

5246

2015-2016 Regular Sessions

I N S E N A T E

May 11, 2015

Introduced by Sen. MARTINS -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the not-for-profit corporation law, in relation to higher education research foundations

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

1 Section 1. The not-for-profit corporation law is amended by adding a
2 new section 1413 to read as follows:

3 S 1413. HIGHER EDUCATION RESEARCH FOUNDATIONS.

4 (A) FOR THE PURPOSES OF THIS SECTION, THE TERM "HIGHER EDUCATION
5 RESEARCH FOUNDATION" SHALL MEAN A NOT-FOR-PROFIT CORPORATION, COMPANY
6 OR PARTNERSHIP CLOSELY AFFILIATED WITH THE STATE UNIVERSITY OF NEW
7 YORK AND WHOSE PURPOSES ARE ESSENTIALLY TO SUPPORT, SUPPLEMENT OR
8 EXTEND THE FUNCTIONS AND PROGRAMS OF SUCH STATE UNIVERSITY, INCLUDING
9 WITHOUT LIMITATION THE RESEARCH FOUNDATION OF THE STATE UNIVERSITY OF
10 NEW YORK AND ITS AFFILIATED ENTITIES.

11 (B) CIVIL SERVICE STATUS OF EMPLOYEES. ANY EMPLOYEE OF A HIGHER
12 EDUCATION RESEARCH FOUNDATION SHALL BE DEEMED TO BE IN THE CLASSIFIED
13 CIVIL SERVICE OR THE UNCLASSIFIED CIVIL SERVICE AS PROVIDED FOR IN THE
14 CIVIL SERVICE LAW AND SHALL BE SUBJECT TO THE PROVISIONS OF THE CIVIL
15 SERVICE LAW IN THE SAME MANNER AS AN EMPLOYEE OF A DEPARTMENT OR AGEN-
16 CY OF THE STATE.

17 S 2. The state civil service commission may prescribe rules and regu-
18 lations to define permanent employees of a higher education research
19 foundation as defined in section 1413 of the not-for-profit corporation
20 law, as added by section one of this act.

21 S 3. This act shall take effect on the one hundred eightieth day after
22 it shall have become a law.

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

LBD10511-01-5