STATE OF NEW YORK

5695

2025-2026 Regular Sessions

IN SENATE

February 28, 2025

Introduced by Sens. SKOUFIS, JACKSON -- 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 providing the temporary president of the senate and the speaker of the assembly the ability to appoint members of the state university of New York's board of trustees

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

Section 1. Subdivision 1 of section 353 of the education law, as amended by chapter 268 of the laws of 2011, is amended to read as follows:

1. The state university shall be governed, and all of its corporate powers exercised, by a board of trustees. Such board shall consist of eighteen members, [~~fifteen~~] **seven** of whom shall be appointed by the governor [~~with the advice and consent of the senate~~] **and who shall not be an employee of, or under direct supervision of, the governor, four of whom shall be appointed by the temporary president of the senate, four of whom shall be appointed by the speaker of the assembly**, one of whom shall be the president of the student assembly of the state university, ex-officio and voting, one of whom shall be the president of the university faculty senate, ex-officio and non-voting, and one of whom shall be the president of the faculty council of community colleges, ex-officio and non-voting. Such ex-officio members shall be subject to every provision of any general, special, or local law, ordinance, charter, code, rule, or regulation applying to the voting members of such board with respect to the discharge of their duties, including, but not limited to, those provisions setting forth codes of ethics, disclosure requirements, and prohibiting business and professional activities. One member of the board shall be designated by the governor as chairperson and one as vice-chairperson. Of the members first appointed, two shall be appointed for a term which shall expire on June thirtieth, nineteen

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

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hundred fifty-two; one for a term which shall expire on June thirtieth, nineteen hundred fifty-three; two for a term which shall expire on June thirtieth, nineteen hundred fifty-four; one for a term which shall expire on June thirtieth, nineteen hundred fifty-five; two for a term which shall expire on June thirtieth, nineteen hundred fifty-six; one for a term which shall expire on June thirtieth, nineteen hundred fifty-seven; two for a term which shall expire on June thirtieth, nineteen hundred fifty-eight; one for a term which shall expire on June thirtieth, nineteen hundred fifty-nine; two for a term which shall expire on June thirtieth, nineteen hundred sixty; and one for a term which shall expire on June thirtieth, nineteen hundred sixty-one. Vacancies shall be filled for the unexpired term in the same manner as original appointments **are made pursuant to this subdivision and subdivision one-a of this section**. The term of office of each trustee appointed on or after April first, nineteen hundred eighty-six shall be seven years, except those of the student member and the faculty members. Trustees shall receive no compensation for their services but shall be reimbursed for their expenses actually and necessarily incurred by them in the performance of their duties under this article.

§ 2. Section 353 of the education law is amended by adding a new subdivision 1-a to read as follows:

1-a. The appointment of members of such board by the temporary president of the senate and the speaker of the assembly pursuant to subdivision one of this section shall commence when a vacancy occurs from a member appointed by the governor either through the expiration of such member's term, or separation of a member prior to an expired term. In either case, vacancies of members appointed by the governor shall be filled in an alternating manner between the temporary president of the senate and the speaker of the assembly. The first such vacancy of a member appointed by the governor shall be filled by the temporary president of the senate and the next such vacancy of a member appointed by the governor shall be filled by the speaker of the assembly. Such vacancies shall continue to be filled in such alternating manner until such time as the composition of such board reflects the number of appointments authorized by each appointing authority pursuant to subdivision one of this section. After such time, vacancies on such board shall be filled by the appointing authority.

§ 3. This act shall take effect immediately.