

## **NEW ISSUE**

*Interest on the Series 2019B Taxable Bonds will be subject to Federal income taxes and personal income taxes imposed by the State of New York (the "State") and any political subdivision thereof, including The City of New York and the City of Yonkers. See "PART I – SECTION 4 – TAX MATTERS" herein regarding certain other tax considerations.*

## **STATE OF NEW YORK GENERAL OBLIGATION BONDS**

### **\$914,300,000 Series 2019B Taxable Refunding Bonds**

**Dated: Date of Delivery**

**Due: As shown on inside cover**

The Series 2019B Taxable Refunding Bonds (the "Series 2019B Taxable Bonds" or the "Bonds") will be issued as registered bonds and, when issued, will be registered in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC"), New York, New York, which will act as securities depository for the Bonds. Purchasers will not receive certificates representing their ownership interests in the Bonds purchased. See "PART I – SECTION 1 – DESCRIPTION OF THE BONDS – Book-Entry-Only System." The Bonds will mature on the dates and bear interest at the rates and will have yields as shown on the inside cover page hereof. Interest on the Bonds will be payable beginning on February 15, 2020 and semi-annually thereafter on each August 15 and February 15 until maturity. The Bonds will be subject to redemption prior to maturity as set forth herein.

*The Bonds are general obligations of the State, and the full faith and credit of the State is pledged to the payment of the principal of and interest on the Bonds.*

Under State law, the Bonds are legal investments for State-chartered banks and trust companies, savings banks, insurance companies, fiduciaries and investment companies and may be accepted by the State Comptroller and the State Superintendent of Financial Services where the deposit of obligations is required by law.

The Bonds are offered when, as and if issued and subject to receipt of an opinion by the Attorney General that the Bonds are valid and enforceable obligations of the State. See Exhibit B to Part I of this Official Statement.

The Bonds were offered for sale in accordance with the Notice of Sale published with respect to the Bonds.

Public Resources Advisory Group, New York, New York, is acting as financial advisor to the State in connection with the issuance of the Bonds. The Bonds will be available for delivery through the facilities of DTC on or about October 30, 2019.

Dated: October 28, 2019

**STATE OF NEW YORK GENERAL OBLIGATION BONDS  
AMOUNTS, MATURITIES, INTEREST RATES, AND YIELDS OR PRICES**

**\$914,300,000 Series 2019B Taxable Refunding Bonds  
(Base CUSIP Number<sup>†</sup>: 649791)**

| <u>Amount</u> | <u>Maturity<br/>February 15</u> | <u>Interest<br/>Rate</u> | <u>Price</u> | <u>CUSIP<sup>†</sup></u> | <u>Amount</u> | <u>Maturity<br/>February 15</u> | <u>Interest<br/>Rate</u> | <u>Price</u> | <u>CUSIP<sup>†</sup></u> |
|---------------|---------------------------------|--------------------------|--------------|--------------------------|---------------|---------------------------------|--------------------------|--------------|--------------------------|
| \$44,110,000  | 2020                            | 1.80%                    | 100%         | PK0                      | \$47,115,000  | 2031                            | 2.70%                    | 100%         | PW4                      |
| \$42,300,000  | 2021                            | 1.84%                    | 100%         | PL8                      | \$31,280,000  | 2032                            | 2.80%                    | 100%         | PX2                      |
| \$40,880,000  | 2022                            | 1.90%                    | 100%         | PM6                      | \$32,150,000  | 2033                            | 2.90%                    | 100%         | PY0                      |
| \$41,660,000  | 2023                            | 1.95%                    | 100%         | PN4                      | \$33,085,000  | 2034                            | 2.95%                    | 100%         | PZ7                      |
| \$42,470,000  | 2024                            | 2.01%                    | 100%         | PP9                      | \$34,060,000  | 2035                            | 3.04%                    | 100%         | QA1                      |
| \$67,080,000  | 2025                            | 2.12%                    | 100%         | PQ7                      | \$35,105,000  | 2036                            | 3.08%                    | 100%         | QB9                      |
| \$67,995,000  | 2026                            | 2.26%                    | 100%         | PR5                      | \$33,990,000  | 2037                            | 3.11%                    | 100%         | QC7                      |
| \$64,960,000  | 2027                            | 2.36%                    | 100%         | PS3                      | \$30,920,000  | 2038                            | 3.17%                    | 100%         | QD5                      |
| \$61,390,000  | 2028                            | 2.45%                    | 100%         | PT1                      | \$29,875,000  | 2039                            | 3.20%                    | 100%         | QE3                      |
| \$55,255,000  | 2029                            | 2.55%                    | 100%         | PU8                      | \$17,075,000  | 2040                            | 3.24%                    | 100%         | QF0                      |
| \$46,600,000  | 2030                            | 2.65%                    | 100%         | PV6                      | \$14,945,000  | 2041                            | 3.29%                    | 100%         | QG8                      |

<sup>†</sup> CUSIP is a registered Trademark of the American Bankers Association (“ABA”). The CUSIP numbers listed above have been assigned by CUSIP Global Services, which is managed on behalf of the ABA by S&P Global Market Intelligence, a part of S&P Global Inc., and are being provided solely for the convenience of Bondholders only at the time of issuance of the Bonds and the State makes no representation with respect to such numbers nor undertakes any responsibility for their accuracy now or at any time in the future. The CUSIP number for a specific maturity is subject to being changed after the issuance of the Bonds as a result of various subsequent actions including, but not limited to, a refunding in whole or in part of such maturity or as a result of the procurement of secondary market portfolio insurance or other similar enhancement by investors that is applicable to all or a portion of certain maturities of the Bonds.

No dealer, broker, salesperson or other person has been authorized by the State to give any information or to make any representations, other than those contained in this Official Statement, and, if given or made, such other information or representations must not be relied upon as having been so authorized. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy nor shall there be any sale of the Bonds or any other securities of the State by any person or in any jurisdiction in which it is unlawful for such person to make such offer, solicitation or sale. The information herein has been furnished solely by the State and by other sources that are believed by the State to be reliable, but it is not guaranteed as to its accuracy or completeness. The information and expressions of opinion herein are subject to change without notice and neither the delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the financial condition of the State since the date hereof. This Official Statement is submitted in connection with the sale of the securities referred to herein and may not be reproduced or used, in whole or in part, for any other purposes.

#### **INFORMATION CONCERNING OFFERING RESTRICTIONS IN CERTAIN JURISDICTIONS OUTSIDE THE UNITED STATES**

The State of New York (referred to in these legends as the “Issuer”) makes no representations as to the accuracy or adequacy of such information. References under this caption to “Bonds” or “Securities” mean the Bonds offered hereby, and references to the “Underwriters” mean the Initial Purchasers of the Bonds.

##### **Minimum Unit Sales**

The Bonds will trade and settle on a unit basis (one unit equaling one Bond of \$5,000 principal amount). For any sales made outside the United States, the minimum purchase and trading amount is 30 units (being 30 Bonds in an aggregate principal amount of \$150,000).

##### **NOTICE TO PROSPECTIVE INVESTORS IN THE UNITED KINGDOM**

The issue and distribution of this Official Statement is restricted by law. This Official Statement is not being distributed by, nor has it been approved for the purposes of Section 21 of the Financial Services and Markets Act 2000 (the “FSMA”) by, a person authorized under the FSMA. Each Initial Purchaser will represent and agree that (a) it has only communicated or caused to be communicated and will only communicate or cause to be communicated an invitation or inducement to engage in investment activity (within the meaning of Section 21 of the FSMA) received by it in connection with the issue or sale of the Bonds in circumstances in which Section 21(1) of the FSMA does not apply to the Issuer, and (b) it has complied and will comply with all applicable provisions of the FSMA with respect to anything done by it in relation to the Bonds in, from or otherwise involving the United Kingdom.

The Bonds may not be offered or sold to persons in the United Kingdom except to certain classes of persons who are described below. This Official Statement and any other communication in connection with the offering and issuance of the Bonds is intended for and directed at and may only be issued or passed on to: (i) persons who are outside the United Kingdom, (ii) persons who have professional experience in matters relating to investments and which fall within Article 19(5) of the Financial Services and Markets Act 2000 (Financial Promotion) Order 2005 (as amended, the “Order”), (iii) persons which fall within Article 49(2)(a) to (d) of the Order, or (iv) persons to which it may otherwise lawfully be issued or passed on (all such Persons together being referred to as “Relevant Persons”). This Official Statement and any other communication in connection with the offering and issuance of the Bonds must not be acted on or relied on by Persons who are not Relevant Persons. Any investment or investment activity to which this communication relates, including the Bonds, is available only to Relevant Persons and will be engaged in only with Relevant Persons.

No part of this Official Statement should be published, reproduced, distributed or otherwise made available in whole or in part to any other Person without the prior written consent of the Issuer. The Bonds are not being offered or sold to any Person in the United Kingdom, except in circumstances which will not result in an offer of securities to the public in the United Kingdom within the meaning of Part VI of the Financial Services and Markets Act 2000.

Potential investors in the United Kingdom are advised that all, or most, of the protections afforded by the United Kingdom regulatory system will not apply to an investment in the Bonds and that compensation will not be available under the United Kingdom financial services compensation scheme.

##### **NOTICE TO PROSPECTIVE INVESTORS IN THE EUROPEAN ECONOMIC AREA**

The Bonds are not intended to be offered, sold or otherwise made available to and should not be offered, sold or otherwise made available to any retail investor in the European economic area (“EEA”). For these purposes,

a "retail investor" means a person who is one (or more) of: (i) a retail client as defined in Point (11) of Article 4(1) of Directive 2014/65/EU (as amended, "MIFID II"); or (ii) a customer within the meaning of Directive (EU) 2016/g (the "Insurance Distribution Directive"), where that customer would not qualify as a professional client as defined in Point (10) of Article 4(1) of MIFID II; or (iii) not a qualified investor ("Qualified Investor") as defined in Regulation (EU) 2017/1129 (the "Prospectus Regulation"). Consequently, no key information document required by Regulation (EU) No 1286/2014 (as amended, the "PRIIPS Regulation") for offering or selling the Bonds or otherwise making them available to retail investors in the EEA has been prepared and therefore offering or selling the Bonds or otherwise making them available to any retail investor in the EEA may be unlawful under the PRIIPS Regulation.

This Official Statement is not a prospectus for purposes of the Prospectus Regulation. This Official Statement and any other offering material relating to the Bonds described herein have been prepared on the basis that all offers of Bonds in any member state of the EEA (each, a "Member State") will be made only to a Qualified Investor. Accordingly, any person making or intending to make any offer in a Member State of Bonds which are the subject of the offering contemplated in this Official Statement may only do so with respect to Qualified Investors. None of the Issuer or the Initial Purchasers has authorized, nor do they authorize, the making of any offer of the Bonds other than to Qualified Investors.

#### NOTICE TO PROSPECTIVE INVESTORS IN TAIWAN

The offer of the Bonds has not been and will not be registered with the financial supervisory commission of Taiwan (the "FSC") pursuant to applicable securities laws and regulations of Taiwan and the Bonds, including any copy of this official statement or any other documents relating to the Bonds, may not be offered, sold, delivered or distributed within Taiwan (the Republic of China) through a public offering or in circumstances which constitute an offer within the meaning of the securities and exchange act of Taiwan that requires the registration with or approval of the FSC. No person or entity in Taiwan (the Republic of China) has been authorized to offer, sell, distribute, give advice regarding or otherwise intermediate the offering, sale or distribution of the Bonds. Taiwan investors who subscribe and purchase the Bonds must comply with all relevant securities, tax and foreign exchange laws and regulations in effect in Taiwan.

#### NOTICE TO PROSPECTIVE INVESTORS IN SWITZERLAND

This Official Statement is not intended to constitute an offer or a solicitation to purchase or invest in the Bonds. The Bonds may not be publicly offered, sold or advertised, directly or indirectly, in, into or from Switzerland and will not be listed on the Six Swiss Exchange LTD. or on any other exchange or regulated trading facility in Switzerland. Neither this Official Statement nor any other offering or marketing material relating to the Bonds constitutes a prospectus as such term is understood pursuant to Act 652A or Act 1156 of the Swiss Code of Obligations or a listing prospectus within the meaning of the listing rules of the Six Swiss Exchange LTD. or any other regulated trading facility in Switzerland, and neither this Official Statement nor any other offering or marketing material relating to the Bonds may be publicly distributed or otherwise made publicly available in or from Switzerland. Accordingly, this Official Statement is communicated in or from Switzerland to a limited number of selected investors only. Neither this Official Statement nor any other offering or marketing material relating to the offering, nor the issuer, nor the Bonds have been or will be filed with or approved by any Swiss regulatory authority. The Bonds are not subject to supervision by any Swiss regulatory authority, e.g., the Swiss Financial Market Supervisory Authority FINMA, and investors in the Bonds will not benefit from protection or supervision by such Authority.

#### NOTICE TO PROSPECTIVE INVESTORS IN HONG KONG

The contents of this Official Statement have not been reviewed or approved by any regulatory authority in Hong Kong. You are advised to exercise caution in relation to the offer of the Bonds. You are advised to exercise caution in relation to the offering contemplated in this Official Statement. If you are in any doubt about any of the contents of this Official Statement, you should obtain independent professional advice.

This Official Statement has not been, and will not be, registered as a Prospectus (as defined in the Companies (Winding Up and Miscellaneous Provisions) Ordinance (Chapter 32 of the Laws of Hong Kong)) ("CO") in Hong Kong nor has it been reviewed or approved by the Securities and Futures Commission of Hong Kong pursuant to the Securities and Futures Ordinance (Chapter 571 of the Laws of Hong Kong) ("SFO"). Accordingly, the Bonds may not be offered or sold in Hong Kong by means of this Official Statement or any other document, and this Official Statement must not be issued, circulated or distributed in Hong Kong, other than to "Professional Investors" as defined in the SFO and any rules or regulations made under the SFO or in circumstances which do not result in the Official Statement being a Prospectus as defined in the CO or which do

not constitute an offer or invitation to the public within the meaning of the Companies Ordinance (Chapter 622 of the Laws of Hong Kong). In addition, unless permitted by the securities laws of Hong Kong, no person may issue or distribute or have in its possession for the purposes of issue or distribution, whether in Hong Kong or elsewhere, any advertisement, invitation or document relating to the Bonds, which is directed at, or the contents of which are likely to be accessed or read by, the public of Hong Kong other than with respect to Bonds which are or are intended to be disposed of only (a) to persons outside Hong Kong, and (b) to “Professional Investors” as defined in the SFO and any rules or regulations made under the SFO.

#### **NOTICE TO PROSPECTIVE INVESTORS IN JAPAN**

The Bonds have not been and will not be registered under the Financial Instruments and Exchange Law of Japan (Law No. 25 of 1948, as amended, the “FIEL”). Neither the Bonds nor any interest therein may be offered or sold, directly or indirectly, in Japan or to, or for the benefit of, any resident of Japan (which term as used herein means any person resident in Japan, including any corporation or other entity organized under the laws of Japan), or to others for re-offering or resale, directly or indirectly, in Japan or to, or for the benefit of, any resident of Japan, except pursuant to an exemption from the registration requirements of, and otherwise in compliance with, the FIEL and any other applicable laws, regulations and ministerial guidelines of Japan.

