STATE OF NEW YORK

5473--B

Cal. No. 172

2021-2022 Regular Sessions

IN ASSEMBLY

February 18, 2021

Introduced by M. of A. GLICK -- read once and referred to the Committee on Higher Education -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- ordered to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

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:

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

(vi) **Beginning in state fiscal year two thousand twenty-three--two thousand twenty-four and thereafter, the state shall appropriate and make available general fund operating support and fringe benefits, for the state university and the state university health science centers in an amount not less than the amounts separately appropriated and made available in the prior state fiscal year; provided, further, the state shall appropriate and make available general fund operating support to cover all mandatory costs of the state university and the state university health science centers, which shall include, but not be limited to, collective bargaining costs including salary increments, fringe benefits, and other non-personal service costs such as utility costs, building rentals and other inflationary expenses incurred by the state university and the state university health science centers, and any increase in the tuition credit pursuant to section six hundred eighty-nine-a of this title as tuition increases are enacted by the board of trustees of the state university; provided, however, that if the governor declares a fiscal emergency, and communicates such emergency to the**

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

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temporary president of the senate and the speaker of the assembly, state support for operating expenses at the state university and city university may be reduced in a manner proportionate to one another, and the aforementioned provisions shall not apply; provided further, the state shall appropriate and make available general fund support to fully fund the tuition credit pursuant to subdivision two of section six hundred sixty-nine-h of this title.

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

§ 2. Paragraph (a) of subdivision 7 of section 6206 of the education law is amended by adding a new subparagraph (vi) to read as follows:

(vi) Beginning in state fiscal year two thousand twenty-three--two thousand twenty-four and thereafter, the state shall appropriate and make available general fund operating support and fringe benefits, for the city university in an amount not less than the amounts separately appropriated and made available in the prior state fiscal year; provided, further, the state shall appropriate and make available general fund operating support to cover all mandatory costs of the city university, which shall include, but not be limited to, collective bargaining costs including salary increments, fringe benefits, and other non-personal service costs such as utility costs, building rentals and other inflationary expenses incurred by the city university, and any increase in the tuition credit pursuant to section six hundred eighty-nine-a of this chapter as tuition increases are enacted by the board of trustees of the state university; provided, however, that if the governor declares a fiscal emergency, and communicates such emergency to the temporary president of the senate and the speaker of the assembly, state support for operating expenses at the state university and city university may be reduced in a manner proportionate to one another, and the aforementioned provisions shall not apply; provided further, the state shall appropriate and make available general fund support to fully fund the tuition credit pursuant to subdivision two of section six hundred sixty-nine-h of this chapter.

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

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

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