

STATE OF NEW YORK

8757

IN SENATE

July 14, 2020

Introduced by Sen. COMRIE -- (at request of the Dormitory Authority) --
read twice and ordered printed, and when printed to be committed to
the Committee on Rules

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 183 of the
4 laws of 2018, 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 [~~sixteen~~] seventeen billion [~~six~~] four hundred million
8 dollars, excluding hospital and nursing home project bonds and hospital
9 and nursing home project notes issued to refund outstanding hospital and
10 nursing 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 obligations
13 may be greater than [~~sixteen~~] seventeen billion [~~six~~] four
14 hundred million dollars only if the present value of the aggregate debt
15 service of the refunding or repayment bonds, notes or other obligations
16 to be issued shall not exceed the present value of the aggregate debt
17 service of the bonds, notes or other obligations so to be refunded or
18 repaid. For purposes hereof, the present values of the aggregate debt
19 service of the refunding or repayment bonds, notes or other obligations
20 and of the aggregate debt service of the bonds, notes or other obligations
21 so refunded or repaid, shall be calculated by utilizing the
22 effective interest rate of the refunding or repayment bonds, notes or
23 other obligations, which shall be that rate arrived at by doubling the
24 semi-annual interest rate (compounded semi-annually) necessary to
25 discount the debt service payments on the refunding or repayment bonds,
26 notes or other obligations from the payment dates thereof to the date of
27 issue of the refunding or repayment bonds, notes or other obligations

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

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1 and to the price bid including estimated accrued interest or proceeds
2 received by the agency including estimated accrued interest from the
3 sale thereof. The agency shall not issue hospital and nursing home
4 project bonds at any time secured by the hospital and nursing home capi-
5 tal reserve fund if upon issuance, the amount in the hospital and nurs-
6 ing home capital reserve fund will be less than the hospital and nursing
7 home capital reserve fund requirement, unless the agency, at the time of
8 issuance of such bonds, shall deposit in such reserve fund from the
9 proceeds of the bonds so to be issued, or otherwise, an amount which
10 together with the amount then in such reserve fund, will be not less
11 than the hospital and nursing home capital reserve fund requirement.

12 § 2. This act shall take effect immediately.