S T A T E O F N E W Y O R K

S. 5217 A. 7388

2015-2016 Regular Sessions

S E N A T E - A S S E M B L Y

May 7, 2015

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

IN ASSEMBLY -- Introduced by M. of A. GLICK -- read once and referred to the Committee on Higher Education

AN ACT to amend the state finance law, in relation to five-year capital plans for the state university of New York and the city university of New York

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

Section 1. Section 22-c of the state finance law is amended by adding a new subdivision 7 to read as follows:

7. FOR THE FISCAL YEAR BEGINNING ON APRIL FIRST, TWO THOUSAND SIXTEEN AND EVERY FIFTH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL SUBMIT TO THE LEGISLATURE AS PART OF THE ANNUAL EXECUTIVE BUDGET, FIVE-YEAR CAPITAL PLANS FOR THE STATE UNIVERSITY OF NEW YORK STATE-OPERATED CAMPUSES AND CITY UNIVERSITY OF NEW YORK SENIOR COLLEGES. SUCH PLANS SHALL PROVIDE FOR THE ANNUAL APPROPRIATION OF CAPITAL FUNDS TO COVER ONE HUNDRED PERCENT OF THE ANNUAL CRITICAL MAINTENANCE NEEDS IDENTIFIED BY EACH UNIVERSITY SYSTEM, AND MAY INCLUDE FUNDS FOR NEW INFRASTRUCTURE OR OTHER MAJOR CAPITAL INITIATIVES, PROVIDED THAT SUCH FUNDING FOR NEW INFRASTRUCTURE OR OTHER MAJOR CAPITAL INITIATIVES SHALL NOT COUNT TOWARDS MEETING THE OVERALL CRITICAL MAINTENANCE REQUIREMENT. IN THE EVENT THAT SUCH PLAN IS UNABLE TO FUND ONE HUNDRED PERCENT OF THE CRITICAL MAINTENANCE NEEDS DUE TO THE LIMITATION IMPOSED BY ARTICLE FIVE-B OF THIS CHAPTER, THE DIRECTOR OF THE BUDGET SHALL DEVELOP FIVE-YEAR CAPITAL PLANS WHEREBY THE IMPLEMENTATION OF EACH CAPITAL PLAN WOULD ANNUALLY REDUCE THE OVERALL FACILITY CONDITION INDEX (FCI) FOR EACH UNIVERSITY SYSTEM. FOR THE PURPOSES OF THIS SUBDIVISION, "FACILITY CONDITION INDEX" SHALL MEAN AN INDUSTRY BENCHMARK THAT MEASURES THE RATIO OF DEFERRED MAINTENANCE DOLLARS TO REPLACEMENT DOLLARS FOR THE PURPOSES OF ANALYZING

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

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THE EFFECT OF INVESTING IN FACILITY IMPROVEMENTS. THE APPORTIONMENT OF CAPITAL APPROPRIATIONS TO EACH STATE-OPERATED CAMPUS OR SENIOR COLLEGE SHALL BE BASED ON A METHODOLOGY TO BE DEVELOPED BY THE DIRECTOR OF THE BUDGET, IN CONSULTATION WITH THE STATE UNIVERSITY OF NEW YORK AND CITY UNIVERSITY OF NEW YORK.

S 2. This act shall take effect immediately.