

# STATE OF NEW YORK

4219

2021-2022 Regular Sessions

## IN SENATE

February 3, 2021

Introduced by Sens. STAVISKY, ADDABBO, KRUEGER -- 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 Assembly, do enact as follows:

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

4 (vi) Beginning in state fiscal year two thousand twenty-two--two thou-  
5 sand twenty-three and thereafter, the state shall appropriate and make  
6 available general fund operating support and fringe benefits, for the  
7 state university and the state university health science centers in an  
8 amount not less than the amounts separately appropriated and made avail-  
9 able in the prior state fiscal year; provided, further, the state shall  
10 appropriate and make available general fund operating support to cover  
11 all mandatory costs of the state university and the state university  
12 health science centers, which shall include, but not be limited to,  
13 collective bargaining costs including salary increments, fringe bene-  
14 fits, and other non-personal service costs such as utility costs, build-  
15 ing rentals and other inflationary expenses incurred by the state  
16 university and the state university health science centers, and any  
17 increase in the tuition credit pursuant to section six hundred eighty-  
18 nine-a of this title as tuition increases are enacted by the board of  
19 trustees of the state university; provided, however, that if the gover-  
20 nor declares a fiscal emergency, and communicates such emergency to the  
21 temporary president of the senate and the speaker of the assembly, state  
22 support for operating expenses at the state university and city univer-  
23 sity may be reduced in a manner proportionate to one another, and the

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

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1 aforementioned provisions shall not apply; provided further, the state  
2 shall appropriate and make available general fund support to fully fund  
3 the tuition credit pursuant to subdivision two of section six hundred  
4 sixty-nine-h of this title.

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

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

19 (vi) Beginning in state fiscal year two thousand twenty-one--two thou-  
20 sand twenty-three and thereafter, the state shall appropriate and make  
21 available general fund operating support and fringe benefits, for the  
22 city university in an amount not less than the amounts separately appro-  
23 priated and made available in the prior state fiscal year; provided,  
24 further, the state shall appropriate and make available general fund  
25 operating support to cover all mandatory costs of the city university,  
26 which shall include, but not be limited to, collective bargaining costs  
27 including salary increments, fringe benefits, and other non-personal  
28 service costs such as utility costs, building rentals and other infla-  
29 tionary expenses incurred by the city university, and any increase in  
30 the tuition credit pursuant to section six hundred eighty-nine-a of this  
31 chapter as tuition increases are enacted by the board of trustees of the  
32 state university; provided, however, that if the governor declares a  
33 fiscal emergency, and communicates such emergency to the temporary pres-  
34 ident of the senate and the speaker of the assembly, state support for  
35 operating expenses at the state university and city university may be  
36 reduced in a manner proportionate to one another, and the aforementioned  
37 provisions shall not apply; provided further, the state shall appropri-  
38 ate and make available general fund support to fully fund the tuition  
39 credit pursuant to subdivision two of section six hundred sixty-nine-h  
40 of this chapter.

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

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

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