

STATE OF NEW YORK

3549

2019-2020 Regular Sessions

IN SENATE

February 8, 2019

Introduced by Sens. STAVISKY, 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 Assem-
bly, 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-
21 able general fund operating support and fringe benefits, for the state
22 university and the state university health science centers in an amount
23 not less than the amounts separately appropriated and made available in
24 the prior state fiscal year; provided, further, the state shall appro-

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

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

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

30 § 2. Subparagraph (v) of paragraph (a) of subdivision 7 of section
31 6206 of the education law, as amended by section 2 of part JJJ of chap-
32 ter 59 of the laws of 2017, is amended and a new subparagraph (vi) is
33 added to read as follows:

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

48 (vi) Beginning in state fiscal year two thousand twenty--two thousand
49 twenty-one and thereafter, the state shall appropriate and make avail-
50 able general fund operating support and fringe benefits, for the city
51 university in an amount not less than the amounts separately appropri-
52 ated and made available in the prior state fiscal year; provided,
53 further, the state shall appropriate and make available general fund
54 operating support to cover all mandatory costs of the city university,
55 which shall include, but not be limited to, collective bargaining costs
56 including salary increments, fringe benefits, and other non-personal

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

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

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

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