STATE OF NEW YORK

1404

2023-2024 Regular Sessions

IN ASSEMBLY

January 17, 2023

Introduced by M. of A. HUNTER, LUPARDO -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to funds concerning state university health care facilities

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

Section 1. Subdivision 8-a of section 355 of the education law, as amended by section 8 of part Q of chapter 56 of the laws of 2013, is amended to read as follows:

8-a. All monies received by state university health care facilities from fees, charges, and reimbursement and from all other sources shall be credited to a state university health care account in a fund to be designated by the state comptroller. Notwithstanding the provision of any law, rule or regulation to the contrary, a portion of such monies credited may be transferred to a state university account as requested by the state university chancellor or his or her designee. Monies to establish reserves for long-term expenses of state university health care facilities and to fulfill obligations required for any contract for health care services authorized pursuant to subdivision sixteen of this section may be designated by the state university as a reserve and transferred to a separate contractual reserve account. The amounts in such accounts shall be available for use in accordance with paragraph b of subdivision four and subdivision eight of this section. Monies shall only be expended from the state university health care account and the contractual reserve account pursuant to appropriation. Notwithstanding any provision of this chapter, the state finance law or any other law to the contrary, such appropriations shall remain in full force and effect for two years from the effective date of the appropriation act making the appropriation. Monies so transferred may be returned to the state university health care account; provided, however, that funds in such contractual reserve account must be sufficient to meet the obligations

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

LBD05706-01-3

of all such contracts. **Notwithstanding any other law, rule, or regulation to the contrary, no state agency or state official or employee acting in their official capacity, may transfer, loan, or otherwise appropriate any income or funds impacting, involving, generated by, or appropriated for any component of the state university, or community colleges as defined by section sixty-three hundred one of this chapter operating under the program of the state university, including such income or funds impacting, involving, generated by, or appropriated for a state university health care facility, to the general fund or any other fund or account held within the auspices of the comptroller of the state of New York, for prepayment, repayment, or otherwise recompense for debt service costs related to a state university health care facility. The provisions of this subdivision shall supersede any other general, special or local law inconsistent therewith notwithstanding, unless this section is expressly and specifically referred to in such other general, special or local law.**

§ 2. This act shall take effect immediately.