The primary offering of the Bonds and the solicitation of an offer for acquisition thereof have not been and will not be registered under Paragraph 1, Article 4 of the FIEL. As it is a primary offering, in Japan, the Bonds may only be offered, sold, resold or otherwise transferred, directly or indirectly to, or for the benefit of a Qualified Institutional Investor (“QII”) defined in Article 10 of the Cabinet Ordinance Concerning Definitions under Article 2 of the FIEL (Ordinance No. 14 of 1993, as amended). A person who purchased or otherwise obtained the Bonds cannot resell or otherwise transfer the Bonds in Japan to any person except another QII.

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**OFFICIAL STATEMENT**  
**OF**  
**THE STATE OF NEW YORK**  
**RELATING TO THE ISSUE AND SALE OF**  
**GENERAL OBLIGATION BONDS**

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**\$914,300,000 Series 2019B Taxable Refunding Bonds**

**INTRODUCTION**

This Official Statement of the State of New York (the “State”), including the cover page, inside cover page and exhibits, is provided for the purpose of setting forth information in connection with the sale of \$914,300,000 aggregate principal amount of its Series 2019B Taxable Refunding Bonds (the “Series 2019B Taxable Bonds” or the “Bonds”). The Bonds are general obligations of the State, and the full faith and credit of the State is pledged to the payment of the principal of and interest on the Bonds.

The Bonds are being issued to provide funds to refund certain outstanding general obligation bonds of the State described under the heading “Plan of Financing – Refunding Plan” below in Part I (herein called the “Refunded Bonds”).

The Bonds mature on the dates and bear interest at the respective interest rates set forth on the inside cover page of this Official Statement.

This Official Statement consists of three parts, Part I (including Exhibits A through E), Part II and Part III.

Part I sets forth information concerning the Bonds – the rights of Bondholders, the payment and redemption provisions of the Bonds, the use of proceeds of the Bonds, and certain other information relating to the Bonds.

Part II sets forth or includes by reference information concerning the State, including information relating to the State’s current fiscal year, prior fiscal years, economic background, financing activities, State organization and procedures, the State’s public authorities and localities and certain litigation involving the State in the form of the Annual Information Statement of the State of New York dated June 12, 2019 (the “AIS”), and the Second Quarterly Update to the AIS dated October 17, 2019 (the “Update”), both prepared by the State Division of the Budget (“DOB”). The AIS and the Update contain information only through their respective dates. Part II sets forth the Update and the sections of the AIS entitled “Introduction”, “Budgetary and Accounting Practices”, “Financial Plan Overview” and “State Financial Plan Multi-Year Projections”. The remaining sections of the AIS set forth under the headings “Prior Fiscal Years”, “Economics and Demographics”, “Capital Program and Financing Plan Overview”, “Authorities and Localities”, “State Government Employment”, “State Retirement System”, “Litigation” and “Exhibits A through F” are included by cross-reference. The AIS and the Update have been electronically filed with the Municipal Securities Rulemaking Board (the “MSRB”) through its Electronic Municipal Market Access (“EMMA”) system.

Part III includes by reference the Comprehensive Annual Financial Report of the State for the fiscal year ended March 31, 2019 (FY 2019 CAFR) prepared by the Office of the State Comptroller (“OSC”). The Basic Financial Statements and Other Supplementary Information of the State for the fiscal year ended March 31, 2019 are dated July 28, 2019 and were electronically filed with the MSRB through its EMMA system on July 29, 2019. The State’s Basic Financial Statements and Other Supplementary Information are prepared in accordance with accounting principles generally accepted in the United States of America (“GAAP”) and are independently audited in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. KPMG LLP, the State's independent auditor, has not been engaged to perform and has not performed, since the date of its report included in Part III, any procedures on the financial statements addressed in that report. KPMG LLP also has not performed any procedures relating to this Official Statement.

This Official Statement should be read in its entirety, including the Exhibits hereto. Parts II and III contain important information about the State, which has been provided by the State and from sources believed by the State to be reliable.

DOB has assisted OSC in assembling the information contained herein. Quotations, summaries and explanations of laws of the State contained herein do not purport to be complete and are qualified in their entirety by reference to the official compilations thereof.

## **PART I: INFORMATION CONCERNING THE BONDS BEING OFFERED**

### **SECTION 1 – DESCRIPTION OF THE BONDS**

#### **General**

The Bonds will constitute general obligations of the State to which its full faith and credit will be pledged. The Bonds will be issued pursuant to the authority contained in Article VII, Section 13 of the State Constitution and Sections 56 and 57 of the State Finance Law.

The Bonds will be dated the date of delivery. Principal on the Bonds will be payable on February 15, 2020 and on each February 15 thereafter, until maturity, as shown on the inside cover page hereof. Interest on the Bonds will be payable on February 15, 2020 and semi-annually thereafter on each August 15 and February 15 until maturity. Interest on the Bonds will be payable to the registered owners thereof as shown on the registration books of the State or Fiscal Agent on the record date, the last business day of the calendar month immediately preceding the applicable interest payment date.

#### **Rights of the Bondholders**

The State Constitution requires that the Legislature shall annually provide by appropriation for the payment of interest on and installments of principal of all State bonds as the same shall fall due, including contributions to all sinking funds for such bonds, and further provides that, if at any time the Legislature shall fail to make any such appropriation, the Comptroller shall set apart from the first revenues thereafter received applicable to the General Fund of the State a sum sufficient to pay such interest, installments of principal or contributions to such sinking funds, as the case may be, and shall so apply the moneys thus set apart. In such circumstances, the Comptroller may be required to set aside and so apply such revenues at the suit of any holder of such bonds. The State has always made payments of interest on and installments of principal of all State bonds when due. Under the State Constitution, in the event of the defeasance of the Bonds, the holders of the Bonds shall have no further rights against the State for payment of the Bonds or any interest thereon.

The State Constitution does not provide for the contingency where an appropriation for debt service on bonds has been made but moneys are unavailable on the payment date. If the above-described set-aside provisions of the State Constitution were inapplicable in that situation, the holder of any bond could recover a judgment against the State in the State Court of Claims for principal and interest due, and the Comptroller would be required to pay the judgment, after audit, upon presentation to him of a certified copy of the judgment. Judgments against the State may not be enforced by levy and execution against property of the State, and such enforcement is limited to the amount of moneys appropriated by the Legislature and legally available for such purpose. Because the State has never defaulted on the payment of principal of or interest on its obligations, there has never been any occasion to test a bondholder's remedies in this circumstance.

State law provides for the impoundment of State taxes and revenues in advance of the maturity of tax and revenue anticipation notes ("TRANs") issued during any fiscal year and for the deposit of such impounded moneys in a special account for the benefit of the holders of such notes. If, in any fiscal year in which such impoundment legislation is in effect, the Legislature shall have appropriated a sufficient amount to pay debt service on outstanding bonds but there shall be insufficient moneys free of such impoundment to pay such debt service when due, the holder of such TRANs may have a claim to taxes and revenues deposited or to be deposited in such special account superior to that of bondholders, including holders of the Bonds. There is no judicial decision determining the relative rights of holders of notes and bonds of the State in this or any similar circumstance.

## Redemption Prior to Maturity

The Bonds are subject to optional redemption prior to maturity as a whole or in part, at the option of the State, on any business day, (i) before February 15, 2029 at the Make-Whole Redemption Price described below, and (ii) on or after February 15, 2029, at a Redemption Price equal to 100% of the principal amount thereof, plus accrued interest to the date of redemption. The “Make-Whole Redemption Price” is the greater of:

(i) the issue price(s) as shown on the inside cover page of this Official Statement (but not less than 100% of the principal amount of the Bonds to be redeemed); and

(ii) the sum of the present value of the remaining scheduled payments of principal and interest on the Bonds to be redeemed, not including any portion of those payments of interest accrued and unpaid as of the date on which the Bonds are to be redeemed, discounted to the date on which such Bonds are to be redeemed on a semi-annual basis, assuming a 360-day year consisting of twelve 30-day months, at the Treasury Rate (defined below) plus 10 basis points for the Bonds maturing in years 2020 through 2024, inclusive, and 25 basis points for the Bonds maturing in years 2025 through 2041, inclusive; plus, in each case, accrued and unpaid interest on the Bonds to be redeemed on the redemption date.

For purpose of determining the Make-Whole Redemption Price:

“Treasury Rate” means, with respect to any redemption date for particular Bonds being redeemed prior to maturity, the yield to maturity as of such redemption date of United States Treasury securities with a constant maturity (as compiled and published in the Federal Reserve Statistical Release H.15 (519) that has become publicly available at least two business days, but not more than 45 calendar days, prior to the redemption date (excluding inflation indexed securities) (or, if such Statistical Release is no longer published, any publicly available source of similar market data)) most nearly equal to the period from the redemption date to the maturity date of the Bonds to be redeemed.

*The State Finance Law does not currently authorize the Comptroller to redeem State general obligation bonds at a price in excess of three per centum above par value. Therefore, the State, acting through the Comptroller, will not avail itself of the right to redeem the Bonds pursuant to the provisions of the Make-Whole Optional Redemption described above if the Make-Whole Redemption Price is determined to be greater than 103 per cent of the par value of the Bonds unless there is a statutory amendment to the State Finance Law authorizing the Comptroller to redeem bonds at a price above 103 per cent of par value.*

While the Bonds are held in DTC book-entry-only form, in the case of optional redemption of the Bonds, if less than all of the Bonds are to be redeemed, the particular Bonds or portions thereof to be redeemed are to be selected on a “Pro Rata Pass-Through Distribution of Principal” basis in accordance with DTC operational procedures then in effect. Such procedures currently provide for adjustment of the principal by a factor provided by the Fiscal Agent. If the Fiscal Agent does not provide the necessary information or does not identify the redemption as on a “Pro Rata Pass-Through Distribution of Principal” basis, the Bonds will be selected for redemption in accordance with DTC procedures by lot. The State intends that redemption allocations to be made by DTC, the DTC Participants or such other intermediaries that may exist between the State and the owners of the Bonds be made on a “Pro Rata Pass-Through Distribution of Principal” basis as described above. However, the State cannot provide any assurance that DTC, the DTC Participants or any other intermediaries will allocate redemptions among the owners on such basis. If operational procedures of DTC (or of any successor depository) do not allow for the redemption of the Bonds on a “Pro Rata Pass-Through Distribution of Principal” basis, the Bonds will be selected for redemption by lot.

If the Bonds are not registered in book-entry form and if fewer than all of a maturity of the Bonds are to be redeemed, the particular Bonds to be redeemed will be selected on a pro rata basis; provided, however, that any such redemption must be performed in a manner that results in all of the remaining outstanding Bonds being in authorized denominations.

*Notice of Redemption.* The State will give notice of any such redemption, to the registered owners of the Bonds to be redeemed at their addresses as they appear in the registration books of the State or its fiscal agent, not less than twenty nor more than sixty days prior to the redemption. So long as all of the Bonds remain immobilized in the custody of DTC, any such notice of redemption of any Bond will be delivered only to DTC. DTC is responsible for notifying DTC Participants of such redemption and DTC Participants and Indirect Participants are responsible for notifying Beneficial Owners of such redemption. The State is not responsible for sending notices to Beneficial Owners. Interest will cease to accrue on the Bonds called for redemption from and after the date fixed for redemption thereof.

The State may provide conditional notice of redemption, which may state that such redemption is conditioned upon the receipt of moneys or any other event. If such conditions are not met, such redemption shall not occur and the State is to give notice, as soon thereafter as practicable, in the same manner, to the same persons, as notice of such redemption was given as described above. Additionally, any such conditional redemption notice may be rescinded no later than one business day prior to the date specified for redemption by written notice by the State given, as soon thereafter as practicable, in the same manner, to the same persons, as notice of such redemption was given.

### **Book-Entry-Only System**

Beneficial ownership interests in each Series and maturity of the Bonds will be available in book-entry-only form, in the principal amount of \$5,000 or integral multiples thereof. Purchasers of beneficial ownership interests in the Bonds will not receive certificates representing their interests in the Bonds purchased.

DTC will act as securities depository for the Bonds. The Bonds will be issued as fully-registered securities registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered bond certificate will be issued for each Series and maturity of the Bonds, totaling the aggregate principal amount of the Bonds of each Series, and will be deposited with DTC. Purchasers may own beneficial interests in the Bonds through DTC, Clearstream Banking, S.A. ("Clearstream") or Euroclear Bank S.A./N.V. as operator of the Euroclear System ("Euroclear").

DTC is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds securities that its participants ("Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through

or maintain a custodial relationship with a Direct Participant, either directly or indirectly (“Indirect Participants”). The DTC rules applicable to Participants are on file with the Securities and Exchange Commission.

Purchases of Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC’s records. The ownership interest of each actual purchaser of each Bond (“Beneficial Owner”) is in turn to be recorded on the Direct and Indirect Participants’ records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive bond certificates representing their ownership interests in the Bonds, except in the event that the use of the book-entry system for the Bonds is discontinued.

To facilitate subsequent transfers, all Bonds deposited by Direct Participants with DTC are registered in the name of DTC’s partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC’s records reflect only the identity of the Direct Participants to whose accounts such Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of the Bonds may wish to take certain steps to augment the transmission to them of notices of significant events with respect to the Bonds, such as redemptions, tenders, defaults and proposed amendments to the Bond documents. For example, Beneficial Owners of the Bonds may wish to ascertain that the nominee holding the Bonds for their benefit has agreed to obtain and transmit notices to Beneficial Owners.

Redemption notices shall be sent to DTC. If less than all of the Bonds of a particular Series and maturity are being redeemed, DTC’s practice is to determine by lot the amount of the interest of each Direct Participant in such Series and maturity to be redeemed.

Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to the Bonds unless authorized by a Direct Participant in accordance with DTC’s procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the State as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.’s consenting or voting rights to those Direct Participants to whose accounts the Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Redemption proceeds, principal and interest payments on the Bonds will be made to Cede & Co. or such other nominee as may be requested by an authorized representative of DTC. DTC’s practice is to credit Direct Participants’ accounts upon DTC’s receipt of funds and corresponding detail information from the State on the payable date in accordance with their respective holdings shown on DTC’s records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in “street name,” and will be the responsibility of such Participant and not of DTC, The Bank of New York Mellon (the “Fiscal Agent”), or the State, subject to any statutory or regulatory requirements as may be in

effect from time to time. Payment of redemption proceeds, principal and interest payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the State or the Fiscal Agent, disbursement of such payments to Direct Participants shall be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners shall be the responsibility of Direct and Indirect Participants.

