] eight-year period after
5 completion of the [~~third~~] second year and before the commencement of the
6 [~~tenth~~] eleventh year of employment as an eligible attorney. For
7 purposes of this section, all periods of time during which an admitted
8 attorney was employed as an eligible attorney and all periods of time
9 during which a law school graduate awaiting admission to the New York
10 state bar was employed by a prosecuting [~~or~~] agency, criminal defense
11 agency, or non-profit indigent civil legal services corporation as
12 permitted by section four hundred eighty-four of the judiciary law shall
13 be combined.

14 § 2. Paragraph d of subdivision 2 of section 679-e of the education
15 law, as amended by section 1 of part VV of chapter 56 of the laws of
16 2009, is amended to read as follows:

17 d. "Year of qualified service" means the twelve month period measured
18 from the anniversary of the attorney's employment as an eligible attor-
19 ney, or as a law school graduate awaiting admission to the New York
20 state bar employed by a prosecuting [~~or~~] agency, criminal defense

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

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1 agency, or non-profit indigent civil legal services corporation as
2 permitted by section four hundred eighty-four of the judiciary law,
3 adjusted for any interruption in employment. Vacation or leave time
4 provided by the employer or leave taken for a condition that is a quali-
5 ifying reason for leave under the Family and Medical Leave Act of 1993,
6 29 U.S.C. 2612(a)(1) and (3) shall not be considered an interruption in
7 qualifying employment. Any period of [~~temporary leave from service~~]
8 interruption in qualifying employment taken by an eligible attorney
9 shall not be considered in the calculation of qualified service. Howev-
10 er, the period of [~~temporary leave shall be considered an~~] interruption
11 in qualifying employment and the calculation of the time period of qual-
12 ified service shall recommence when the eligible attorney returns to
13 [~~full-time~~] service.

14 § 3. Paragraph a of subdivision 3 of section 679-e of the education
15 law, as amended by section 1 of part VV of chapter 56 of the laws of
16 2009, is amended to read as follows:

17 a. An eligible attorney may apply for reimbursement after the
18 completion of each year of qualified service provided however that
19 reimbursement to each eligible attorney shall not exceed [~~three thousand~~
20 ~~four hundred~~] eight thousand dollars, per qualifying year, subject to
21 appropriations available therefor. The president may establish: (i) an
22 application deadline and (ii) a method of selecting recipients if in any
23 given year there are insufficient funds to cover the needs of all the
24 applicants. Awards shall be within the amounts appropriated for such
25 purpose and based on availability of funds.

26 § 4. Paragraph b of subdivision 3 of section 679-e of the education
27 law, as amended by section 1 of part VV of chapter 56 of the laws of
28 2009, is amended to read as follows:

29 b. An eligible attorney may apply after the completion of the [~~fourth~~]
30 second year of qualified service, and annually thereafter after the
31 completion of the [~~fifth~~] third through [~~ninth~~] eleventh year of quali-
32 fied service, and may seek a student loan expense grant for only the
33 previous year of qualified service within the time periods prescribed by
34 the president. An eligible attorney may receive student loan expense
35 grants for no more than [~~six~~] eight years of qualified service within an
36 eligible period.

37 § 5. This act shall take effect April 1, 2026. Nothing in this act
38 shall be implemented in a manner that diminishes the current award or
39 status of eligible attorneys currently participating in the program.