

STATE OF NEW YORK

1498

2025-2026 Regular Sessions

IN SENATE

January 10, 2025

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 the criteria for determining tuition assistance program awards

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

1 Section 1. Subdivision 3 of section 667 of the education law, as added
2 by chapter 83 of the laws of 1995, paragraph a as amended by section 1
3 and subparagraph (iv) of paragraph b as amended by section 3 of part B
4 of chapter 60 of the laws of 2000, clause (A) of subparagraph (i) of
5 paragraph a as amended by section 1 and subparagraphs (i) and (ii) of
6 paragraph b as amended by section 2 of part DD of chapter 56 of the laws
7 of 2021, subparagraphs (ii), (iii) and (vi) of paragraph a as amended
8 and paragraph (vii) as added by section 1 of part X of chapter 56 of the
9 laws of 2024, and paragraph c as relettered by section 2 of part J of
10 chapter 58 of the laws of 2011 and paragraph b as amended by chapter 309
11 of the laws of 1996, is amended to read as follows:

12 3. Tuition assistance program awards.

13 a. Amount. The president shall make awards to students enrolled in
14 degree-granting institutions or registered not-for-profit business
15 schools qualified for tax exemption under § 501(c)(3) of the internal
16 revenue code for federal income tax purposes in the following amounts:

17 (i) For each year of undergraduate study, assistance shall be provided
18 as computed on the basis of the amount which is the lesser of the
19 following:

20 (A) [~~(1) In the case of students who have not been granted an exclu-~~
21 ~~sion of parental income, who have qualified as an orphan, foster child,~~
22 ~~or ward of the court for the purposes of federal student financial aid~~
23 ~~programs authorized by Title IV of the Higher Education Act of 1965, as~~
24 ~~amended, or had a dependent for income tax purposes during the tax year~~
25 ~~next preceding the academic year for which application is made, except~~

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

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~~for those students who have been granted exclusion of parental income who have a spouse but no other dependent;~~

~~(a)]~~ Five thousand dollars, except starting in two thousand fourteen-two thousand fifteen such students shall receive five thousand one hundred sixty-five dollars, and except starting in two thousand twenty-one--two thousand twenty-two and thereafter such students shall receive five thousand six hundred sixty-five dollars, provided however that nothing herein shall be construed as increasing any award made pursuant to this section for an academic year prior to two thousand twenty-one--two thousand twenty-two; or

~~(b)]~~ **(B)** For undergraduate students enrolled in a program of study at a non-public degree-granting institution that does not offer a program of study that leads to a baccalaureate degree, or at a registered not-for-profit business school qualified for tax exemption under section 501(c)(3) of the internal revenue code for federal income tax purposes that does not offer a program of study that leads to a baccalaureate degree, four thousand dollars, except starting in two thousand twenty-one--two thousand twenty-two and thereafter such students shall receive four thousand five hundred dollars. Provided, however, that this ~~[subitem]~~ **clause** shall not apply to students enrolled in a program of study leading to a certificate or degree in nursing~~[-]; or~~

~~[(2) In the case of students receiving awards pursuant to subparagraph (iii) of this paragraph and those students who have been granted exclusion of parental income who have a spouse but no other dependent beginning in the two thousand twenty-one--two thousand twenty-two academic year and thereafter, three thousand five hundred twenty five dollars, provided that nothing herein shall be construed as increasing any award made for any prior academic year; or~~

~~(B)]~~ **(C)** (1) Ninety-five percent of the amount of tuition (exclusive of educational fees) charged and, if applicable, the college fee levied by the state university of New York pursuant to the April first, nineteen hundred sixty-four financing agreement with the New York state dormitory authority.

(2) For the two thousand one--two thousand two academic year and thereafter one hundred percent of the amount of tuition (exclusive of educational fees) charged and, if applicable, the college fee levied by the state university of New York pursuant to the April first, nineteen hundred sixty-four financing agreement with the New York state dormitory authority.

(ii) ~~[Except for students as noted in subparagraph (iii) of this paragraph, the]~~ **The** base amount as determined from subparagraph (i) of this paragraph, shall be reduced in relation to income as follows:

Amount of income	Schedule of reduction of base amount
(A) Less than seven thousand dollars	None
(B) Seven thousand dollars or more, but less than eleven thousand dollars	Seven per centum of excess over seven thousand dollars
(C) Eleven thousand dollars or more, but less than eighteen thousand dollars	Two hundred eighty dollars plus ten per centum of excess over eleven thousand dollars
(D) Eighteen thousand dollars or more, but not more than one	Nine hundred eighty dollars plus twelve per centum of

1	hundred twenty-five	excess over eighteen
2	thousand dollars	thousand dollars

~~3 (iii) [(A) For students who have been granted exclusion of parental
4 income and were single with no dependent for income tax purposes during
5 the tax year next preceding the academic year for which application is
6 made, the base amount, as determined in subparagraph (i) of this para-
7 graph, shall be reduced in relation to income as follows:~~

1 thousand dollars and four hundred twenty-five dollars if the amount of
2 income is sixty thousand dollars or less.