The State and the Fiscal Agent may treat DTC (or its nominee) as the sole and exclusive registered owner of the Bonds registered in its name for the purposes of payment of the principal of or interest on the Bonds, giving any notice permitted or required to be given to registered owners, registering the transfer of the Bonds, or other action to be taken by registered owners and for all other purposes whatsoever. The State and the Fiscal Agent shall not have any responsibility or obligation to any Participant, any person claiming a beneficial ownership interest in the Bonds under or through DTC or any Participant, or any other person that is not shown on the registration books of the State (kept by the Fiscal Agent) as a registered owner, with respect to: the accuracy of any records maintained by DTC or any Participant; the payment or timeliness of payments by DTC or any Participant of any amount in respect of the principal of, or premium, if any, or interest on the Bonds; any notice which is permitted or required to be given to registered owners thereunder or under the conditions to transfers or exchanges adopted by the State; the selection by DTC or any Participant or Indirect Participant of any beneficial owners to receive payment in the event of a partial redemption of the Bonds; or other action taken by DTC as a registered owner. Interest and principal will be paid by the Fiscal Agent to DTC, or its nominee. Disbursement of such payments to the Participants is the responsibility of DTC and disbursement of such payments to the Beneficial Owners is the responsibility of the Participants or the Indirect Participants.

SO LONG AS CEDE & CO. (OR SUCH OTHER NOMINEE AS MAY BE REQUESTED BY AN AUTHORIZED REPRESENTATIVE OF DTC), AS NOMINEE OF DTC, IS THE REGISTERED OWNER OF ALL THE BONDS, REFERENCES HEREIN TO THE OWNERS, HOLDERS OR BONDHOLDERS OF THE BONDS (OTHER THAN UNDER "SECTION 4 — TAX MATTERS", "SECTION 11 — CONTINUING DISCLOSURE UNDER SEC RULE 15c2-12" AND EXHIBIT D HEREIN) SHALL MEAN CEDE & CO. AND SHALL NOT MEAN THE BENEFICIAL OWNERS.

For every transfer and exchange of beneficial ownership of the Bonds, a Beneficial Owner may be charged a sum sufficient to cover any tax, fee or other governmental charge that may be imposed in relation thereto.

DTC may discontinue providing its services as depository with respect to a Series of the Bonds at any time by giving reasonable notice to the State and discharging its responsibilities with respect thereto under applicable law, or the State may terminate its participation in the system of book-entry transfer through DTC at any time by giving notice to DTC. In either event, the State may retain another securities depository for the Bonds or may direct the Fiscal Agent to deliver bond certificates in accordance with instructions from DTC or its successor. If the State directs the Fiscal Agent to deliver such bond certificates, such Bonds may thereafter be exchanged for an equal aggregate principal amount of Bonds of the applicable Series in other authorized denominations and of the same maturity as set forth on the inside cover page hereof, upon surrender thereof at the principal corporate trust office of the Fiscal Agent, who will then be responsible for maintaining the registration books of the State.

The foregoing description of the procedures and record keeping with respect to beneficial ownership interests in the Bonds, payment of principal of and interest and other payments with respect to the Bonds to Direct Participants, Indirect Participants and Beneficial Owners, confirmation and transfer of beneficial ownership interest in such Bonds and other related transactions by and between DTC, the Direct Participants, the Indirect Participants and the Beneficial Owners is based solely on information provided by DTC. Accordingly, no representations can be made concerning these matters and neither the Direct

Participants, the Indirect Participants nor the Beneficial Owners should rely on the foregoing information with respect to such matters but should instead confirm the same with DTC or the Participants, as the case may be.

THE STATE AND FISCAL AGENT CANNOT AND DO NOT GIVE ANY ASSURANCES THAT DTC OR DIRECT PARTICIPANTS OR INDIRECT PARTICIPANTS OF DTC WILL DISTRIBUTE TO THE BENEFICIAL OWNERS OF THE BONDS (1) PAYMENTS OF PRINCIPAL OF OR INTEREST OR REDEMPTION PREMIUM ON THE BONDS (2) CONFIRMATIONS OF THEIR OWNERSHIP INTERESTS IN THE BONDS OR (3) OTHER NOTICES SENT TO DTC OR CEDE & CO., ITS PARTNERSHIP NOMINEE, AS THE REGISTERED OWNER OF THE BONDS, OR THAT THEY WILL DO SO ON A TIMELY BASIS, OR THAT DTC OR DIRECT PARTICIPANTS OR INDIRECT PARTICIPANTS OF DTC WILL SERVE AND ACT IN THE MANNER DESCRIBED IN THIS OFFICIAL STATEMENT.

THE STATE AND FISCAL AGENT WILL NOT HAVE ANY RESPONSIBILITY OR OBLIGATIONS TO DTC OR THE DIRECT PARTICIPANTS OR THE INDIRECT PARTICIPANTS OF DTC OR THE BENEFICIAL OWNERS WITH RESPECT TO (1) THE ACCURACY OF ANY RECORDS MAINTAINED BY DTC OR ANY DIRECT PARTICIPANTS OR INDIRECT PARTICIPANTS OF DTC; (2) THE PAYMENT BY DTC OR ANY DIRECT PARTICIPANTS OR INDIRECT PARTICIPANTS OF DTC OF ANY AMOUNT DUE TO ANY BENEFICIAL OWNER IN RESPECT OF THE PRINCIPAL AMOUNT OF OR INTEREST OR REDEMPTION PREMIUM ON THE BONDS; (3) THE DELIVERY BY DTC OR ANY DIRECT PARTICIPANTS OR INDIRECT PARTICIPANTS OF DTC OF ANY NOTICE TO ANY BENEFICIAL OWNER THAT IS REQUIRED OR PERMITTED TO BE GIVEN TO OWNERS; OR (4) ANY CONSENT GIVEN OR OTHER ACTION TAKEN BY DTC AS THE REGISTERED HOLDER OF THE BONDS.

THE INFORMATION CONTAINED HEREIN CONCERNING DTC AND ITS BOOK-ENTRY SYSTEM HAS BEEN OBTAINED FROM DTC AND NEITHER THE STATE NOR THE INITIAL PURCHASERS MAKE ANY REPRESENTATIONS TO THE COMPLETENESS OR THE ACCURACY OF SUCH INFORMATION OR AS TO THE ABSENCE OF MATERIAL ADVERSE CHANGES IN SUCH INFORMATION SUBSEQUENT TO THE DATE HEREOF.

### **Global Clearance Procedures**

*Euroclear and Clearstream.* Euroclear and Clearstream have advised the State as follows:

Euroclear and Clearstream each hold securities for their customers and facilitate the clearance and settlement of securities transactions by electronic book-entry transfer between their respective account holders. Euroclear and Clearstream provide various services including safekeeping, administration, clearance and settlement of internationally traded securities and securities lending and borrowing. Euroclear and Clearstream also deal with domestic securities markets in several countries through established depository and custodial relationships. Euroclear and Clearstream have established an electronic bridge between their two systems across which their respective participants may settle trades with each other.

Euroclear and Clearstream customers are worldwide financial institutions, including underwriters, securities brokers and dealers, banks, trust companies and clearing corporations. Indirect access to Euroclear and Clearstream is available to other institutions that clear through or maintain a custodial relationship with an account holder of either system, either directly or indirectly.

*Clearing and Settlement Procedures.* The Bonds sold in offshore transactions will be initially issued to investors through the book-entry facilities of DTC, or Clearstream and Euroclear in Europe if the

investors are participants in those systems, or indirectly through organizations that are participants in the systems. For any of such Bonds, the record holder will be DTC's nominee. Clearstream and Euroclear will hold omnibus positions on behalf of their participants through customers' securities accounts in Clearstream's and Euroclear's names on the books of their respective depositories.

The depositories, in turn, will hold positions in customers' securities accounts in the depositories' names on the books of DTC. Because of time zone differences, the securities account of a Clearstream or Euroclear participant as a result of a transaction with a participant, other than a depository holding on behalf of Clearstream or Euroclear, will be credited during the securities settlement processing day, which must be a business day for Clearstream or Euroclear, as the case may be, immediately following the DTC settlement date. These credits or any transactions in the securities settled during the processing will be reported to the relevant Euroclear participant or Clearstream participant on that business day. Cash received in Clearstream or Euroclear as a result of sales of securities by or through a Clearstream participant or Euroclear participant to a DTC Participant, other than the depository for Clearstream or Euroclear, will be received with value on the DTC settlement date but will be available in the relevant Clearstream or Euroclear cash account only as of the business day following settlement in DTC.

Transfers between participants will occur in accordance with DTC rules. Transfers between Clearstream participants or Euroclear participants will occur in accordance with their respective rules and operating procedures. Cross-market transfers between persons holding directly or indirectly through DTC, on the one hand, and directly or indirectly through Clearstream participants or Euroclear participants, on the other, will be effected in DTC in accordance with DTC rules on behalf of the relevant European international clearing system by the relevant depositories; however, cross-market transactions will require delivery of instructions to the relevant European international clearing system by the counterparty in the system in accordance with its rules and procedures and within its established deadlines in European time. The relevant European international clearing system will, if the transaction meets its settlement requirements, deliver instructions to its depository to take action to effect final settlement on its behalf by delivering or receiving securities in DTC, and making or receiving payment in accordance with normal procedures for same day funds settlement applicable to DTC. Clearstream participants or Euroclear participants may not deliver instructions directly to the depositories.

The State will not impose any fees in respect of holding the Bonds; however, holders of book-entry interests in the Bonds may incur fees normally payable in respect of the maintenance and operation of accounts in the DTC, Euroclear and Clearstream.

*Initial Settlement.* Interests in the Bonds will be in uncertified book-entry form. Purchasers electing to hold book-entry interests in the Bonds through Euroclear and Clearstream accounts will follow the settlement procedures applicable to conventional Eurobonds. Book-entry interests in the Bonds will be credited to Euroclear and Clearstream participants' securities clearance accounts on the business day following the date of delivery of the Bonds against payment (value as on the date of delivery of the Bonds). DTC participants acting on behalf of purchasers electing to hold book-entry interests in the Bonds through DTC will follow the delivery practices applicable to securities eligible for DTC's Same Day Funds Settlement system. DTC participants' securities accounts will be credited with book-entry interests in the Bonds following confirmation of receipt of payment to the State on the date of delivery of the Bonds.

*Secondary Market Trading.* Secondary market trades in the Bonds will be settled by transfer of title to book-entry interests in Euroclear, Clearstream or DTC, as the case may be. Title to such book-entry interests will pass by registration of the transfer within the records of Euroclear, Clearstream or DTC, as the case may be, in accordance with their respective procedures. Book-entry interests in the Bonds may be transferred within Euroclear and within Clearstream and between Euroclear and Clearstream in accordance with procedures established for these purposes by Euroclear and Clearstream. Book-entry interests in the

Bonds may be transferred within DTC in accordance with procedures established for this purpose by DTC. Transfer of book-entry interests in the Bonds between Euroclear or Clearstream and DTC may be effected in accordance with procedures established for this purpose by Euroclear, Clearstream and DTC.

*Special Timing Considerations.* Investors should be aware that investors will only be able to make and receive deliveries, payments and other communications involving the Bonds through Euroclear or Clearstream on days when those systems are open for business. In addition, because of time-zone differences, there may be complications with completing transactions involving Clearstream and/or Euroclear on the same business day as in the United States. U.S. investors who wish to transfer their interests in the Bonds, or to receive or make a payment or delivery of Bonds, on a particular day, may find that the transactions will not be performed until the next business day in Luxembourg if Clearstream is used, or Brussels if Euroclear is used.

*General.* Neither Euroclear nor Clearstream is under any obligation to perform or continue to perform the procedures referred to above, and such procedures may be discontinued at any time.

Neither the State nor any of its agents will have any responsibility for the performance by Euroclear or Clearstream or their respective direct or indirect participants or account holders of their respective obligations under the rules and procedures governing their operations or the arrangements referred to above.

The information in this subsection concerning DTC, Euroclear and Clearstream has been obtained from sources that the State believes to be reliable, but the State takes no responsibility for the accuracy thereof or makes any representation as to the completeness or the accuracy of such information or as to the absence of material adverse changes in such information subsequent to the date hereof.

## SECTION 2 – PLAN OF FINANCING

### Estimated Sources And Uses Of Funds\*

The following table sets forth the sources and uses of funds with respect to the Bonds:

#### Sources

|                  |                  |
|------------------|------------------|
| Principal Amount | \$914,300,000.00 |
| Total Sources    | \$914,300,000.00 |

#### Uses

|                        |                  |
|------------------------|------------------|
| Deposit to Escrow Fund | \$911,307,035.44 |
| Initial Purchasers'    |                  |
| Discount               | 2,616,197.01     |
| Costs of Issuance      | 376,767.55       |
| Total Uses             | \$914,300,000.00 |

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\* Totals may not add due to rounding.

### Refunding Plan

The Bonds are being issued to provide funds to refund the Refunded Bonds. The Series, principal amounts and the maturity dates of the Refunded Bonds are as shown in Exhibit C - DESCRIPTION OF THE REFUNDED BONDS.

Substantially all of the proceeds of the Bonds will be deposited with The Bank of New York Mellon (the “Escrow Agent”) pursuant to an escrow deposit agreement (the “Escrow Agreement”) to be entered into, at or prior to the issuance of the Bonds, between the State and the Escrow Agent. Such proceeds, together with any other amounts deposited with the Escrow Agent under the Escrow Agreement, will be used to acquire non-callable direct obligations of the United States government (the “Government Obligations”), the principal of and interest on which when due will be sufficient, together with any other moneys deposited with the Escrow Agent under the Escrow Agreement, to redeem the Refunded Bonds at the applicable redemption price on the applicable date of redemption, together with interest to become due on such Refunded Bonds on or prior to the applicable redemption date. The moneys deposited with and the Government Obligations acquired by the Escrow Agent with the proceeds of the Bonds pursuant to the Escrow Agreement will be deposited in an irrevocable escrow fund established under the Escrow Agreement and pledged to secure the payment of the Refunded Bonds. Upon the deposit of such proceeds with the Escrow Agent as described above, the Refunded Bonds shall be deemed to be paid and shall no longer be deemed outstanding, and the holders thereof shall be paid solely out of the Government Obligations and moneys held by the Escrow Agent pursuant to the Escrow Agreement. Accordingly, the redemption price of the Refunded Bonds, together with interest to become due thereon, will be payable from the Escrow Fund.

The Comptroller has determined that the refunding transaction will provide savings on a present value basis over the life of the Bonds, based on the difference between the debt service payable on the Bonds and the debt service payable on the Refunded Bonds and will achieve actual debt service savings in each fiscal year during the term to maturity of the Bonds.

### **SECTION 3 – LEGAL INVESTMENT**

Under existing State law, the Bonds are legal investments for the State (except for State money set aside to repay any State TRAns) and for municipalities, school districts, fire districts, State chartered banks and trust companies, savings banks, savings and loan associations, credit unions and insurance companies organized under the laws of the State subject to applicable statutory requirements. There are no State statutory restrictions on the purchase of the Bonds by investment companies.

The Bonds may be accepted by the Comptroller and by State agencies and localities in situations where a supplier or contractor is required to deposit securities to secure performance of a contract. The Bonds may also be accepted by the Comptroller and the State Superintendent of Financial Services where State law requires the deposit of securities.

With a few exceptions and subject to any contrary provisions in any agreement with noteholders or bondholders or other contracts, the Bonds are legal investments for public authorities in the State. The Bonds may be accepted by public authorities where the deposit of obligations is required to secure performance of contractors.

