

STATE OF NEW YORK

6736

2023-2024 Regular Sessions

IN SENATE

May 8, 2023

Introduced by Sens. MAY, MANNION, MYRIE -- 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 funds concerning state university health care facilities

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

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

4 8-a. All monies received by state university health care facilities
5 from fees, charges, and reimbursement and from all other sources shall
6 be credited to a state university health care account in a fund to be
7 designated by the state comptroller. Notwithstanding the provision of
8 any law, rule or regulation to the contrary, a portion of such monies
9 credited may be transferred to a state university account as requested
10 by the state university chancellor or his or her designee. Monies to
11 establish reserves for long-term expenses of state university health
12 care facilities and to fulfill obligations required for any contract for
13 health care services authorized pursuant to subdivision sixteen of this
14 section may be designated by the state university as a reserve and
15 transferred to a separate contractual reserve account. The amounts in
16 such accounts shall be available for use in accordance with paragraph b
17 of subdivision four and subdivision eight of this section. Monies shall
18 only be expended from the state university health care account and the
19 contractual reserve account pursuant to appropriation. Notwithstanding
20 any provision of this chapter, the state finance law or any other law to
21 the contrary, such appropriations shall remain in full force and effect
22 for two years from the effective date of the appropriation act making
23 the appropriation. Monies so transferred may be returned to the state
24 university health care account; provided, however, that funds in such

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

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1 contractual reserve account must be sufficient to meet the obligations
2 of all such contracts. Notwithstanding any other law, rule, or regu-
3 lation to the contrary, no state agency or state official or employee
4 acting in their official capacity, may transfer, loan, or otherwise
5 appropriate any income or funds impacting, involving, generated by, or
6 appropriated for any component of the state university, or community
7 colleges as defined by section sixty-three hundred one of this chapter
8 operating under the program of the state university, including such
9 income or funds impacting, involving, generated by, or appropriated for
10 a state university health care facility, to the general fund or any
11 other fund or account held within the auspices of the comptroller of the
12 state of New York, for prepayment, repayment, or otherwise recompense
13 for debt service costs related to a state university health care facili-
14 ty. The provisions of this subdivision shall supersede any other gener-
15 al, special or local law inconsistent therewith notwithstanding, unless
16 this section is expressly and specifically referred to in such other
17 general, special or local law.

18 § 2. This act shall take effect immediately.