

STATE OF NEW YORK

9335

IN SENATE

March 3, 2026

Introduced by Sen. FAHY -- 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 increasing the income cap for purposes of the Excelsior scholarship

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

1 Section 1. Subdivision 1 of section 669-h of the education law, as
2 amended by section 1 of part T of chapter 56 of the laws of 2018, is
3 amended to read as follows:
4 1. Eligibility. An excelsior scholarship award shall be made to an
5 applicant who: (a) is matriculated in an approved program leading to an
6 undergraduate degree at a New York state public institution of higher
7 education; (b) if enrolled in (i) a public institution of higher educa-
8 tion prior to application, has completed at least thirty combined cred-
9 its per year following the student's start date, or its equivalent,
10 applicable to [~~his or her~~] the student's program or programs of study or
11 (ii) an institution of higher education prior to application, has
12 completed at least thirty combined credits per year following the
13 student's start date, or its equivalent, applicable to [~~his or her~~] the
14 student's program or programs of study and which were accepted upon
15 transfer to a public institution of higher education; (c) enrolls in at
16 least twelve credits per semester and completes at least thirty combined
17 credits per year following the student's start date, or its equivalent,
18 applicable to [~~his or her~~] the student's program or programs of study
19 except in limited circumstances as prescribed by the corporation in
20 regulation. Notwithstanding, in the student's last semester, the
21 student may take at least one course needed to meet [~~his or her~~] the
22 student's graduation requirements and enroll in and complete at least
23 twelve credit hours or its equivalent. For students who are disabled as
24 defined by the Americans With Disabilities Act of 1990, 42 USC 12101,
25 the corporation shall prescribe rules and regulations that allow appli-
26 cants who are disabled to be eligible for an award pursuant to this
27 section based on modified criteria; (d) has an adjusted gross income for
28 the qualifying year, as such terms are defined in this subdivision,

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

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1 equal to or less than: (i) one hundred thousand dollars for recipients
2 receiving an award in the two thousand seventeen--two thousand eighteen
3 academic year; (ii) one hundred ten thousand dollars for recipients
4 receiving an award in the two thousand eighteen--two thousand nineteen
5 academic year; [~~and~~] (iii) one hundred twenty-five thousand dollars for
6 recipients receiving an award in the two thousand nineteen--two thousand
7 twenty academic year [~~and thereafter~~] through the two thousand twenty-
8 five--two thousand twenty-six academic year; and (iv) one hundred fifty
9 thousand dollars for recipients receiving an award in the two thousand
10 twenty-six--two thousand twenty-seven academic year and thereafter; and
11 (e) complies with the applicable provisions of this article and all
12 requirements promulgated by the corporation for the administration of
13 the program. Adjusted gross income shall be the total of the combined
14 adjusted gross income of the applicant and the applicant's parents or
15 the applicant and the applicant's spouse, if married. Qualifying year
16 shall be the adjusted gross income as reported on the federal income tax
17 return, or as otherwise obtained by the corporation, for the calendar
18 year coinciding with the tax year established by the U.S. department of
19 education to qualify applicants for federal student financial aid
20 programs authorized by Title IV of the Higher Education Act of nineteen
21 hundred sixty-five, as amended, for the school year in which application
22 for assistance is made. Provided, however, if an applicant demonstrates
23 to the corporation that there has been a change in such applicant's
24 adjusted gross income in the year(s) subsequent to the qualifying year
25 which would qualify such applicant for an award, the corporation shall
26 review and make a determination as to whether such applicant meets the
27 requirement set forth in paragraph (d) of this subdivision based on such
28 year. Provided, further that such change was caused by the death, perma-
29 nent and total physical or mental disability, divorce, or separation by
30 judicial decree or pursuant to an agreement of separation which is filed
31 with a court of competent jurisdiction of any person whose income was
32 required to be used to compute the applicant's total adjusted gross
33 income.

34 § 2. This act shall take effect immediately.