

# STATE OF NEW YORK

5121

2025-2026 Regular Sessions

## IN SENATE

February 19, 2025

Introduced by Sens. JACKSON, MAYER, SEPULVEDA -- 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 affidavits of the lawful immigration status of certain students; and to repeal certain provisions of such law relating thereto

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

1 Section 1. The closing paragraph paragraph a and the closing paragraph  
2 of paragraph b of subdivision 5 of section 661 of the education law are  
3 REPEALED.

4 § 2. The closing paragraph of subparagraph (i) of paragraph (a) of  
5 subdivision 7 of section 6206 of the education law, as amended by  
6 section 3 of part B of chapter 56 of the laws of 2023, is amended to  
7 read as follows:

8 [~~A student without lawful immigration status shall also be required to~~  
9 ~~file an affidavit with such institution or educational unit stating that~~  
10 ~~the student has filed an application to legalize his or her immigration~~  
11 ~~status, or will file such an application as soon as he or she is eligi-~~  
12 ~~ble to do so.~~]

13 The trustees shall not adopt changes in tuition charges  
14 prior to the enactment of the annual budget. The board of trustees may  
15 accept as partial reimbursement for the education of veterans of the  
16 armed forces of the United States who are otherwise qualified such sums  
17 as may be authorized by federal legislation to be paid for such educa-  
18 tion. The board of trustees may conduct on a fee basis extension courses  
19 and courses for adult education appropriate to the field of higher  
20 education. In all courses and courses of study it may, in its  
21 discretion, require students to pay library, laboratory, locker, break-  
22 age and other instructional and non-instructional fees and meet the cost  
23 of books and consumable supplies. In addition to the foregoing fees and  
charges, the board of trustees may impose and collect fees and charges

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

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1 for student government and other student activities and receive and  
2 expend them as agent or trustee.

3 § 3. The closing paragraph of paragraph (a-1) of subdivision 7 of  
4 section 6206 of the education law, as amended by chapter 669 of the laws  
5 of 2022, is amended to read as follows:

6 ~~[A student without lawful immigration status shall also be required to  
7 file an affidavit with such institution or educational unit stating that  
8 the student has filed an application to legalize his or her immigration  
9 status, or will file such an application as soon as he or she is eligi-  
10 ble to do so.]~~ Except as otherwise authorized in paragraph (a) of this

11 subdivision, the trustees shall not adopt changes in tuition charges  
12 prior to the enactment of the annual budget. The board of trustees may  
13 accept as partial reimbursement for the education of veterans of the  
14 armed forces of the United States who are otherwise qualified such sums  
15 as may be authorized by federal legislation to be paid for such educa-  
16 tion. The board of trustees may conduct on a fee basis extension courses  
17 and courses for adult education appropriate to the field of higher  
18 education. In all courses and courses of study it may, in its  
19 discretion, require students to pay library, laboratory, locker, break-  
20 age and other instructional and non-instructional fees and meet the cost  
21 of books and consumable supplies. In addition to the foregoing fees and  
22 charges, the board of trustees may impose and collect fees and charges  
23 for student government and other student activities and receive and  
24 expend them as agent or trustee.

25 § 4. The second undesignated paragraph of subdivision 5 of section  
26 6301 of the education law is REPEALED.

27 § 5. The closing paragraph of paragraph (a) of subdivision 2 and the  
28 closing paragraph of paragraph (a) of subdivision 3 of section 6455 of  
29 the education law are REPEALED.

30 § 6. This act shall take effect on the sixtieth day after it shall  
31 have become a law; provided, however, that section two of this act shall  
32 take effect on the same date as the reversion of paragraph (a) of subdivi-  
33 sion 7 of section 6206 of the education law as provided in section 16  
34 of chapter 260 of the laws of 2011, as amended; provided further, howev-  
35 er, that the amendments to paragraph (a-1) of subdivision 7 of section  
36 6206 of the education law made by section three of this act shall not  
37 affect the repeal of such paragraph and shall be deemed repealed there-  
38 with.