

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:

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

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

24 (b) For the purposes of this subdivision, "facility condition index"
25 shall mean an industry benchmark that measures the ratio of capital
26 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.

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

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

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

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

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

52 All projects that are reported under this subdivision shall be identi-
53 fied by campus, the name of the specific facility for which the allo-
54 cation is provided and a description of what the project is that is
55 being provided.

56 § 3. This act shall take effect immediately.