3 ~~[(vi)]~~ (v) For the two thousand two--two thousand three through two
4 thousand twenty-three--twenty-four academic years, the award shall be
5 the net amount of the base amount determined pursuant to subparagraph
6 (i) of this paragraph reduced pursuant to subparagraph (ii) ~~[or (iii)]~~
7 of this paragraph but the award shall not be reduced below five hundred
8 dollars.

9 ~~[(vii)]~~ (vi) For the two thousand twenty-four--two thousand twenty-
10 five academic year and thereafter, the award shall be the net amount of
11 the base amount determined pursuant to subparagraph (i) of this para-
12 graph reduced pursuant to subparagraph (ii) ~~[or (iii)]~~ of this paragraph
13 but the award shall not be reduced below one thousand dollars.

14 b. Amount. The president shall make awards to students enrolled in two
15 year programs offered in registered private business schools except for
16 registered not-for-profit business schools qualified for tax exemption
17 under section 501(c)(3) of the internal revenue code for federal income
18 tax purposes in the following amounts:

19 (i) For each year of study, assistance shall be provided as computed
20 on the basis of the amount which is the lesser of the following:

21 (A) ~~[(1)]~~ one thousand three hundred dollars~~[, or~~
22 ~~(2) for students receiving awards pursuant to subparagraph (iii) of~~
23 ~~this paragraph, one thousand one hundred forty dollars]~~; or

24 (B) (1) Ninety-five percent of the amount of tuition (exclusive of
25 educational fees) charged.

26 (2) For the two thousand one--two thousand two academic year and ther-
27 eafter one hundred percent of the amount of tuition (exclusive of educa-
28 tional fees).

29 (ii) ~~[Except for students as noted in subparagraph (iii) of this para-~~
30 ~~graph, the]~~ The base amount as determined in subparagraph (i) of this
31 paragraph, shall be reduced in relation to income as follows:

32 Amount of income	Schedule of reduction
33	of base amount
34 (A) Less than seven thousand	None
35 dollars	
36 (B) Seven thousand dollars or	Seven per centum of the excess
37 more, but less than eleven	over seven thousand dollars
38 thousand dollars	

39 (iii) ~~[For students who have been granted exclusion of parental income~~
40 ~~and were single with no dependent for income tax purposes during the tax~~
41 ~~year next preceding the academic year for which application is made, the~~
42 ~~base amount, as determined in subparagraph (i) of this paragraph, shall~~
43 ~~be reduced in relation to income as follows:]~~

44 Amount of income	Schedule of reduction of
45	base amount
46 (A) Less than three thousand	None
47 dollars	
48 (B) Three thousand dollars or	Thirty one per centum of the ex-
49 more, but not more than ten	cess over three thousand dollars
50 thousand dollars	

1 ~~(iv)~~ If the amount of reduction is not a whole dollar, it shall be
2 reduced to the next lowest whole dollar. In the case of any student who
3 has received four or more payments pursuant to any and all awards
4 provided for in this subdivision, for the two thousand--two thousand one
5 academic year the base amount shall be reduced by an additional one
6 hundred fifty dollars for the two thousand one--two thousand two academ-
7 ic year and thereafter the base amount shall be reduced by an additional
8 one hundred dollars.

9 ~~(v)~~ (iv) The award shall be the net amount of the base amount deter-
10 mined pursuant to subparagraph (i) of this paragraph reduced pursuant to
11 subparagraph (ii) ~~or (iii)~~ of this paragraph but the award shall not
12 be reduced below one hundred dollars. If the income exceeds the maximum
13 amount of income allowable under subparagraph (ii) ~~or (iii)~~ of this
14 paragraph, no award shall be made.

15 c. Restrictions. In no ~~even shall~~ event shall any award:

16 (i) be made unless the annual tuition (exclusive of educational fees)
17 and, if applicable, the college fee levied by the state university of
18 New York pursuant to the April first, nineteen hundred sixty-four
19 financing agreement with the New York state dormitory authority charged
20 for the program in which the student is enrolled total at least two
21 hundred dollars; or

22 (ii) exceed the amount by which such annual tuition (exclusive of
23 educational fees) and, if applicable, the college fee levied by the
24 state university of New York pursuant to the April first, nineteen
25 hundred sixty-four financing agreement with the New York state dormitory
26 authority exceed the total of all other state, federal, or other educa-
27 tional aid that is received or receivable by such student during the
28 school year for which such award is applicable and that, in the judgment
29 of the commissioner, would duplicate the purposes of the award; or

30 (iii) be made when income exceeds the maximum income set forth in this
31 subdivision. The commissioner shall list in his regulations all major
32 state and federal financial aid available to New York state students and
33 identify any forms of aid that are duplicative of the purposes of the
34 tuition assistance program. For the purposes of this subdivision,
35 neither United States war orphan educational benefits nor benefits under
36 the veterans' readjustment act of nineteen hundred sixty-six shall be
37 considered as federal or other educational aid.

38 § 2. This act shall take effect on the one hundred eightieth day after
39 it shall have become a law.