### **SECTION 4 – TAX MATTERS**

The following is a summary of certain of the United States Federal income tax consequences of the ownership of the Bonds as of the date hereof. Each prospective investor should consult with its own tax advisor regarding the application of United States Federal income tax laws, as well as any state, local, foreign or other tax laws, to its particular situation.

The Attorney General expresses no opinion as to any Federal, state or local tax consequences arising with respect to the Bonds, the interest thereon or the ownership or disposition thereof.

### Tax Status of the Taxable Bonds

The following discussion is a summary of the principal United States Federal income tax consequences of the acquisition, ownership and disposition of the Bonds by purchasers who are U.S. Holders. As used herein, the term “U.S. Holder” means a beneficial owner of a Bond that is for United States Federal income tax purposes (i) a citizen or resident of the United States, (ii) a corporation, partnership or other entity created or organized in or under the laws of the United States or of any political subdivision thereof, (iii) an estate the income of which is subject to United States Federal income taxation regardless of its source or (iv) a trust whose administration is subject to the primary jurisdiction of a United States court and which has one or more United States fiduciaries who have the authority to control all substantial decisions of the trust.

The Bonds will be treated, for Federal and State and local income tax purposes, as a debt instrument. Accordingly, interest will be included in the income of the holder as it is paid (or, if the holder is an accrual method taxpayer, as it is accrued) as interest. Interest on the Bonds will be subject to Federal income taxes and personal income taxes imposed by the State and any political subdivision thereof, including The City of New York and the City of Yonkers.

Although the Bonds are expected to trade “flat,” that is, without a specific allocation to accrued interest, for Federal income tax purposes, a portion of the amount realized on a sale attributed to the Bonds will be treated as accrued interest and thus will be taxed as ordinary income to the seller (and will not be subject to tax in the hands of the buyer).

### Bond Premium

Holders of the Bonds that allocate a basis in the Bonds that is greater than the principal amount of the Bonds should consult their own tax advisors with respect to whether they should elect to amortize such premium under Section 171 of the Code.

### Market Discount

If a holder purchases the Bonds subsequent to its initial issuance for an amount that is less than the principal amount of the Bonds, and such difference is not considered to be de minimis, then such discount will represent market discount that ultimately will constitute ordinary income (and not capital gain). Further, absent an election to accrue market discount currently, upon a sale or exchange of a Bond, a portion of any gain will be ordinary income to the extent it represents the amount of any such market discount that was accrued through the date of sale. In addition, absent an election to accrue market discount currently, the portion of any interest expense incurred or continued to carry a market discount Bond that does not exceed the accrued market discount for any taxable year, will be deferred.

### Backup Withholding

Purchasers of the Bonds who are U.S. holders and who are neither a corporation or other exempt recipient of payments of principal, interest or sale proceeds upon disposition prior to maturity of the Bonds, nor a holder who provides a correct taxpayer identification number may be subject to backup withholding requirements under Section 3406 of the Code.

### Defeasance of Taxable Bonds

Defeasance of any Bond may result in a deemed reissuance thereof for Federal income tax purposes, meaning that such Bond will be treated as having been sold or exchanged as of the date of such defeasance

for a new obligation which is represented by such defeased Bond. In such event a holder of a defeased Bond will recognize taxable gain or loss equal to the difference between the amount realized from such deemed sale or exchange (less any accrued qualified stated interest which will be taxable as such) and the holder's adjusted tax basis in such Bond.

### Foreign Investors

This summary of tax considerations generally does not address the tax consequences to an investor who is not a U.S. Holder. Distributions on the Bonds to a non-U.S. Holder that has no connection with the United States other than holding its Bonds generally will be made free of withholding tax, as long as that holder has complied with certain tax identification and certification requirements. Prospective purchasers of the Bonds who are not U.S. Holders should consult their tax advisors regarding the Federal, state and local, and foreign tax consequences of purchasing and holding the Bonds.

## **SECTION 5 – RATINGS**

Moody's Investors Service, Inc. has assigned the Bonds a rating of "Aa1", S&P Global Ratings has assigned the Bonds a rating of "AA+" and Fitch Ratings, Inc. has assigned the Bonds a rating of "AA+".

Ratings reflect only the respective views of such organizations, and an explanation of the significance of such ratings must be obtained from the rating agency furnishing the same. There is no assurance that a particular rating will continue for any given period of time or that any such rating will not be revised downward or withdrawn entirely if, in the judgment of the agency originally establishing the rating, circumstances so warrant. Any such downward revision or withdrawal of any such ratings may have an adverse effect on the market price of the Bonds. A securities rating is not a recommendation to buy, sell or hold securities.

## **SECTION 6 – SALE BY COMPETITIVE BIDDING**

The Bonds were awarded pursuant to electronic competitive bidding process held on October 28, 2019.

The Bonds were offered for sale in three separate bidding groups (each a "Bidding Group") pursuant to three separate electronic bids. The Bonds maturing in years 2020 through and including 2024 were sold to J.P. Morgan Securities LLC. Such Bonds will be purchased at an aggregate price of \$211,398,858.00 which reflects the par amount of the bidding group less an underwriter's discount of \$21,142.00. The Bonds maturing in years 2025 through and including 2029 were sold to J.P. Morgan Securities LLC. Such Bonds will be purchased at an aggregate price of \$315,684,671.90 which reflects the par amount of the bidding group less an underwriter's discount of \$995,328.10. The Bonds maturing in years 2030 through and including 2041 were sold to Morgan Stanley & Co., LLC. Such Bonds will be purchased at an aggregate price of \$384,600,273.09 which reflects the par amount of the bidding group less an underwriter's discount of \$1,599,726.91.

The obligation of the State to sell and deliver the Bonds comprising one Bidding Group shall be contingent upon the sale and delivery of the Bonds comprising the other two Bidding Groups. The respective initial purchasers (each an "Initial Purchaser") have supplied the information as to the initial public offering prices of the Bonds as set forth on the inside cover of this Official Statement with respect to the Bonds purchased by each such Initial Purchaser. The Bonds may be offered and sold to certain dealers at prices lower than the public offering prices set forth on the inside cover page, and such public offering prices may be changed from time to time by the Initial Purchasers.

## **SECTION 7 – VERIFICATION OF MATHEMATICAL COMPUTATIONS**

Samuel Klein and Company, Certified Public Accountants, will verify from the information provided to them the mathematical accuracy as of the date of the closing on the Bonds of (1) the computations contained in the provided schedules to determine that the anticipated receipts from the securities and cash deposits, to be held in escrow, will be sufficient to pay, when due, the principal, interest and call premium payment requirements, if any, of the Refunded Bonds. Samuel Klein and Company, Certified Public Accountants, will express no opinion on the assumptions provided to them.

## **SECTION 8 – OPINION OF ATTORNEY GENERAL**

The Attorney General will deliver a legal opinion to the Comptroller on the date of delivery of the Bonds, in substantially the form attached as Exhibit B to Part I of this Official Statement, as to the validity and binding effect of the Bonds.

## **SECTION 9 – LITIGATION**

No litigation is pending or, to the knowledge of the Attorney General, threatened against or affecting the State seeking to restrain or enjoin the issuance, sale or delivery of the Bonds or in any way contesting or affecting the validity of the Bonds.

Litigation is pending in which the State is a party. For a description of certain litigation affecting the State, see the section entitled “Litigation” in Part II of this Official Statement.

## **SECTION 10 – CLOSING CERTIFICATE**

Concurrently with the delivery of the Bonds, the State will furnish: (i) a certificate signed by the Comptroller of the State of New York and dated as of the date of the delivery of and payment for the Bonds certifying with respect to Parts I and III of the Official Statement, but not with respect to Part II of the Official Statement, that as of the date of the Official Statement furnished by the State in relation to the sale of the Bonds, Parts I and III of the Official Statement did not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading, subject to the condition that, while information in Parts I and III of the Official Statement obtained from sources other than the State is not certified as to accuracy, completeness or fairness, he has no reason to believe and does not believe that such information is materially inaccurate or misleading; and (ii) a certificate signed by the Director of the Budget of the State of New York and dated as of the date of the delivery of and payment for the Bonds certifying with respect to Part II of the Official Statement, but not with respect to Parts I and III of the Official Statement, that as of the date of the Official Statement furnished by the State in relation to the sale of the Bonds and as of the date of delivery of the Bonds, Part II of the Official Statement did not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading, subject to the condition that, while information in Part II of the Official Statement obtained from sources other than the State is not certified as to accuracy, completeness or fairness, he has no reason to believe and does not believe that such information is materially inaccurate or misleading, and subject to the further condition that with regard to the statements and information in Part II under the caption “Litigation” such statements and information as to legal matters are given to the best of his information and belief, having made such inquiries as he deems appropriate with the Department of Law of the State of New York, without further independent investigation.

## **SECTION 11 – CONTINUING DISCLOSURE UNDER SEC RULE 15c2-12**

In order to assist the initial purchasers of the Bonds to comply with the provisions of paragraph (b)(5) of Rule 15c2-12 promulgated by the Securities and Exchange Commission (“Rule 15c2-12”), the State will undertake in a written agreement for the benefit of the Holders of the Bonds (the “Disclosure Agreement”) to provide continuing disclosure of certain financial and operating data concerning the State (collectively, the “Annual Information”), notices of certain events described in the Disclosure Agreement (the “Notices”) in accordance with the requirements of Rule 15c2-12 and the annual financial statements. The Division of the Budget will electronically file with the MSRB, through its EMMA system, the Annual Information on or before 120 days after the end of each State fiscal year, commencing with the fiscal year ending March 31, 2020. The Comptroller is required by existing law to issue audited annual financial statements of the State prepared in accordance with GAAP within 120 days after the close of the State fiscal year, and the Comptroller will undertake to electronically file with the MSRB, through its EMMA system, the State’s annual financial statements prepared in accordance with GAAP and audited by an independent firm of certified public accountants in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, provided, however, that if audited financial statements are not then available, unaudited financial statements shall be so filed no later than 120 days after the end of the State’s fiscal year and such audited financial statements shall be electronically filed with the MSRB, through its EMMA system, if and when such statements are available. In addition, the Comptroller will also undertake to electronically file with the MSRB, through its EMMA system, any Notice in a timely manner not in excess of ten business days after the occurrence of any of the sixteen events described in the Disclosure Agreement. The proposed form of the Disclosure Agreement is attached hereto as PART I - EXHIBIT D. Copies of the Disclosure Agreement when executed by the parties thereto on the date of the initial delivery of the Bonds will be on file at the Office of the State Comptroller.

The State has not in the previous five years failed to comply, in any material respect, with any such agreements pursuant to Rule 15c2-12.

## **SECTION 12 – MISCELLANEOUS**

In connection with offers and sales of the Bonds, no action has been taken by the State that would permit a public offering of the Bonds, or possession or distribution of any information relating to the pricing of the Bonds, this Official Statement or any other offering or publicity material relating to the Bonds, in any country or jurisdiction where action for that purpose is required. Accordingly, by submitting a bid, each initial purchaser agrees to comply with all applicable laws and regulations in force in any jurisdiction in which it purchases, offers or sells the Bonds or possesses or distributes this Official Statement or any other offering or publicity material relating to the Bonds and will obtain any consent, approval or permission required by it for the purchase, offer or sale by it of the Bonds under the laws and regulations in force in any country or jurisdiction to which it is subject or in which it makes such purchases, offers or sales and the State shall have no responsibility therefor.

STATE OF NEW YORK  
THOMAS P. DINAPOLI  
State Comptroller

By: /s/ Robert B. Ward  
Robert B. Ward  
Deputy Comptroller

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**BOND AUTHORIZATIONS**

The following is a listing of the purposes for which the voters of the State, at general elections in November, have authorized the issuance of general obligation bonds, as required by Article VII, Section 11 of the State Constitution for which authorization to issue additional debt remains. The listing includes the respective dates of authorization. The total amount of general obligation debt authorized, authorized but unissued, and outstanding as of March 31, 2019 by purpose is set forth in the table of State General Obligation Debt in Part II of this Official Statement in the section entitled “Exhibit B – State Related Bond Authorizations.”

**Accelerated Capacity and Transportation Improvements of the Nineties Bonds**

The Accelerated Capacity and Transportation Improvements of the Nineties Bond Act (Chapter 261, Section 50, of the Laws of 1988) authorized the creation of a State debt in an aggregate amount not exceeding \$3.0 billion to provide moneys to be used for preserving, enhancing, restoring and improving the quality of the State’s highway and bridge infrastructure system by the construction, reconstruction, capacity improvement, replacement, reconditioning and preservation of State highways and parkways, and bridges thereon, and municipal bridges not on the State highway system.

**Clean Water/Clean Air Bonds**

The Clean Water/Clean Air Bond Act of 1996 (Chapter 412 of the Laws of 1996) authorized the creation of a State debt in an aggregate amount not exceeding \$1.750 billion for the single purpose of preserving, enhancing, restoring and improving the quality of the State’s environment by the accomplishment of projects and the funding of activities by State agencies, public authorities and public benefit corporations, municipalities and other governmental entities and not-for-profit corporations for and related to protecting, improving, and enhancing the quality of drinking water and the enhancement of water bodies; by providing funds to open space, and for parks, historic preservation, and heritage area improvements; by providing funds for solid waste projects; by providing funds for the restoration of contaminated properties, and by providing funds for air quality projects. Such programs and their respective maximum debt authorizations are as follows: (1) for the creation of a State safe drinking water program (\$355 million), (2) for preserving, enhancing, restoring and improving the quality of water (\$790 million), (3) for solid waste projects (\$175 million), (4) for restoring and improving contaminated areas and returning them to productive use (\$200 million), and (5) for preserving, enhancing, restoring and maintaining the quality of the air (\$230 million).

**Environmental Quality 1972 Bonds**

The Environmental Quality Bond Act (Chapter 658 of the Laws of 1972) authorized the creation of a State debt in an aggregate amount not exceeding \$1.150 billion for the purpose of preserving, enhancing, restoring and improving the quality of the State’s environment for three basic programs, each of which contains its own maximum debt authorization. Such programs and their respective limitations on the use of proceeds are as follows: (1) for the preservation, enhancement, restoration and improvement of the quality of water (\$650 million); (2) for the preservation, enhancement, restoration and improvement of the quality of air (\$150 million); and (3) for the preservation, enhancement, restoration and improvement of the quality of land (\$350 million).

## **Environmental Quality 1986 Bonds**

The Environmental Quality Bond Act of 1986 (Chapter 511 of the Laws of 1986) authorized the creation of a State debt in an aggregate amount not exceeding \$1.450 billion to provide moneys to be used for preservation, enhancement, restoration and improvement of the quality of the State's environment by the remediation of sites containing hazardous wastes; by the closure of municipal landfills; by the acquisition of land or interests in land within the Adirondack and Catskill parks; by the acquisition of environmentally sensitive areas, including areas of aquifer recharge, exceptional scenic beauty, exceptional forest character, open space, pine barrens, public access, trailways, unique character, wetlands and wildlife habitat; and by the improvement, restoration and rehabilitation of State and municipal historic sites, the acquisition, development and improvement of municipal park and recreation facilities and the development of urban cultural parks; and by the acquisition, improvement, restoration and rehabilitation of historic properties owned or to be acquired by not-for-profit corporations. The programs authorized and their respective debt authorizations are as follows: (1) for hazardous waste site remediation and municipal non-hazardous waste landfill closure (\$1.2 billion), of which up to \$100 million shall be available to municipalities to assist in the closure of municipal landfills; and (2) for acquisition of forest preserve and environmentally sensitive lands, and for the acquisition, development, improvement and restoration of real property for conservation, recreation, and historic preservation purposes (\$250 million).

