

4200

2011-2012 Regular Sessions

I N S E N A T E

March 23, 2011

Introduced by Sen. HANNON -- (at request of the Dormitory Authority of the State of New York) -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the New York state medical care facilities finance agency act, in relation to the ability to issue certain bonds and notes

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Paragraph (b) of subdivision 1 of section 7 of section 1 of
2 chapter 392 of the laws of 1973, constituting the New York state medical
3 care facilities finance agency act, as amended by chapter 238 of the
4 laws of 2009, is amended to read as follows:
5 (b) The agency shall not issue hospital and nursing home project bonds
6 and hospital and nursing home project notes in an aggregate principal
7 amount exceeding fifteen billion EIGHT HUNDRED MILLION dollars, exclud-
8 ing hospital and nursing home project bonds and hospital and nursing
9 home project notes issued to refund outstanding hospital and nursing
10 home projects bonds and hospital and nursing home project notes;
11 provided, however, that upon any such refunding or repayment the total
12 aggregate principal amount of outstanding bonds, notes or other obli-
13 gations may be greater than fifteen billion EIGHT HUNDRED MILLION
14 dollars only if the present value of the aggregate debt service of the
15 refunding or repayment bonds, notes or other obligations to be issued
16 shall not exceed the present value of the aggregate debt service of the
17 bonds, notes or other obligations so to be refunded or repaid. For
18 purposes hereof, the present values of the aggregate debt service of the
19 refunding or repayment bonds, notes or other obligations and of the
20 aggregate debt service of the bonds, notes or other obligations so
21 refunded or repaid, shall be calculated by utilizing the effective
22 interest rate of the refunding or repayment bonds, notes or other obli-
23 gations, which shall be that rate arrived at by doubling the semi-annual
24 interest rate (compounded semi-annually) necessary to discount the debt

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

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1 service payments on the refunding or repayment bonds, notes or other
2 obligations from the payment dates thereof to the date of issue of the
3 refunding or repayment bonds, notes or other obligations and to the
4 price bid including estimated accrued interest or proceeds received by
5 the agency including estimated accrued interest from the sale thereof.
6 The agency shall not issue hospital and nursing home project bonds at
7 any time secured by the hospital and nursing home capital reserve fund
8 if upon issuance, the amount in the hospital and nursing home capital
9 reserve fund will be less than the hospital and nursing home capital
10 reserve fund requirement, unless the agency, at the time of issuance of
11 such bonds, shall deposit in such reserve fund from the proceeds of the
12 bonds so to be issued, or otherwise, an amount which together with the
13 amount then in such reserve fund, will be not less than the hospital and
14 nursing home capital reserve fund requirement.
15 S 2. This act shall take effect immediately.