§ 669-a. Veterans tuition awards program. 1. As used in this section, the following terms shall have the following meanings:

a. "Vietnam veteran" means (i) a person who is a resident of this state, (ii) who served in the armed forces of the United States in Indochina at any time from the first day of November, nineteen hundred fifty-five, to and including the seventh day of May, nineteen hundred seventy-five, and (iii) who was either discharged therefrom under honorable conditions, including but not limited to honorable discharge, discharge under honorable conditions, or general discharge, or has a qualifying condition, as defined in section one of the veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, or is a discharged LGBT veteran, as defined in section one of the veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service.

b. "Persian Gulf veteran" means (i) a person who is a resident of this state (ii) who served in the armed forces of the United States in the hostilities that occurred in the Persian Gulf from the second day of August, nineteen hundred ninety through the end of such hostilities, and (iii) who was either discharged therefrom under honorable conditions, including but not limited to honorable discharge, discharge under honorable conditions, or general discharge, or has a qualifying condition, as defined in section one of the veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, or is a discharged LGBT veteran, as defined in section one of the veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service.

c. "Afghanistan veteran" means (i) a person who is a resident of this state (ii) who served in the armed forces of the United States in the hostilities that occurred in Afghanistan from the eleventh day of September, two thousand one, to the end of such hostilities, and (iii) who was either discharged therefrom under honorable conditions, including but not limited to honorable discharge, discharge under honorable conditions, or general discharge, or has a qualifying condition, as defined in section one of the veterans' services law, and

has received a discharge other than bad conduct or dishonorable from such service, or is a discharged LGBT veteran, as defined in section one of the veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service.

d. "Other eligible veteran" means: an individual who (i) is a resident of this state, (ii) served in the armed forces of the United States (1) on active duty for at least four years, or (2) in hostilities that occurred after February twenty-eighth, nineteen hundred sixty-one, as evidenced by their receipt of an Armed Forces Expeditionary Medal, Navy Expeditionary Medal, or Marine Corps Expeditionary Medal, and (iii) was either discharged under honorable conditions, including but not limited to honorable discharge, discharge under honorable conditions, or general discharge, or has a qualifying condition, as defined in section one of the veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, or is a discharged LGBT veteran, as defined in section one of the veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service.

e. "Part time study" means enrollment for at least three but less than twelve semester hours per semester, or the equivalent, in an approved undergraduate or graduate program.

f. "Approved vocational training programs" means programs offered by agencies approved by the commissioner for funding pursuant to this section. The commissioner shall approve only such non-credit programs which are at least three hundred twenty clock hours in length, and which meet standards of instructional quality established in regulations by the commissioner. These standards shall include, but not be limited to, qualifications of administrative and instructional personnel, quality of facilities and equipment, recordkeeping, admission, grading, attendance, and record of placement of completers which meets standards of acceptability as established by the commissioner.

* g. "Eligible immediate family member" means a person who is the spouse, child or financial dependent of a qualified veteran, and who resides in this state.

* NB Effective July 1, 2027

* h. "Qualified veteran" means a veteran who satisfies the requirements set forth in paragraph a, b, c, or d of subdivision one of this section.

* NB Effective July 1, 2027

* i. "Survivor" means a person who: (i) was married to a qualified veteran who died as a result of military service; or (ii) was married to the qualified veteran within fifteen years of their discharge from military service in which the cause of death, disease or injury started or was aggravated; or (iii) was married to the veteran for at least one year; or (iv) had a child with the qualified veteran and lived together with the veteran continuously until the veteran's death or, if separated, was not at fault for the separation.

* NB Effective and Repealed July 1, 2027

2. a. Tuition awards are available for all Vietnam, Persian Gulf, Afghanistan and other eligible veterans, as defined in subdivision one of this section, who are enrolled, pursuant to paragraph a of subdivision four of section six hundred sixty-one of this part, in approved undergraduate or graduate programs at degree granting institutions or enrolled in approved vocational training programs and who apply for a tuition assistance program award, for up to the equivalent of eight full-time semesters, pursuant to section six hundred sixty-seven of this subpart.

b. Eligibility for awards under this section shall be established as of the date the application is received by the corporation. All eligible recipients shall receive an award in an amount as set forth in subdivision four of this section.

3. a. No recipient shall receive awards for more than eight semesters of full time undergraduate study, or the equivalent of four academic years, or, if an undergraduate program normally requires five academic years of full time study, for more than ten semesters of full time study, or the equivalent of five academic years. Recipients enrolled in a program of remedial study conforming to the provisions of this article, approved by the commissioner in a degree granting institution,

and intended to culminate in an undergraduate degree shall be considered as enrolled in a program normally requiring five years. No recipient enrolled in an approved vocational training program shall receive awards for more than four semesters of full-time study or the equivalent of two academic years of full-time study.

b. No recipient shall receive awards for more than sixteen semesters of part time undergraduate study as defined in subdivision one, or the equivalent of eight academic years of part time study, or, if an undergraduate program normally requires five academic years of full time study, for more than twenty semesters of part time study, or the equivalent of ten academic years. Recipients enrolled in a program of remedial study conforming to the provisions of this chapter, approved by the commissioner in a degree granting institution, and intended to culminate in an undergraduate degree shall be considered as enrolled in a program normally requiring five years. No recipient enrolled in an approved vocational training program shall receive awards for more than eight semesters of part-time study or the equivalent of four academic years of part-time study.

c. No recipient shall receive awards for more than six semesters of full time study, or the equivalent of three academic years, for graduate study. No recipient shall receive awards for more than twelve semesters of part time graduate study as defined in subdivision one of this section, or the equivalent of six academic years of part time graduate study.

4. Every recipient shall receive an award equal to the amount of undergraduate tuition for residents of New York state charged by the state university of New York or actual tuition charged, whichever is less, for each semester, or the equivalent, of full time study, or a pro-rated amount for part-time study; provided, however, that such award shall not be reduced by any benefits available under the federal Montgomery GI Bill act of 1984 or the federal Pell grant program pursuant to section one thousand seventy-a of title twenty of the United States code.

* 5. a. A qualified veteran who has not utilized such tuition award,

may elect to transfer in a single instance all or any remaining tuition award to one eligible immediate family member.

b. A qualified veteran who elects to transfer their award shall designate the eligible immediate family member to whom such award is being transferred in the manner prescribed by the corporation.

c. A child to whom a tuition award is transferred under this subdivision shall be under twenty-six years of age.

d. The tuition award transfers designated by a qualified veteran pursuant to this subdivision shall not exceed the award available to such veteran under this section.

e. The total number of tuition award transfers under this subdivision shall not exceed one hundred per year.

* NB Effective July 1, 2027

* 6. The president is authorized to promulgate rules and regulations to implement the provisions of this section. The president may establish a. an application deadline and b. a method of selecting which one hundred tuition award transfers are to be granted if in any given year there are more than one hundred eligible tuition award transfers requested.

* NB Effective July 1, 2027