

STATE OF NEW YORK

1183

2019-2020 Regular Sessions

IN ASSEMBLY

January 14, 2019

Introduced by M. of A. GLICK, DICKENS, ZEBROWSKI, LUPARDO, BARRON, COOK, GUNTHER, JAFFEE, WILLIAMS, LIFTON, ENGLEBRIGHT, LAVINE, D'URSO, ABBATE, EPSTEIN, SEAWRIGHT, L. ROSENTHAL, BLAKE, GOTTFRIED, STIRPE, CRESPO, COLTON, JONES, JEAN-PIERRE, SIMON, RIVERA, WALLACE, NIOU, ARROYO, CAHILL, RAMOS, PICHARDO, WEPRIN, ORTIZ -- read once and referred 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. Clauses (v) and (vi) of subparagraph 4 of paragraph h of
2 subdivision 2 of section 355 of the education law, as amended by section
3 1 of part JJJ of chapter 59 of the laws of 2017, are amended to read as
4 follows:

5 (v) Beginning in state fiscal year two thousand seventeen--two thou-
6 sand eighteen and ending in state fiscal year two thousand [~~twenty~~]
7 nineteen--two thousand [~~twenty-one~~] twenty, the state shall appropriate
8 and make available general fund operating support, including fringe
9 benefits, for the state university in an amount not less than the amount
10 appropriated and made available in the prior state fiscal year;
11 provided, however, that if the governor declares a fiscal emergency, and
12 communicates such emergency to the temporary president of the senate and
13 speaker of the assembly, state support for operating expenses at the
14 state university and city university may be reduced in a manner propor-
15 tionate to one another, and the aforementioned provisions shall not
16 apply; provided further, the state shall appropriate and make available
17 general fund support to fully fund the tuition credit pursuant to subdi-
18 vision two of section six hundred sixty-nine-h of this title.

19 (vi) Beginning in state fiscal year two thousand twenty--two thousand
20 twenty-one and thereafter, the state shall appropriate and make avail-

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

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1 able general fund operating support and fringe benefits, for the state
2 university and the state university health science centers in an amount
3 not less than the amounts separately appropriated and made available in
4 the prior state fiscal year; provided, further, the state shall appro-
5 priate and make available general fund operating support to cover all
6 mandatory costs of the state university and the state university health
7 science centers, which shall include, but not be limited to, collective
8 bargaining costs including salary increments, fringe benefits, and other
9 non-personal service costs such as utility costs, building rentals and
10 other inflationary expenses incurred by the state university and the
11 state university health science centers, and any increase in the tuition
12 credit pursuant to section six hundred eighty-nine-a of this title as
13 tuition increases are enacted by the board of trustees of the state
14 university; provided, however, that if the governor declares a fiscal
15 emergency, and communicates such emergency to the temporary president of
16 the senate and the speaker of the assembly, state support for operating
17 expenses at the state university and city university may be reduced in a
18 manner proportionate to one another, and the aforementioned provisions
19 shall not apply; provided further, the state shall appropriate and make
20 available general fund support to fully fund the tuition credit pursuant
21 to subdivision two of section six hundred sixty-nine-h of this title.

22 (vii) For the state university fiscal years commencing two thousand
23 eleven--two thousand twelve and ending two thousand fifteen--two thou-
24 sand sixteen, each university center may set aside a portion of its
25 tuition revenues derived from tuition increases to provide increased
26 financial aid for New York state resident undergraduate students whose
27 net taxable income is eighty thousand dollars or more subject to the
28 approval of a NY-SUNY 2020 proposal by the governor and the chancellor
29 of the state university of New York. Nothing in this paragraph shall be
30 construed as to authorize that students whose net taxable income is
31 eighty thousand dollars or more are eligible for tuition assistance
32 program awards pursuant to section six hundred sixty-seven of this
33 [~~chapter~~] title.

34 § 2. Subparagraph (v) of paragraph (a) of subdivision 7 of section
35 6206 of the education law, as amended by section 2 of part JJJ of chap-
36 ter 59 of the laws of 2017, is amended and a new subparagraph (vi) is
37 added to read as follows:

38 (v) Beginning in state fiscal year two thousand seventeen--two thou-
39 sand eighteen and ending in state fiscal year two thousand [~~twenty~~]
40 ~~nineteen~~--two thousand [~~twenty-one~~] twenty, the state shall appropriate
41 and make available general fund operating support, including fringe
42 benefits, for the city university in an amount not less than the amount
43 appropriated and made available in the prior state fiscal year;
44 provided, however, that if the governor declares a fiscal emergency, and
45 communicates such emergency to the temporary president of the senate and
46 speaker of the assembly, state support for operating expenses at the
47 state university and city university may be reduced in a manner propor-
48 tionate to one another, and the aforementioned provisions shall not
49 apply; provided further, the state shall appropriate and make available
50 general fund support to fully fund the tuition credit pursuant to subdivi-
51 sion two of section six hundred sixty-nine-h of this chapter.

52 (vi) Beginning in state fiscal year two thousand twenty--two thousand
53 twenty-one and thereafter, the state shall appropriate and make avail-
54 able general fund operating support and fringe benefits, for the city
55 university in an amount not less than the amounts separately appropri-
56 ated and made available in the prior state fiscal year; provided,

1 further, the state shall appropriate and make available general fund
2 operating support to cover all mandatory costs of the city university,
3 which shall include, but not be limited to, collective bargaining costs
4 including salary increments, fringe benefits, and other non-personal
5 service costs such as utility costs, building rentals and other infla-
6 tionary expenses incurred by the city university, and any increase in
7 the tuition credit pursuant to section six hundred eighty-nine-a of this
8 chapter as tuition increases are enacted by the board of trustees of the
9 state university; provided, however, that if the governor declares a
10 fiscal emergency, and communicates such emergency to the temporary pres-
11 ident of the senate and the speaker of the assembly, state support for
12 operating expenses at the state university and city university may be
13 reduced in a manner proportionate to one another, and the aforementioned
14 provisions shall not apply; provided further, the state shall appropri-
15 ate and make available general fund support to fully fund the tuition
16 credit pursuant to subdivision two of section six hundred sixty-nine-h
17 of this chapter.

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

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

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