STATE OF NEW YORK

9744

IN SENATE

April 2, 2026

Introduced by Sen. MARTINEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the state finance law, in relation to a five-year capital plan for the state university of New York state-operated campuses and city university of New York senior colleges; and to amend the education law, in relation to the master capital plan

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

Section 1. Section 22-c of the state finance law is amended by adding a new subdivision 7 to read as follows:

7. (a) On or before April first, two thousand twenty-seven and by April first of every fifth year thereafter, the governor shall submit to the legislature, as part of the executive budget submission, a five-year capital plan for the state university of New York state-operated campuses and city university of New York senior colleges. Such plan shall establish system-wide goals and objectives for capital funding and shall provide for an annual estimate of the amount of capital funding needed to maintain or make progress in reducing the current facility condition index for each system as determined over a five-year period by each university system and the director. The planned annual estimate shall be reflected in the New York state five-year capital program and financing plan and subject to the annual approval by the governor and legislature. The state shall appropriate annually and make available state capital fund support for the state university in an amount not less than the amount appropriated in state fiscal year two thousand twenty-seven--two thousand twenty-eight; provided, however, that if the governor declares a fiscal emergency, and communicates such emergency to the temporary president of the senate and speaker of the assembly, state capital support at the state university and city university may be reduced in a manner proportionate to one another, and the aforementioned provisions shall not apply.

(b) For the purposes of this subdivision, "facility condition index" shall mean an industry benchmark that measures the ratio of capital maintenance dollars to replacement dollars for the purposes of analyzing

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

LBD15311-01-6

the effect of investing in facility improvements. The apportionment of capital appropriations to each state-operated campus or senior college shall be based on a methodology developed by the director in consultation with the state university of New York and city university of New York.

(c) The state university of New York shall maintain a rolling five-year master capital plan report pursuant to subdivision thirteen of section three hundred fifty-five of the education law and the trustees of the city university of New York shall provide a master capital plan pursuant to section six thousand two hundred thirty-three-a of the education law.

§ 2. Subdivision 13 of section 355 of the education law, as amended by section 2 of part GG of chapter 57 of the laws of 2008, is amended to read as follows:

13. Master capital plan. [~~On or before November fifteenth of each year, the trustees of the~~] The state university of New York shall [~~approve and submit to the chairmen of the assembly ways and means committee and the senate finance committee and to the director of the budget a master capital plan~~] keep a rolling five-year master capital plan report, either on the state university of New York or the state university construction fund website, setting forth the projects over one million dollars for academic or hospital facilities proposed to be constructed, reconstructed, rehabilitated or otherwise substantially altered pursuant to appropriations enacted or to be enacted during the succeeding five years at colleges defined in section three hundred fifty-two of this article. Such [~~plan~~] report shall specify the name, location, estimated total cost at the time the project is to be bid, the anticipated date or dates on which the design of such project is to commence, and the proposed method of financing [~~and the estimated economic life of each project~~] if it is expected to be funded by means other than state issued bonds. Such [~~plan~~] report shall further specify whether proposed projects constitute new construction, substantial rehabilitation, moderate rehabilitation or minor rehabilitation [~~and shall indicate~~]. Upon request, the state university of New York or the state university construction fund shall provide information on how projects support improvements in environmental protection, energy and resource management, solar energy and conservation. [~~Such criteria for each method of financing shall include, but not be limited to: (i) an analysis of private enterprise, federal and any other appropriate financing standards, (ii) the consideration of the period of economic life of projects as related to the method of financing, and (iii) project cost ranges for the methods of financing. Such plan specification and categories of construction shall be defined by the trustees, in consultation with the state university construction fund.~~]

Such capital master plan report shall also include, for each project over one-million dollars, a description of the project; expected construction start date; [~~any changes to the previously reported start or expected completion dates; any changes to the expected cost of the project;~~] the total cash encumbered for the project for the year and the total to date for the project; and the total cash expended for the project for the year and the total to date for the project.

All projects that are reported under this subdivision shall be identified by campus, the name of the specific facility for which the allocation is provided and a description of what the project is that is being provided.

§ 3. This act shall take effect immediately.