A BUDGET BILL submitted by the Governor
in accordance with Article VII of the Constitution

AN ACT to amend part U of chapter 57 of the laws of 2005, relating to the New York state higher education capital matching grant program for independent colleges, in relation to the New York state higher education matching grant program for independent colleges and the effectiveness thereof

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

Section 1. Paragraph (a) of subdivision 1 of section 1 of part U of chapter 57 of the laws of 2005, relating to the New York state higher education capital matching grant program for independent colleges, as amended by section 1 of part H of chapter 56 of the laws of 2014, is amended to read as follows:

(a) The New York state higher education capital matching grant board is hereby created to have and exercise the powers, duties and prerogatives provided by the provisions of this section and any other provision of law. The board shall remain in existence during the period of the New York state higher education capital matching grant program from the effective date of this section through [March 31, 2017, or] the date on which the last of the funds available for grants under this section shall have been disbursed[, whichever is earlier]; provided, however, that the termination of the existence of the board shall not affect the power and authority of the dormitory authority to perform its obligations with respect to any bonds, notes, or other indebtedness issued or incurred pursuant to authority granted in this section.

§ 2. Paragraph (h) of subdivision 4 of section 1 of part U of chapter 57 of the laws of 2005, relating to the New York state higher education
capital matching grant program for independent colleges, as amended by section 2 of part H of chapter 56 of the laws of 2014, is amended to read as follows:

(h) In the event that any colleges do not apply for higher education capital matching grants by March 31, 2009, or in the event they apply for and are awarded, but do not use the full amount of such grants, the unused funds associated with such grants and any additional funds that become available shall thereafter be awarded to colleges on a competitive basis. The dormitory authority shall develop a request for proposals and application process, in consultation with the board, for higher education capital matching grants awarded pursuant to this paragraph, and shall develop criteria, subject to review by the board, for the awarding of such grants. Such criteria may include, but not be limited to the matching criteria contained in paragraph (c) of this subdivision, and application criteria set forth in paragraph (e) of this subdivision. [The dormitory authority shall require all applications in response to the request for proposals to be submitted by September 1, 2014, and the board shall act on each application for such matching grants by November 1, 2014.]

§ 3. Subclause (A) of clause (ii) of paragraph (j) of subdivision 4 of section 1 of part U of chapter 57 of the laws of 2005, relating to the New York state higher education capital matching grant program for independent colleges, as amended by section 3 of part H of chapter 56 of the laws of 2014, is amended to read as follows:

(A) Notwithstanding the provision of any general or special law to the contrary, and subject to the provisions of chapter 59 of the laws of 2000 and to the making of annual appropriations therefor by the legislature, in order to assist the dormitory authority in providing such high-
education capital matching grants, the director of the budget is authorized in any state fiscal year commencing April 1, 2005 or any state fiscal year thereafter [for a period ending on March 31, 2017], to enter into one or more service contracts, none of which shall exceed 30 years in duration, with the dormitory authority, upon such terms as the director of the budget and the dormitory authority agree.

§ 4. Paragraph (b) of subdivision 7 of section 1 of part U of chapter 57 of the laws of 2005, relating to the New York state higher education capital matching grant program for independent colleges, as amended by section 4 of part H of chapter 56 of the laws of 2014, is amended to read as follows:

(a) Any eligible institution receiving a grant pursuant to this article shall report to the dormitory authority [no later than June 1, 2018,] on the use of funding received and its programmatic and economic impact no later than twelve months after the completion of the project. The dormitory authority shall submit a report [no later than November 1, 2018] to the governor, the director of the budget, the temporary president of the senate, and the speaker of the assembly on the aggregate impact of the higher education [matching] capital matching grant program no later than eighteen months after the completion of the last project. Such report shall provide information on the progress and economic impact of such [project] projects.

§ 5. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2015.