

STATE OF NEW YORK

5826

2019-2020 Regular Sessions

IN ASSEMBLY

February 19, 2019

Introduced by M. of A. GIGLIO, BRABENEC, LAWRENCE, McDONOUGH, B. MILLER, MORINELLO, RAIA, SMULLEN -- Multi-Sponsored by -- M. of A. SAYEGH -- read once and referred to the Committee on Ways and Means

AN ACT to amend the state finance law, in relation to the debt reduction reserve fund

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 97-rrr of the state finance law, as amended by
2 section 45 of part H of chapter 56 of the laws of 2000 and subdivision 4
3 as added by section 22-b of part XXX of chapter 59 of the laws of 2017,
4 is amended to read as follows:

5 § 97-rrr. Debt reduction reserve fund. 1. There is hereby established
6 in the joint custody of the comptroller and the commissioner of taxation
7 and finance a fund to be known as the debt reduction reserve fund. Such
8 fund shall be established as a ~~[capital projects]~~ debt service fund,
9 provided, however, any balance of moneys in such fund shall not be
10 transferred to the general fund pursuant to subdivision four of section
11 seventy-two of this article.

12 2. ~~[Such fund shall consist of all monies credited or transferred~~
13 ~~thereto from the general fund or from any other fund or sources pursuant~~
14 ~~to law.]~~ At the close of each fiscal year, a portion of any cash surplus
15 remaining in the general fund after the transfer pursuant to section
16 ninety-two of this article shall be transferred from or retained in such
17 fund as provided in this subdivision. The portion to be transferred to
18 the debt reduction reserve fund shall be equal to five percent of such
19 surplus for such fiscal year. For the purposes of this subdivision,
20 cash surplus shall be defined as the amount by which general fund
21 receipts in a fiscal year exceed general fund expenditures in such
22 fiscal year.

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

LBD06869-01-9

1 3. The monies in such fund, following appropriation by the legislature
2 and allocation by the director of the budget, shall be available for the
3 [~~following purposes:~~

4 ~~(a) for the payment of principal, interest, and related expenses on~~
5 ~~general obligation bonds, lease purchase payments, or special contractu-~~
6 ~~al obligation payments, or for the~~] purposes of retiring or defeasing
7 bonds or notes previously issued, including any accrued interest there-
8 on, for any state-supported bonding program or programs[, ~~and,~~

9 ~~(b) for the funding of capital projects, equipment acquisitions, or~~
10 ~~similar expenses which have been authorized by law to be financed~~
11 ~~through the issuance of bonds, notes, or other obligations].~~

12 4. Any amounts disbursed from such fund shall be excluded from the
13 calculation of annual spending growth in state operating funds until
14 June 30, 2019.

15 § 2. This act shall take effect immediately.