## **Housing Bonds and Urban Renewal Bonds**

Article XVIII, Section 3 of the State Constitution, which took effect January 1, 1939, authorized the creation of a State debt in an aggregate amount not exceeding \$300 million for the purpose of making loans to any city, town, village, public corporation or limited profit housing corporation for the construction of low rent housing for persons of low income as defined by law and for the clearance, replanning, reconstruction and rehabilitation of substandard and unsanitary areas, and for recreational and other facilities incidental or appurtenant thereto. Subsequently, in each of the years 1947, 1949, 1954 and 1958, the voters approved the creation of additional housing debt in the amounts of \$135 million, \$300 million, \$200 million and \$200 million, respectively. The \$300 million of original authorization was not segregated by type of housing project. Subsequent authorizations, however, were designated for low income housing, middle income housing or urban renewal.

## **Outdoor Recreation Development Bonds**

The Outdoor Recreation Development Bond Act (Chapter 558 of the Laws of 1965) authorized the creation of a State debt in an aggregate amount not exceeding \$200 million to provide moneys to be used, in such manner and upon such terms and conditions as the Legislature may prescribe, for development and acquisition of lands for outdoor recreation purposes, including parks, forest recreation areas, marine facilities and historic sites.

## **Park and Recreation Land Acquisition Bonds**

The Park and Recreation Land Acquisition Bond Act (Chapter 522 of the Laws of 1960) and the Park and Recreation Land Acquisition Bond Act of 1962 (Chapter 443 of the Laws of 1962) authorized the creation of a State debt in an aggregate amount not exceeding \$100 million to provide moneys to be used for the purpose of temporarily financing the acquisition of predominately open or natural lands, for conservation and outdoor recreation development particularly in and near rapidly growing urban and suburban areas to meet future needs of an expanding population, for the acquisition of additional State park lands, and for State grants to cities, counties, towns and villages and to cities, counties, towns and villages on behalf of improvements districts in acquiring similar lands for municipal parks for matching Federal funds which may from time to time be made available by Congress for such purposes.

## **Pure Waters Bonds**

The Pure Waters Bond Act (Chapter 176 of the Laws of 1965) authorized the creation of a State debt in an aggregate amount not exceeding \$1.0 billion to provide moneys to be used for the non-local share of the costs of construction, reconstruction and improvement by a political subdivision or a public benefit corporation of the State of facilities for the purpose of treating, neutralizing, or stabilizing sewage, including treatment or disposal plants and for other necessary facilities to ensure pure water for the State. The non-local share to be financed by the State may not exceed 60% of the total cost.

## **Rebuild New York Through Transportation Infrastructure Renewal Bonds**

The Rebuild New York Through Transportation Infrastructure Renewal Bond Act (Chapter 836 of the Laws of 1983) authorized the creation of a State debt in an aggregate amount not exceeding \$1.250 billion to provide moneys to be used for the preservation, enhancement, restoration and improvement of the quality of the State's transportation infrastructure system by the construction, reconstruction, improvement, reconditioning and preservation of State highways, bridges and parkways and highways and bridges not on the State highway system, including the improvement and/or elimination of highway-railroad grade crossings on or off State highways and the improvement or construction of commuter rail parking facilities, ports, marine terminals, canals, waterways, rail freight, rail passenger, rail rapid transit, commuter rail, omnibus systems and facilities and airport and aviation capital facilities. Such programs and their respective maximum debt authorizations are as follows: (1) highways, bridges, parkways, grade-crossings and commuter rail parking (\$1.005 billion); (2) ports, marine terminals, canals and waterways (\$75 million); and (3) rail freight, rail passenger, rapid transit, commuter rail, omnibus and airport and aviation facilities (\$170 million). In each of the above categories the Legislature may increase the maximum debt authorization provided that such increase is simultaneously offset by appropriate decreases in one or more categories. Such action has been taken and the maximum amount authorized to be issued for each purpose as of the date of this Official Statement is \$1.064 billion, \$49.36 million and \$136.64 million for the purposes (1), (2), and (3), respectively.

## **Rebuild and Renew New York Transportation Bonds**

The Rebuild and Renew New York Transportation Bond Act of 2005 (Chapter 60 of the Laws of 2005) authorized the creation of a State debt in an aggregate amount not exceeding \$2.9 billion to provide monies for the single purpose of improving, enhancing, preserving and restoring the quality of the state's transportation infrastructure. The limitations on the use of proceeds are as follows: (a) \$1.45 billion for the planning and design, construction, reconstruction, replacement, improvement, reconditioning, rehabilitation and preservation of State highways, bridges and parkways; highways and bridges off the State highway system if the project is necessary or incidental to the canal system; border crossing enhancements; the improvement and/or elimination of highway-railroad grade crossings; pedestrian and/or bicycle trails, pathways and bridges; the canal system and moveable bridges that cross over the canal system; certain airports or aviation facilities and equipment, ports and marine terminals; omnibus, mass transit and rapid transit facilities and equipment excluding those operated or acquired by or under the jurisdiction of the metropolitan transportation authority and its subsidiaries and the Triborough Bridge and Tunnel Authority; certain urban, commuter and intercity passenger rail, freight rail, and intermodal passenger and freight facilities and equipment and (b) \$1.45 billion for the planning and design, construction, reconstruction, replacement, improvement, reconditioning, rehabilitation and preservation in connection with urban and commuter passenger and freight rail, omnibus, mass transit and rapid transit systems, facilities and equipment including acquisition, operated or acquired by or under the jurisdiction of the metropolitan transportation authority and its subsidiaries and the New York City Transit Authority and its subsidiaries.

## **Smart Schools Bonds**

The Smart Schools Bond Act of 2014 (Chapter 56 of the Laws of 2014) authorized the creation of a State debt in an aggregate amount not exceeding \$2.0 billion to provide monies for the single purpose of

improving learning and opportunity for public and nonpublic school students of the state by funding capital projects to: acquire learning technology equipment or facilities including, but not limited to, interactive whiteboards, computer servers, and desktop, laptop and tablet computers; install high-speed broadband or wireless internet connectivity for schools and communities; construct, enhance, and modernize educational facilities to accommodate pre-kindergarten programs and provide instructional space to replace transportable classroom units; and install high-tech security features in school buildings and on school campuses.

**FORM OF ATTORNEY GENERAL’S OPINION**

[Closing Date]

Honorable Thomas P. DiNapoli  
State Comptroller  
110 State Street  
Albany, New York 12236

Dear Sir:

The Comptroller has requested my opinion regarding the validity of General Obligation Bonds of the State of New York, \$914,300,000 Series 2019B Taxable Refunding Bonds (the “Bonds”) which were sold on October 28, 2019.

The Comptroller advises that the proceeds of the Bonds will be used to pay certain costs of issuance of the Bonds and to purchase United States government obligations, the interest and maturing principal of which, will be used to pay the principal and redemption price of, and interest on, a portion of the State’s General Obligation Bonds to be refunded which are described in Exhibit C of Part I of the Official Statement.

The Comptroller further advises the following with respect to the Bonds. The Bonds will be dated the date of delivery and will mature on the dates in each of the years set forth in the Official Statement with respect to the Bonds (the “Official Statement”). The Bonds will be issued as registered bonds, and, when issued, will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York (“DTC”), which will act as securities depository for the Bonds. Purchasers will not receive certificates representing their ownership interests in the Bonds purchased. Beneficial ownership interests in each series of the Bonds in the amount of \$5,000 or any integral multiple thereof may be purchased by or through DTC Participants. Interest on the Bonds will be payable beginning on February 15, 2020 and semi-annually thereafter on each August 15 and February 15 until maturity.

The Bonds will be issued pursuant to Article VII, Section 13 of the Constitution of the State of New York and Sections 56 and 57 of the State Finance Law.

The transcript of the proceedings and the forms of the Bonds enclosed with the Comptroller’s request have been examined by members of my staff. You are advised that after consideration of the provisions of the State Constitution, the pertinent sections of the State Finance Law and the statutes above referred to, it is my opinion, based upon such inquiry as members of my staff have deemed appropriate, that the Bonds are legally issued in accordance with such Constitution and laws and that the Bonds constitute valid and legally binding general obligations of the State of New York to which its full faith and credit are pledged.

I express no opinion as to any Federal, state or local tax consequences arising with respect to the Bonds or the ownership or disposition thereof. This opinion is based on existing law as of the date hereof and I assume no obligation to update this opinion after the date hereof to reflect any future action, fact or circumstance, or change in law.

I further advise you that this letter contains my only opinion as to the validity and binding effect of the Bonds.

Very truly yours,

LETITIA JAMES  
Attorney General

By: \_\_\_\_\_  
JEFFREY W. LANG  
Deputy Solicitor General

## PART I - EXHIBIT C

## DESCRIPTION OF THE REFUNDED BONDS

|   | <b>Dated Date</b> | <b>Maturity Date</b> | <b>Principal Amount</b> | <b>Interest Rate</b> | <b>Anticipated Call Date</b> | <b>Redemption Price</b> | <b>CUSIP†</b> |
|---|-------------------|----------------------|-------------------------|----------------------|------------------------------|-------------------------|---------------|
| <i>State of New York, General Obligation Bonds, Series 2006A Tax-Exempt Bonds</i> |                   |                      |                         |                      |                              |                         |               |
| Serial Bonds  | 03/29/2006        | 03/15/2020           | \$4,625,000             | 4.000%               | 11/29/2019                   | 100%                    | 649787V47     |
|   | 03/29/2006        | 03/15/2021           | \$4,810,000             | 4.000%               | 11/29/2019                   | 100%                    | 649787V54     |
|   | 03/29/2006        | 03/15/2022           | \$4,895,000             | 4.000%               | 11/29/2019                   | 100%                    | 649787V62     |
|   | 03/29/2006        | 03/15/2023           | \$5,095,000             | 4.125%               | 11/29/2019                   | 100%                    | 649787V70     |
|   | 03/29/2006        | 03/15/2024           | \$5,300,000             | 4.125%               | 11/29/2019                   | 100%                    | 649787V88     |
|   | 03/29/2006        | 03/15/2025           | \$5,515,000             | 4.250%               | 11/29/2019                   | 100%                    | 649787V96     |
|   | 03/29/2006        | 03/15/2026           | \$5,755,000             | 4.250%               | 11/29/2019                   | 100%                    | 649787W20     |
|   | 03/29/2006        | 03/15/2027           | \$1,450,000             | 4.250%               | 11/29/2019                   | 100%                    | 649787W38     |
|   | 03/29/2006        | 03/15/2028           | \$1,510,000             | 4.250%               | 11/29/2019                   | 100%                    | 649787W46     |
|   | 03/29/2006        | 03/15/2029           | \$1,575,000             | 4.250%               | 11/29/2019                   | 100%                    | 649787W53     |
|   | 03/29/2006        | 03/15/2030           | \$1,645,000             | 4.250%               | 11/29/2019                   | 100%                    | 649787W61     |
|   | 03/29/2006        | 03/15/2031           | \$1,715,000             | 4.250%               | 11/29/2019                   | 100%                    | 649787W79     |
|   | 03/29/2006        | 03/15/2032           | \$1,785,000             | 4.250%               | 11/29/2019                   | 100%                    | 649787W87     |
|   | 03/29/2006        | 03/15/2033^          | \$1,860,000             | 4.250%               | 11/29/2019                   | 100%                    | 649787W95     |
|   | 03/29/2006        | 03/15/2034^          | \$1,940,000             | 4.250%               | 11/29/2019                   | 100%                    | 649787W95     |
|   | 03/29/2006        | 03/15/2035^          | \$2,025,000             | 4.250%               | 11/29/2019                   | 100%                    | 649787W95     |
| Term Bond Due   | 03/29/2006        | 03/15/2036           | \$2,110,000             | 4.250%               | 11/29/2019                   | 100%                    | 649787W95     |
| <i>State of New York, General Obligation Bonds, Series 2007A Tax-Exempt Bonds</i> |                   |                      |                         |                      |                              |                         |               |
|   | 03/22/2007        | 03/01/2020           | \$5,610,000             | 5.000%               | 11/29/2019                   | 100%                    | 6497875B0     |
|   | 03/22/2007        | 03/01/2021           | \$5,890,000             | 5.000%               | 11/29/2019                   | 100%                    | 6497875C8     |
|   | 03/22/2007        | 03/01/2022           | \$6,180,000             | 4.500%               | 11/29/2019                   | 100%                    | 6497875D6     |
|   | 03/22/2007        | 03/01/2023           | \$6,465,000             | 4.000%               | 11/29/2019                   | 100%                    | 6497875E4     |
|   | 03/22/2007        | 03/01/2024           | \$6,720,000             | 4.000%               | 11/29/2019                   | 100%                    | 6497875F1     |
|   | 03/22/2007        | 03/01/2025           | \$6,990,000             | 4.000%               | 11/29/2019                   | 100%                    | 6497875G9     |
|   | 03/22/2007        | 03/01/2026           | \$7,270,000             | 4.000%               | 11/29/2019                   | 100%                    | 6497875H7     |
|   | 03/22/2007        | 03/01/2027           | \$7,560,000             | 4.000%               | 11/29/2019                   | 100%                    | 6497875J3     |
|   | 03/22/2007        | 03/01/2028^          | \$2,765,000             | 4.000%               | 11/29/2019                   | 100%                    | 6497875K0     |
| Term Bond Due   | 03/22/2007        | 03/01/2029           | \$2,880,000             | 4.000%               | 11/29/2019                   | 100%                    | 6497875K0     |
|   | 03/22/2007        | 03/01/2030^          | \$2,995,000             | 4.000%               | 11/29/2019                   | 100%                    | 6497875L8     |
| Term Bond Due   | 03/22/2007        | 03/01/2031           | \$3,110,000             | 4.000%               | 11/29/2019                   | 100%                    | 6497875L8     |
|   | 03/22/2007        | 03/01/2032^          | \$3,235,000             | 4.125%               | 11/29/2019                   | 100%                    | 6497875M6     |
| Term Bond Due   | 03/22/2007        | 03/01/2033           | \$3,370,000             | 4.125%               | 11/29/2019                   | 100%                    | 6497875M6     |
|   | 03/22/2007        | 03/01/2034^          | \$3,510,000             | 4.125%               | 11/29/2019                   | 100%                    | 6497875N4     |
|   | 03/22/2007        | 03/01/2035^          | \$3,655,000             | 4.125%               | 11/29/2019                   | 100%                    | 6497875N4     |
|   | 03/22/2007        | 03/01/2036^          | \$3,805,000             | 4.125%               | 11/29/2019                   | 100%                    | 6497875N4     |
| Term Bond Due   | 03/22/2007        | 03/01/2037           | \$3,960,000             | 4.125%               | 11/29/2019                   | 100%                    | 6497875N4     |

^ Sinking fund payment.

