

# STATE OF NEW YORK

7259

## IN SENATE

January 5, 2018

Introduced by Sen. LAVALLE -- 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 state appropriations to 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:

1 Section 1. Clause (v) of subparagraph 4 of paragraph h of subdivision  
2 2 of section 355 of the education law, as amended by section 1 of part  
3 JJJ of chapter 59 of the laws of 2017, is amended to read as follows:

4 (v) Beginning in state fiscal year two thousand seventeen--two thou-  
5 sand eighteen [~~and ending in state fiscal year two thousand twenty-two~~  
6 ~~thousand twenty-one~~] and thereafter, the state shall appropriate and  
7 make available general fund operating support[~~, including~~] and fringe  
8 benefits, for the state university and the state university health  
9 science centers in an amount not less than the [~~amount~~] amounts sepa-  
10 rately appropriated and made available in the prior state fiscal year;  
11 provided, further, the state shall appropriate and make available gener-  
12 al fund operating support to cover all mandatory costs of the state  
13 university and the state university health science centers, which shall  
14 include, but not be limited to, collective bargaining costs including  
15 salary increments, fringe benefits, and other non-personal service costs  
16 such as utility costs, building rentals and other inflationary expenses  
17 incurred by the state university and the state university health science  
18 centers, and any increase in the tuition credit pursuant to section six  
19 hundred eighty-nine-a of this title as tuition increases are enacted by  
20 the board of trustees of the state university; provided, however, that  
21 if the governor declares a fiscal emergency, and communicates such emer-  
22 gency to the temporary president of the senate and speaker of the assem-  
23 bly, state support for operating expenses at the state university and  
24 city university may be reduced in a manner proportionate to one another,  
25 and the aforementioned provisions shall not apply; provided further, the  
26 state shall appropriate and make available general fund support to fully

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

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1 fund the tuition credit pursuant to subdivision two of section six  
2 hundred sixty-nine-h of this title.

3 § 2. Subparagraph (v) of paragraph (a) of subdivision 7 of section  
4 6206 of the education law, as amended by section 2 of part JJJ of chap-  
5 ter 59 of the laws of 2017, is amended to read as follows:

6 (v) Beginning in state fiscal year two thousand seventeen--two thou-  
7 sand eighteen and [~~ending in state fiscal year two thousand twenty-two~~  
8 ~~thousand twenty-one~~] thereafter, the state shall appropriate and make  
9 available general fund operating support[~~, including~~] and fringe bene-  
10 fits, for the city university in an amount not less than the [~~amount~~]  
11 amounts separately appropriated and made available in the prior state  
12 fiscal year; provided, further, the state shall appropriate and make  
13 available general fund operating support to cover all mandatory costs of  
14 the city university, which shall include, but not be limited to, collec-  
15 tive bargaining costs, including salary increments, fringe benefits, and  
16 other non-personal service costs such as utility costs, building rentals  
17 and other inflationary expenses incurred by the city university, and any  
18 increase in the tuition credit pursuant to section six hundred eighty-  
19 nine-a of this chapter as tuition increases are enacted by the board of  
20 trustees of the city university; provided, however, that if the governor  
21 declares a fiscal emergency, and communicates such emergency to the  
22 temporary president of the senate and speaker of the assembly, state  
23 support for operating expenses at the state university and city univer-  
24 sity may be reduced in a manner proportionate to one another, and the  
25 aforementioned provisions shall not apply; provided further, the state  
26 shall appropriate and make available general fund support to fully fund  
27 the tuition credit pursuant to subdivision two of section six hundred  
28 sixty-nine-h of this chapter.

29 § 3. This act shall take effect immediately provided that:

30 (a) the amendments to subparagraph 4 of paragraph h of subdivision 2  
31 of section 355 of the education law made by section one of this act  
32 shall not affect the expiration and reversion of such subparagraph  
33 pursuant to chapter 260 of the laws of 2011, as amended, and shall  
34 expire therewith; and

35 (b) the amendments to paragraph (a) of subdivision 7 of section 6206  
36 of the education law made by section two of this act shall not affect  
37 the expiration and reversion of such paragraph pursuant to chapter 260  
38 of the laws of 2011, as amended, and shall expire therewith.