† CUSIP is a registered Trademark of the American Bankers Association (“ABA”). The CUSIP numbers listed above have been assigned by CUSIP Global Services, which is managed on behalf of the ABA by S&P Global Market Intelligence, a part of S&P Global Inc., and are being provided solely for the convenience of holders of the Refunded Bonds. The State makes no representation with respect to such numbers nor undertakes any responsibility for their accuracy now or at any time in the future. The CUSIP number for a specific maturity has been and is subject to being changed after the original issuance of the Refunded Bonds as a result of various subsequent actions including, but not limited to, a refunding in whole or in part of such maturity.

|  | <b>Dated Date</b> | <b>Maturity Date</b>    | <b>Principal Amount</b> | <b>Interest Rate</b> | <b>Anticipated Call Date</b> | <b>Redemption Price</b> | <b>CUSIP†</b> |
|--|-------------------|-------------------------|-------------------------|----------------------|------------------------------|-------------------------|---------------|
| <b><i>State of New York, General Obligation Bonds, Series 2008A Tax-Exempt Bonds</i></b> |                   |                         |                         |                      |                              |                         |               |
|  | 03/27/2008        | 03/01/2020              | \$ 6,055,000            | 4.000%               | 11/29/2019                   | 100%                    | 6497876A1     |
|  | 03/27/2008        | 03/01/2021              | \$ 6,295,000            | 4.125%               | 11/29/2019                   | 100%                    | 6497876B9     |
|  | 03/27/2008        | 03/01/2022              | \$ 6,560,000            | 4.250%               | 11/29/2019                   | 100%                    | 6497876C7     |
|  | 03/27/2008        | 03/01/2023              | \$ 6,835,000            | 4.375%               | 11/29/2019                   | 100%                    | 6497876D5     |
|  | 03/27/2008        | 03/01/2024              | \$ 7,135,000            | 4.500%               | 11/29/2019                   | 100%                    | 6497876E3     |
|  | 03/27/2008        | 03/01/2025              | \$ 7,455,000            | 4.500%               | 11/29/2019                   | 100%                    | 6497876F0     |
|  | 03/27/2008        | 03/01/2026              | \$ 7,790,000            | 4.500%               | 11/29/2019                   | 100%                    | 6497876G8     |
|  | 03/27/2008        | 03/01/2027              | \$ 8,140,000            | 4.500%               | 11/29/2019                   | 100%                    | 6497876H6     |
|  | 03/27/2008        | 03/01/2028              | \$ 8,505,000            | 4.500%               | 11/29/2019                   | 100%                    | 6497876J2     |
|  | 03/27/2008        | 03/01/2029 <sup>^</sup> | \$ 1,250,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497876K9     |
|  | 03/27/2008        | 03/01/2030 <sup>^</sup> | \$ 1,315,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497876K9     |
|  | 03/27/2008        | 03/01/2031 <sup>^</sup> | \$ 1,380,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497876K9     |
|  | 03/27/2008        | 03/01/2032 <sup>^</sup> | \$ 1,450,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497876K9     |
|  | 03/27/2008        | 03/01/2033 <sup>^</sup> | \$ 1,520,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497876K9     |
|  | 03/27/2008        | 03/01/2034 <sup>^</sup> | \$ 1,595,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497876K9     |
|  | 03/27/2008        | 03/01/2035 <sup>^</sup> | \$ 1,675,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497876K9     |
|  | 03/27/2008        | 03/01/2036 <sup>^</sup> | \$ 1,760,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497876K9     |
|  | 03/27/2008        | 03/01/2037 <sup>^</sup> | \$ 1,850,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497876K9     |
| Term Bond Due  | 03/27/2008        | 03/01/2038              | \$ 1,940,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497876K9     |
| <b><i>State of New York, General Obligation Bonds, Series 2009A Tax-Exempt Bonds</i></b> |                   |                         |                         |                      |                              |                         |               |
|  | 03/19/2009        | 02/15/2020              | \$11,715,000            | 4.000%               | 11/29/2019                   | 100%                    | 6497877S1     |
|  | 03/19/2009        | 02/15/2021              | \$12,175,000            | 4.250%               | 11/29/2019                   | 100%                    | 6497877T9     |
|  | 03/19/2009        | 02/15/2022              | \$ 7,700,000            | 4.375%               | 11/29/2019                   | 100%                    | 6497877U6     |
|  | 03/19/2009        | 02/15/2022              | \$ 5,000,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497877V4     |
|  | 03/19/2009        | 02/15/2023              | \$10,285,000            | 4.500%               | 11/29/2019                   | 100%                    | 6497877W2     |
|  | 03/19/2009        | 02/15/2023              | \$ 3,000,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497877X0     |
|  | 03/19/2009        | 02/15/2024              | \$10,895,000            | 4.750%               | 11/29/2019                   | 100%                    | 6497877Y8     |
|  | 03/19/2009        | 02/15/2024              | \$ 3,000,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497877Z5     |
|  | 03/19/2009        | 02/15/2025              | \$ 9,565,000            | 4.750%               | 11/29/2019                   | 100%                    | 6497878A9     |
|  | 03/19/2009        | 02/15/2025              | \$ 5,000,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497878B7     |
|  | 03/19/2009        | 02/15/2026              | \$ 4,570,000            | 4.875%               | 11/29/2019                   | 100%                    | 6497878C5     |
|  | 03/19/2009        | 02/15/2026              | \$10,700,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497878D3     |
|  | 03/19/2009        | 02/15/2027              | \$11,025,000            | 4.875%               | 11/29/2019                   | 100%                    | 6497878E1     |
|  | 03/19/2009        | 02/15/2027              | \$ 5,000,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497878F8     |
|  | 03/19/2009        | 02/15/2028              | \$16,810,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497878G6     |
|  | 03/19/2009        | 02/15/2029              | \$17,650,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497878H4     |
|  | 03/19/2009        | 02/15/2030 <sup>^</sup> | \$ 8,450,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497878J0     |
|  | 03/19/2009        | 02/15/2031 <sup>^</sup> | \$ 8,870,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497878J0     |
|  | 03/19/2009        | 02/15/2032 <sup>^</sup> | \$ 9,315,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497878J0     |
|  | 03/19/2009        | 02/15/2033 <sup>^</sup> | \$ 9,780,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497878J0     |
| Term Bond Due  | 03/19/2009        | 02/15/2034              | \$10,270,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497878J0     |
|  | 03/19/2009        | 02/15/2035 <sup>^</sup> | \$10,780,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497878K7     |
|  | 03/19/2009        | 02/15/2036 <sup>^</sup> | \$11,320,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497878K7     |
|  | 03/19/2009        | 02/15/2037 <sup>^</sup> | \$11,885,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497878K7     |
|  | 03/19/2009        | 02/15/2038 <sup>^</sup> | \$12,480,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497878K7     |
| Term Bond Due  | 03/19/2009        | 02/15/2039              | \$13,105,000            | 5.000%               | 11/29/2019                   | 100%                    | 6497878K7     |

<sup>^</sup> Sinking fund payment.

<sup>†</sup> CUSIP is a registered Trademark of the American Bankers Association (“ABA”). The CUSIP numbers listed above have been assigned by CUSIP Global Services, which is managed on behalf of the ABA by S&P Global Market Intelligence, a part of S&P Global Inc., and are being provided solely for the convenience of holders of the Refunded Bonds. The State makes no representation with respect to such numbers nor undertakes any responsibility for their accuracy now or at any time in the future. The CUSIP number for a specific maturity has been and is subject to being changed after the original issuance of the Refunded Bonds as a result of various subsequent actions including, but not limited to, a refunding in whole or in part of such maturity.

|  | <b>Dated Date</b> | <b>Maturity Date</b> | <b>Principal Amount</b> | <b>Interest Rate</b> | <b>Anticipated Call Date</b> | <b>Redemption Price</b> | <b>CUSIP†</b> |
|--|-------------------|----------------------|-------------------------|----------------------|------------------------------|-------------------------|---------------|
| <b><i>State of New York, General Obligation Bonds, Series 2010A Tax-Exempt Bonds</i></b> |                   |                      |                         |                      |                              |                         |               |
|  | 03/10/2010        | 03/01/2020           | \$ 8,840,000            | 0.000%               | Maturity                     | n/a                     | 649791BH2     |
|  | 03/10/2010        | 03/01/2021           | \$ 2,155,000            | 3.125%               | 03/01/2020                   | 100%                    | 649791BJ8     |
|  | 03/10/2010        | 03/01/2022           | \$ 2,215,000            | 3.250%               | 03/01/2020                   | 100%                    | 649791BK5     |
|  | 03/10/2010        | 03/01/2023           | \$ 2,290,000            | 3.375%               | 03/01/2020                   | 100%                    | 649791BL3     |
|  | 03/10/2010        | 03/01/2024           | \$ 2,365,000            | 3.500%               | 03/01/2020                   | 100%                    | 649791BM1     |
|  | 03/10/2010        | 03/01/2025           | \$ 2,455,000            | 3.500%               | 03/01/2020                   | 100%                    | 649791BN9     |
|  | 03/10/2010        | 03/01/2026           | \$ 2,025,000            | 3.625%               | 03/01/2020                   | 100%                    | 649791BP4     |
|  | 03/10/2010        | 03/01/2027           | \$ 2,105,000            | 3.750%               | 03/01/2020                   | 100%                    | 649791BQ2     |
|  | 03/10/2010        | 03/01/2028           | \$ 2,180,000            | 4.000%               | 03/01/2020                   | 100%                    | 649791BR0     |
|  | 03/10/2010        | 03/01/2029           | \$ 2,265,000            | 4.000%               | 03/01/2020                   | 100%                    | 649791BS8     |
|  | 03/10/2010        | 03/01/2030           | \$ 2,360,000            | 4.000%               | 03/01/2020                   | 100%                    | 649791BT6     |
|  | 03/10/2010        | 03/01/2031^          | \$ 1,745,000            | 4.125%               | 03/01/2020                   | 100%                    | 649791BU3     |
| Term Bond Due  | 03/10/2010        | 03/01/2032           | \$ 1,815,000            | 4.125%               | 03/01/2020                   | 100%                    | 649791BU3     |
|  | 03/10/2010        | 03/01/2033^          | \$ 1,890,000            | 4.375%               | 03/01/2020                   | 100%                    | 649791BV1     |
|  | 03/10/2010        | 03/01/2034^          | \$ 1,975,000            | 4.375%               | 03/01/2020                   | 100%                    | 649791BV1     |
| Term Bond Due  | 03/10/2010        | 03/01/2035           | \$ 2,060,000            | 4.375%               | 03/01/2020                   | 100%                    | 649791BV1     |
|  | 03/10/2010        | 03/01/2036^          | \$ 2,150,000            | 4.500%               | 03/01/2020                   | 100%                    | 649791BW9     |
|  | 03/10/2010        | 03/01/2037^          | \$ 2,245,000            | 4.500%               | 03/01/2020                   | 100%                    | 649791BW9     |
|  | 03/10/2010        | 03/01/2038^          | \$ 2,345,000            | 4.500%               | 03/01/2020                   | 100%                    | 649791BW9     |
|  | 03/10/2010        | 03/01/2039^          | \$ 2,450,000            | 4.500%               | 03/01/2020                   | 100%                    | 649791BW9     |
| Term Bond Due  | 03/10/2010        | 03/01/2040           | \$ 2,565,000            | 4.500%               | 03/01/2020                   | 100%                    | 649791BW9     |
| <b><i>State of New York, General Obligation Bonds, Series 2011A Tax-Exempt Bonds</i></b> |                   |                      |                         |                      |                              |                         |               |
|  | 03/30/2011        | 02/15/2020           | \$17,385,000            | 5.000%               | Maturity                     | n/a                     | 649791DG2     |
|  | 03/30/2011        | 02/15/2021           | \$18,255,000            | 5.000%               | Maturity                     | n/a                     | 649791DH0     |
|  | 03/30/2011        | 02/15/2022           | \$17,075,000            | 5.000%               | 02/15/2021                   | 100%                    | 649791DJ6     |
|  | 03/30/2011        | 02/15/2023           | \$17,925,000            | 3.500%               | 02/15/2021                   | 100%                    | 649791DK3     |
|  | 03/30/2011        | 02/15/2024           | \$18,555,000            | 5.250%               | 02/15/2021                   | 100%                    | 649791DL1     |
|  | 03/30/2011        | 02/15/2025           | \$19,530,000            | 5.250%               | 02/15/2021                   | 100%                    | 649791DM9     |
|  | 03/30/2011        | 02/15/2026           | \$20,550,000            | 4.000%               | 02/15/2021                   | 100%                    | 649791DN7     |
|  | 03/30/2011        | 02/15/2027           | \$21,360,000            | 4.000%               | 02/15/2021                   | 100%                    | 649791DP2     |
|  | 03/30/2011        | 02/15/2028           | \$22,215,000            | 5.000%               | 02/15/2021                   | 100%                    | 649791DQ0     |
|  | 03/30/2011        | 02/15/2029           | \$23,325,000            | 4.250%               | 02/15/2021                   | 100%                    | 649791DR8     |
|  | 03/30/2011        | 02/15/2030           | \$24,315,000            | 5.000%               | 02/15/2021                   | 100%                    | 649791DS6     |
|  | 03/30/2011        | 02/15/2031           | \$25,530,000            | 4.500%               | 02/15/2021                   | 100%                    | 649791DT4     |
|  | 03/30/2011        | 02/15/2032           | \$ 9,575,000            | 4.500%               | 02/15/2021                   | 100%                    | 649791DU1     |
|  | 03/30/2011        | 02/15/2033^          | \$10,005,000            | 5.000%               | 02/15/2021                   | 100%                    | 649791DV9     |
| Term Bond Due  | 03/30/2011        | 02/15/2034           | \$10,505,000            | 5.000%               | 02/15/2021                   | 100%                    | 649791DV9     |
|  | 03/30/2011        | 02/15/2035           | \$11,030,000            | 4.750%               | 02/15/2021                   | 100%                    | 649791DW7     |
|  | 03/30/2011        | 02/15/2036           | \$11,555,000            | 5.000%               | 02/15/2021                   | 100%                    | 649791DZ0     |
|  | 03/30/2011        | 02/15/2037           | \$12,130,000            | 4.750%               | 02/15/2021                   | 100%                    | 649791DX5     |
|  | 03/30/2011        | 02/15/2038^          | \$12,710,000            | 5.000%               | 02/15/2021                   | 100%                    | 649791DY3     |
|  | 03/30/2011        | 02/15/2039^          | \$13,345,000            | 5.000%               | 02/15/2021                   | 100%                    | 649791DY3     |
|  | 03/30/2011        | 02/15/2040^          | \$14,010,000            | 5.000%               | 02/15/2021                   | 100%                    | 649791DY3     |
| Term Bond Due  | 03/30/2011        | 02/15/2041           | \$14,710,000            | 5.000%               | 02/15/2021                   | 100%                    | 649791DY3     |

^ Sinking fund payment.

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**STATE OF NEW YORK  
GENERAL OBLIGATION BONDS  
SERIES 2019B TAXABLE REFUNDING BONDS**

**Dated October 30, 2019**

**AGREEMENT TO PROVIDE CONTINUING DISCLOSURE  
UNDER SEC RULE 15c2-12**

THIS AGREEMENT is made by the State acting by and through the Comptroller and the Director (all as defined below in Section 1).

In order to permit the initial purchasers of the Bonds to comply with the provisions of Rule 15c2-12(b)(5) in connection with the public offering of the Bonds, the State, in consideration of the mutual covenants herein contained and other good and lawful consideration, hereby agrees, for the sole and exclusive benefit of the Holders, as follows:

Section 1. Definitions. Capitalized terms used but not defined herein as follows shall have the meaning ascribed to them in any other document executed in connection with the issuance of the Bonds.

“Annual Information” shall mean the information specified in Section 3 hereof.

“Bonds” shall mean \$914,300,000 State of New York General Obligation Bonds, Series 2019B Taxable Refunding Bonds, dated October 30, 2019.

“Comptroller” shall mean the Comptroller of the State of New York.

“Director” shall mean the Director of the Budget of the State of New York.

“DTC” shall mean The Depository Trust Company.

“EMMA” shall mean the Electronic Municipal Market Access system described in Securities Exchange Act Release No. 34-59062 (or any successor electronic information system) and maintained by the MSRB as the sole repository for the central filing of electronic disclosure pursuant to Rule 15c2-12.

“GAAP” shall mean generally accepted accounting principles as in effect from time to time in the United States.

“GAAS” shall mean generally accepted auditing standards as in effect from time to time in the United States.

“Holder” shall mean any registered owner of Bonds and, if the Bonds are registered in the name of Cede & Co. through DTC, any beneficial owner of Bonds, unless the staff of the Securities and Exchange Commission determines that the Rule does not require the Agreement to be for the benefit of such beneficial owners.

“MSRB” shall mean the Municipal Securities Rulemaking Board established in accordance with the provisions of Section 15B(b)(1) of the Securities Exchange Act of 1934.

“Official Statement” shall mean the official statement dated October 28, 2019 issued in connection with the sale of the Bonds.

“Rule 15c2-12” shall mean Rule 15c2-12 promulgated under the Securities Exchange Act of 1934, as amended through the date of this Agreement, including any official interpretations thereof promulgated on or prior to the date of this Agreement.

“State” shall mean the State of New York, an “obligated person” with respect to the Bonds within the meaning of Rule 15c2-12, acting by and through the Director or the Comptroller, as the case may be.

## Section 2. **Obligations to Provide Continuing Disclosure**

(a) Annual Information. The State, acting by and through the Director, hereby undertakes, for the benefit of Holders of the Bonds, to electronically file with the MSRB, no later than 120 days after the end of each of its fiscal years, commencing with the fiscal year ending March 31, 2020, the Annual Information relating to such fiscal year.

(b) Audited Financials. The State, acting by and through the Comptroller, hereby undertakes, for the benefit of the Holders of the Bonds, to electronically file with the MSRB, no later than 120 days after the end of each of its fiscal years, commencing with the fiscal year ending March 31, 2020, audited financial statements of the State for such fiscal year; provided, however, that if audited financial statements are not then available, unaudited financial statements shall be so provided no later than 120 days after the end of the State’s fiscal year and such audited financial statements shall be electronically filed with the MSRB if and when they become available.

(c) Notice to Comptroller. The Director shall notify the Comptroller of the occurrence of any of the sixteen events listed in Section 2(d)(1) through (16) hereof promptly upon becoming aware of the occurrence of any such event, including, without limitation, any change in the State’s credit rating by any rating agency.

(d) Notification to the MSRB. The State, acting by and through the Comptroller, hereby undertakes, for the benefit of the Holders of the Bonds, to electronically file with the MSRB, in a timely manner not in excess of ten (10) business days after the occurrence of any of the sixteen events listed below, notice of the occurrence of any such event with respect to the Bonds:

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults, if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) a substitution of credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-

TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;

- (7) modifications to rights of security holders, if material;
- (8) bond calls, if material, and tender offers;
- (9) defeasance;
- (10) release, substitution, or sale of property securing repayment of the securities, if material;
- (11) a rating change;
- (12) bankruptcy, insolvency, receivership or similar event of any obligated person;
- (13) consummation of a merger, consolidation, acquisition involving an obligated person or sale of all or substantially all of the assets of any obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to such actions, other than pursuant to its terms, if material;
- (14) appointment of a successor or additional trustee or the change of name of trustee, if material;
- (15) incurrence of a financial obligation as defined in Rule 15c2-12, of any obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of any obligated person, any of which affect security holders, if material; and
- (16) default, event of acceleration, termination event, modification of terms or other similar events under the terms of a financial obligation of any obligated person, any of which reflect financial difficulties.

The State, acting by and through the Comptroller, also hereby agrees to electronically file with the MSRB, in a timely manner, notice of a failure by the State to comply with Section 2(a) or (b) hereof.

(e) Interpretation and Modification of Disclosure Obligation. The requirements contained in this Agreement under Section 3(a) are intended to set forth a general description of the type of financial information and operating data to be provided; such descriptions are not intended to state more than general categories of financial information and operating data; and where the provisions of Section 3(a) call for information that no longer can be generated because the operations to which it related have been materially changed or discontinued, a statement to that effect shall be provided.

(f) Other Information. Nothing herein shall be deemed to prevent the State from disseminating any other information in addition to that required hereby in the manner set forth herein or in any other manner. If the State should disseminate any such additional information, the State shall have no obligation hereunder to update such information or include it in any future materials disseminated hereunder.

(g) MSRB Prescribed Identifying Information. All documents provided to the MSRB pursuant to this Agreement shall be accompanied by identifying information as prescribed from time to time by the MSRB.

### Section 3. **Annual Information**

(a) Specified Information. The Annual Information shall consist of the following:

- (i) financial and operating data of the type included in the Annual Information Statement of the State, which is included as Part II of the Official Statement for the Bonds, under the headings or sub-headings “Prior Fiscal Years”, “Debt and Other Financing Activities”, “State Government Employment”, “State Retirement Systems” and “Authorities and Localities”, including, more specifically, information consisting of:
  - (1) *for prior fiscal years*, an analysis of cash-basis results for the State’s three most recent fiscal years, and a presentation of the State’s results in accordance with GAAP for at least the two most recent fiscal years for which that information is then currently available;
  - (2) *for debt and other financing activities*, a description of the types of financings the State is authorized to undertake, a presentation of the outstanding debt issued by the State and certain public authorities, as well as information concerning debt service requirements on that debt;
  - (3) *for authorities and localities*, information on certain public authorities and local entities whose financial status may have a material impact on the financial status of the State; and
  - (4) material information regarding State government employment and retirement systems; together with
- (ii) such *narrative explanation* as may be necessary to avoid misunderstanding and to assist the reader in understanding the presentation of financial and operating data concerning the State and in judging the financial information about the State.

(b) Cross Reference. All or any portion of the Annual Information may be incorporated in the Annual Information by cross-reference to any other documents which have been electronically filed with the MSRB or filed with the Securities and Exchange Commission; provided however, that if the document is an official statement, it shall have been electronically filed with the MSRB and need not have been filed elsewhere. The audited financial statements of the State may be provided in the same manner.

### Section 4. **Financial Statements**

The annual financial statements of the State for each fiscal year shall be prepared in accordance with GAAP as in effect from time to time (unless applicable accounting principles are otherwise disclosed) and audited by an independent auditing firm in accordance with GAAS (but only if audited financial statements are otherwise available for such fiscal year).

Section 5. **Remedies**

If the State should fail to comply with any provision of this Agreement, then, and, as a direct or third-party beneficiary, as the case may be, any Holder of Bonds may enforce, for the equal benefit and protection of all Holders similarly situated, by mandamus or other suit or proceeding at law or in equity, this Agreement against the State and any of its officers, agents and employees, and may compel the State or any such officers, agents or employees to perform and carry out their duties under this Agreement; provided, that the sole and exclusive remedy for breach of this Agreement shall be an action to compel specific performance of the obligations of the State hereunder, and no person or entity shall be entitled to recover monetary damages hereunder under any circumstances; and provided, further, that the rights of any Holder to challenge the adequacy of the information provided in accordance with Section 2 hereunder shall be subject to the same limitations and conditions applicable to enforcement of remedies of Holders with respect to any event of default. Failure by the State to perform its obligations hereunder shall not constitute an event of default under any agreement executed and delivered in connection with the issuance of the Bonds or under any statute or common law principle. In consideration of the third party beneficiary status of beneficial owners of Bonds pursuant to Section 6, beneficial owners shall be deemed to be Holders of Bonds for purposes of this Section 5.

Section 6. **Parties in Interest**

This Agreement is executed and delivered solely for the benefit of the Holders of the Bonds. No other person shall have any right to enforce the provisions hereof or any other rights hereunder.

Section 7. **Amendments**

(a) Without the consent of any Holders of Bonds, the State, at any time and from time to time, may enter into amendments or changes to this Agreement for any purpose, if:

- (i) the amendment is made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, or nature, or status of the State or any type of business or affairs conducted by it;
- (ii) the undertakings set forth herein, as amended, would have complied with the requirements of Rule 15c2-12 at the time of the primary offering of the Bonds, after taking into account any amendments to, or interpretation by the staff of the Securities and Exchange Commission of, Rule 15c2-12, as well as any changes in circumstances; and
- (iii) the amendment does not materially impair the interests of the Holders, as determined by the Attorney General of the State of New York, as Bond Counsel with respect to issuance of the Bonds or by nationally recognized bond counsel. (In determining whether there is such a material impairment, the State may rely upon an opinion of the Attorney General of the State of New York or nationally recognized bond counsel.)

(b) Annual Information for any fiscal year containing any amended operating data or financial information for such fiscal year shall explain, in narrative form, the reasons for such amendment and the impact of the change in the type of operating data or financial information in the Annual Information being provided for such fiscal year. If a change in accounting principles is included in any such amendment, such Annual Information shall present a comparison between the financial statements or information prepared on the basis of the amended accounting principles and those prepared on the basis of the former accounting

principles. Such discussion shall include a qualitative discussion of the differences in the accounting principles and the impact of the change in the accounting principles on the presentation of the financial information. To the extent reasonably feasible such comparison shall also be quantitative. A notice of any such change in accounting principles shall be electronically filed with the MSRB.

**Section 8. Termination**

This Agreement shall remain in full force and effect until such time as all principal, redemption premiums, if any, and interest on the Bonds shall have been paid in full or the Bonds shall have otherwise been paid or legally defeased; provided, however, that if Rule 15c2-12 (or any successor provision) shall be amended, modified or changed so that all or any part of the information currently required to be provided thereunder shall no longer be required to be provided thereunder, then such information shall no longer be required to be provided hereunder; and provided, further, that if and to the extent Rule 15c2-12 (or any successor provision), or any provision thereof, shall be declared by a court of competent and final jurisdiction to be, in whole or in part, invalid, unconstitutional, null and void, or otherwise inapplicable to the Bonds, then the information required to be provided hereunder, insofar as it was required to be provided by a provision of Rule 15c2-12 so declared, shall no longer be required to be provided hereunder. Upon any legal defeasance, the State shall electronically file notice of such defeasance with the MSRB, and such notice shall state whether the Bonds have been defeased to maturity or to redemption and the timing of such maturity or redemption.

**Section 9. Governing Law**

This Agreement shall be governed by the Laws of the State of New York determined without regard to principles of conflict of Law; provided, however, that to the extent this Agreement addresses matters of federal securities laws, including Rule 15c2-12, this Agreement shall be governed by such federal securities laws and official interpretations thereof.

**Section 10. Counterparts**

This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all such counterparts shall together constitute one and the same instrument.

IN WITNESS WHEREOF, the undersigned have duly authorized, executed and delivered this Agreement as of the date first above written.

**THE STATE OF NEW YORK**

Obligated Person

THOMAS P. DINAPOLI

State Comptroller

By:

\_\_\_\_\_

Name:

Title:

ROBERT F. MUJICA, Jr.

Director of the Budget

By:

\_\_\_\_\_

Name:

Title:

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## PART II

### INFORMATION CONCERNING THE STATE OF NEW YORK

Part II contains the Annual Information Statement of the State of New York ("Annual Information Statement" or "AIS"), as updated or supplemented to the date specified therein. The State intends to update and supplement that Annual Information Statement as described therein. It has been supplied by the State to provide information about the financial condition of the State.

The AIS set forth in this Part II is dated June 12, 2019. It was updated on October 17, 2019. The AIS was filed with the Municipal Securities Rulemaking Board (MSRB) through its Electronic Municipal Market Access (EMMA) system. An electronic copy of this AIS can be accessed through the EMMA system at [www.emma.msrb.org](http://www.emma.msrb.org). An official copy of the AIS may be obtained by contacting the Division of the Budget, State Capitol, Albany, NY 12224, Tel: (518) 473-8705. An informational copy of the AIS is available on the Internet at <http://www.budget.ny.gov>.

The Basic Financial Statements and Other Supplementary Information for the State fiscal year ended March 31, 2019 were prepared by the Office of the State Comptroller in accordance with accounting principles generally accepted in the United States of America and independently audited in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. The Basic Financial Statements and Other Supplementary Information were issued on July 28, 2019 and are referred to or set forth herein. The Basic Financial Statements and Other Supplementary Information, which are included in the Comprehensive Annual Financial Report, may be obtained by contacting the Office of the State Comptroller, 110 State Street, Albany, NY 12236 Tel: (518) 474-4015.

**The Annual Information Statement of the State of New York (including any and all updates and supplements thereto) may not be included in an Official Statement or included by reference in an Official Statement without the express written authorization of the State of New York, Division of the Budget, State Capitol, Albany, NY 12224.**

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***Update to  
Annual Information Statement  
State of New York***

***October 17, 2019***

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# *Introduction*

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This Annual Information Statement (AIS) Update (the “AIS Update”) is dated October 17, 2019 and contains information only through that date. This AIS Update constitutes the official disclosure regarding the financial position of the State of New York (the “State”) and related matters and is the first quarterly update to the AIS dated June 12, 2019 (the “AIS”). This AIS Update should be read in its entirety, together with the AIS.

In this AIS Update, readers will find:

1. Extracts from the First Quarterly Update to the Financial Plan for FY 2020 (the “Financial Plan”), issued by the Division of the Budget (DOB) in August 2019. The Financial Plan (which is available on the DOB website, [www.budget.ny.gov](http://www.budget.ny.gov)) includes a summary of first quarter operating results for FY 2020 (quarter ended June 30, 2019) and updates to the State’s official financial projections for FY 2020 through FY 2023<sup>1</sup>. Except for the specific revisions described in these extracts, the projections (and the assumptions upon which these are based) in the Financial Plan are consistent with the projections set forth in the FY 2020 Enacted Budget Financial Plan (the “Enacted Budget Financial Plan”) reflected in the AIS. DOB next expects to update the State’s multi-year financial projections in October 2019 with the Mid-Year Update to the Financial Plan.
2. A discussion of issues and risks that may affect the State's financial projections during the State’s current fiscal year or in future years (under the heading “Other Matters Affecting the Financial Plan”).
3. A summary of the Generally Accepted Accounting Principles (GAAP)-basis results for the prior three fiscal years.
4. Updated information on certain public authorities of the State.
5. Updated information regarding the State Retirement System.
6. The status of significant litigation that has the potential to adversely affect the State’s finances.
7. Financial Plan tables that summarize actual General Fund receipts and disbursements for fiscal year 2019 and projected receipts and disbursements for fiscal years 2020 through 2023 on a General Fund, State Operating Funds and All Governmental Funds basis.

DOB is responsible for preparing the State’s Financial Plan and presenting the information that appears in this AIS Update on behalf of the State. In preparing this AIS Update, DOB has also relied on information drawn from other sources, including the Office of the State Comptroller (OSC). In particular, information contained in the section entitled “State Retirement System” has been furnished by OSC, while information relating to matters described in the section entitled “Litigation” has been furnished by the State Office of the Attorney General. DOB has not undertaken any independent verification of the information contained in these sections of this AIS Update.

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<sup>1</sup> The State fiscal year is identified by the calendar year in which it ends. For example, fiscal year 2020 (“FY 2020”) is the fiscal year that began on April 1, 2019 and will end on March 31, 2020.

During the fiscal year, the Governor, the State Comptroller, State legislators, and others may issue statements or reports that contain estimates, predictions, projections, or other information relating to the State's financial position or condition, including potential operating results for the current fiscal year and projected budget gaps for future fiscal years, that may vary materially from the information provided in this AIS Update. Investors and other market participants should, however, refer to the AIS, as updated or supplemented, for the most current official information regarding the financial position of the State.

The factors affecting the State's financial condition are numerous and complex. This AIS Update contains "forward-looking statements" relating to future results and economic performance as defined in the Private Securities Litigation Reform Act of 1995. Since many factors may materially affect fiscal and economic conditions in the State, the forecasts, projections, and estimates should not be regarded as a representation that such forecasts, projections, and estimates will occur. The forward-looking statements contained herein are based on the State's expectations at the time they were prepared and are necessarily dependent upon assumptions, estimates and data that it believes are reasonable as of the date made, but that may be incorrect, incomplete or imprecise or not reflective of actual results. Forecasts, projections, and estimates are not intended as representations of fact or guarantees of results. The words "expects", "forecasts", "projects", "intends", "anticipates", "estimates", "assumes" and analogous expressions are intended to identify forward-looking statements. Any such statements inherently are subject to a variety of risks and uncertainties that could cause actual results to differ materially and adversely from projections. Such risks and uncertainties include, but are not limited to, general economic and business conditions; changes in political, social, economic and environmental conditions, including climate change and extreme weather events; cybersecurity events; impediments to the implementation of gap-closing actions; regulatory initiatives and compliance with governmental regulations; litigation; Federal tax law changes; actions by the Federal government to reduce or disallow expected aid, including Federal aid authorized or appropriated by Congress but subject to sequestration, administrative actions, or other actions that would reduce aid to the State; and various other events, conditions and circumstances. Many of these risks and uncertainties are beyond the control of the State. These forward-looking statements are based on the State's expectations as of the date of this AIS Update.

In addition to regularly scheduled quarterly updates to the AIS, the State may issue AIS supplements or other disclosure notices to the AIS as events warrant. The State intends to announce publicly whenever an update or a supplement is issued. The State may choose to incorporate by reference all or a portion of the AIS, as updated or supplemented, in Official Statements or related disclosure documents for State or State-supported debt issuances. The State has filed this AIS Update with the Municipal Securities Rulemaking Board through its Electronic Municipal Market Access (EMMA) system. An electronic copy of this AIS Update can be accessed through EMMA at [www.emma.msrb.org](http://www.emma.msrb.org). An official copy of this AIS Update may be obtained by contacting the New York State Division of the Budget, State Capitol, Albany, NY 12224, Tel: (518) 474-2302.

OSC issued the State's Basic Financial Statements for FY 2019 and the Comptroller's Annual Report to the Legislature on State Funds Cash Basis of Accounting in accordance with the annual statutory deadline of July 29. Copies of this report may be obtained by contacting the Office of the State Comptroller, 110 State Street, Albany, NY 12236 and on its website at [www.osc.state.ny.us](http://www.osc.state.ny.us). The Basic Financial Statements for FY 2019 can also be accessed through EMMA at [www.emma.msrb.org](http://www.emma.msrb.org).

### **Usage Notice**

This AIS Update has been prepared and made available by the State pursuant to its contractual undertakings under various continuing disclosure agreements (CDAs) entered into by the State in connection with financings of the State, as well as certain issuers, including public authorities of the State, that may depend in whole or in part on State appropriations as sources of payments of their respective bonds, notes or other obligations.

This AIS Update is available in electronic form on the DOB website at [www.budget.ny.gov](http://www.budget.ny.gov). Such availability does not imply that there have been no changes in the financial position of the State subsequent to the posting of this information. Maintenance of this AIS Update on the DOB website, or on the EMMA website, is not intended as a republication of the information therein on any date subsequent to its release date. No incorporation by reference or republication of any information contained on any website is intended or shall be deemed to have occurred as a result of the inclusion of any website address in this AIS Update.

***Neither this AIS Update nor any portion thereof may be: (i) included in a Preliminary Official Statement, Official Statement, or other offering document, or incorporated by reference therein, unless DOB has expressly consented thereto following a written request to the State of New York, Division of the Budget, State Capitol, Albany, NY 12224, or (ii) considered to be continuing disclosure in connection with any offering unless a CDA relating to the offered series of bonds or notes has been executed by DOB. Any such use, or incorporation by reference, of this AIS Update or any portion thereof in a Preliminary Official Statement, Official Statement, or other offering document or continuing disclosure filing without such consent and agreement by DOB is unauthorized and the State expressly disclaims any responsibility with respect to the inclusion, intended use, and updating of this AIS Update if so misused.***

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*Budgetary/  
Accounting Practices*

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### ***Significant Budgetary/Accounting Practices***

Unless clearly noted otherwise, all financial information is presented on a cash basis of accounting.<sup>2</sup>

The State accounts for receipts and disbursements by the fund in which the activity takes place (such as the General Fund), and the broad category or purpose of that activity (such as State Operations). The Financial Plan tables present State projections and results by fund and category.

Fund types of the State include: the General Fund; State Special Revenue Funds, which receive certain dedicated taxes, fees, and other revenues that are used for specified purposes; Federal Special Revenue Funds, which receive certain Federal grants; State and Federal Capital Projects Funds, which account for costs incurred in the construction, maintenance, and rehabilitation of roads, bridges, prisons, university facilities, and other infrastructure projects; and Debt Service Funds, which account for the payment of principal, interest, and related expenses for debt issued by the State and on the State's behalf by its public authorities.

The State's **General Fund** receives most State taxes and all income not earmarked for a specified program or activity. State law requires the Governor to submit, and the Legislature to enact, a General Fund budget that is balanced on a cash basis of accounting. The State Constitution and State Finance Law do not provide a precise definition of budget balance. In practice, the General Fund is considered balanced if sufficient resources are, or are expected to be, available during the fiscal year for the State to: (a) make all planned payments, including Personal Income Tax (PIT) refunds, without the issuance of deficit notes or bonds, or extraordinary cash management actions, (b) restore the balances in the Tax Stabilization Reserve Fund and the Rainy Day Reserve Fund (collectively, the "Rainy Day Reserves") to levels at or above the levels on deposit when the fiscal year began, and (c) maintain other reserves, as required by law. For purposes of calculating budget balance, the General Fund includes transfers to and from other funds.

The General Fund is the sole financing source for the School Tax Relief (STAR) fund and is typically the financing source of last resort for the State's other major funds, including the Health Care Reform Act (HCRA) funds, the Dedicated Highway and Bridge Trust Fund (DHBTF), and the Lottery Fund. Therefore, the General Fund projections account for any estimated funding shortfalls in these funds. Since the General Fund is required by law to be balanced, the focus of the State's budgetary and gap-closing discussion in this Financial Plan is generally weighted toward the General Fund.

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<sup>2</sup> State Finance Law also requires DOB to prepare a pro forma financial plan using, to the extent practicable, generally accepted accounting principles (GAAP). The GAAP-basis financial plan is informational only. DOB does not use it as a benchmark for managing State finances during the fiscal year and does not update it on a quarterly basis. The GAAP-basis financial plan follows, to the extent practicable, the accrual methodologies and fund accounting rules applied by the Office of the State Comptroller (OSC) in preparation of the audited Basic Financial Statements, but there can be no assurance that the pro forma GAAP financial plan conforms to all GAAP principles.

At times, DOB will informally designate unrestricted balances in the General Fund for specific policy goals (e.g., the payment of costs related to potential labor agreements covering prior contract periods). These amounts are typically, but not uniformly, identified with the phrase “reserved for” and are not held in distinct accounts within the General Fund, and may be used for other purposes.

**State Operating Funds** is a broader measure of spending on operations (as distinct from capital purposes) that is funded with State resources. It includes financial activity in the General Fund, as well as State-funded Special Revenue Funds and Debt Service Funds (spending from Capital Project Funds and Federal Funds is excluded). As a significant amount of financial activity occurs in funds outside of the General Fund, the State Operating Funds perspective is, in DOB’s view, a more comprehensive measure of operations funded with State resources (e.g., taxes, assessments, fees and tuition). The State Operating Funds perspective eliminates certain distortions in operating activities that may be caused by, among other things, the State’s complex fund structure and the transfer of money between funds. For example, the State funds its share of the Medicaid program from both the General Fund and State Special Revenue Funds. The State Operating Funds perspective captures Medicaid disbursements from both fund types, giving a more complete accounting of State-funded Medicaid disbursements. Accordingly, projections often emphasize the State Operating Funds perspective. The State’s adherence to a 2 percent annual spending growth benchmark is calculated on the State Operating Funds basis.

Financial Plan projections contained herein reflect some actions that have affected, or are intended to affect, the amount of annual spending reported on a State Operating Funds basis. Such actions include but are not limited to: (a) realignment of certain operating costs to the capital budget to provide greater consistency in reporting across all agencies and a more accurate accounting of the overall capital budget; (b) payment of certain operating costs using available resources outside the State Operating Funds basis of reporting; (c) restructuring of the STAR program such that certain benefits are provided as a tax credit (which is recorded as a reduction in receipts) rather than a tax exemption (which is recorded as a disbursement), consistent with other State tax credits; (d) appropriation of certain operating costs for the Department of Transportation (DOT) and Department of Motor Vehicles (DMV) from the General Fund instead of the DHBTF, a change which increases reported disbursements from State Operating Funds; (e) no longer appropriating certain receipts payable to the Metropolitan Transportation Authority (MTA), the largest of which is the Payroll Mobility Tax (“Mobility Tax” or PMT); (f) modification of business practices and transaction processing to eliminate the double-count of certain disbursements related to mental hygiene and higher education programs; and (g) reclassification as Enterprise Funds of certain activities in which goods or services are provided to the public for a fee. If these or other transactions are not executed or reported in a manner consistent with DOB’s interpretation of the legislation and legislative intent, annual spending growth in State Operating Funds would be higher than projections.

The State also reports disbursements and receipts activity for **All Governmental Funds** (All Funds), which includes spending from Capital Project Funds and Federal Funds, in addition to State Operating Funds. The All Funds basis provides the most comprehensive view of the cash-basis financial operations of the State.

Projections for future years may show budget gaps or budget surpluses in the General Fund. Budget gaps represent the difference between: (a) the projected General Fund disbursements, including transfers to other funds, needed to maintain current service levels and specific commitments, and (b) the projected level of resources, including transfers from other funds, to pay for these disbursements. The General Fund projections are based on many assumptions and are developed by DOB in conjunction with other State agencies. Some projections are based on specific, known information (e.g., a statutory requirement to increase payments to a prescribed level), while others are based on more uncertain or speculative information (e.g., the pace at which a new program will enroll recipients). In general, the multi-year projections assume that money appropriated in one fiscal year will continue to be appropriated in future years, even for programs that were not created in permanent law and that the State has no obligation to fund. Funding levels for nearly all State programs are reviewed annually in the context of the current and projected fiscal position of the State.

The General Fund budget gap and surplus projections for FY 2021 and thereafter reflect savings that DOB estimates would be realized if the Governor continues to propose, and the Legislature continues to enact, balanced budgets that limit annual growth in State Operating Funds spending to no greater than 2 percent. Total disbursements in the tables and narrative contained in this AIS Update do not reflect these assumed savings, which are reflected instead on a distinct line and labeled “Adherence to 2% Spending Benchmark.” Projections are subject to many risks and uncertainties, as well as future budgetary decisions and other factors that are currently unknown. There can be no assurance that spending growth will be held to no greater than 2 percent or that all savings from limiting spending growth will be made available to the General Fund. If the 2 percent annual State Operating Funds spending growth benchmark is exceeded, projected budget gaps would be higher (or projected surpluses would be lower).

Differences may occur from time to time between DOB and OSC's financial reports in presentation and reporting of receipts and disbursements. For example, DOB may reflect a net expenditure while OSC may report the gross expenditure. Any such differences in reporting between DOB and OSC could result in differences in the presentation and reporting of receipts and disbursements for discrete funds, as well as differences in the presentation and reporting for total receipts and disbursements under different fund perspectives (e.g., State Operating Funds and All Governmental Funds).

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*Overview of the  
Updated Financial Plan*

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The following table provides certain Financial Plan information for FY 2019 and FY 2020, as of the First Quarterly Update to the Financial Plan.

| FINANCIAL PLAN AT-A-GLANCE: KEY MEASURES<br>(millions of dollars)  |           |           |               |
|--|-----------|-----------|---------------|
|  | FY 2019   | FY 2020   |               |
|  | Results   | Enacted   | First Quarter |
| <b>State Operating Funds Disbursements</b>   |           |           |               |
| Size of Budget   | \$100,137 | \$102,117 | \$102,153     |
| Annual Growth  | 2.0%      | 2.0%      | 2.0%          |
| <b>Other Disbursement Measures</b>   |           |           |               |
| General Fund (Including Transfers) <sup>1</sup>  | \$72,783  | \$77,857  | \$77,826      |
| Annual Growth  | 4.4%      | 7.0%      | 6.9%          |
| Capital Budget (Federal and State)   | \$12,266  | \$13,790  | \$14,043      |
| Annual Growth  | 15.3%     | 12.4%     | 14.5%         |
| Federal Operating Aid  | \$58,472  | \$61,120  | \$59,921      |
| Annual Growth  | 6.4%      | 4.5%      | 2.5%          |
| All Funds  | \$170,875 | \$177,027 | \$176,117     |
| Annual Growth  | 4.4%      | 3.6%      | 3.1%          |
| Capital Budget (Including "Off-Budget" Capital) <sup>2</sup>   | \$12,783  | \$14,341  | \$14,595      |
| Annual Growth  | 13.3%     | 12.2%     | 14.2%         |
| All Funds (Including "Off-Budget" Capital) <sup>2</sup>  | \$171,392 | \$177,578 | \$176,669     |
| Annual Growth  | 4.3%      | 3.6%      | 3.1%          |
| <b>Inflation (CPI)</b>   | 2.3%      | 2.0%      | 2.0%          |
| <b>All Funds Receipts</b>  |           |           |               |
| Taxes  | \$75,578  | \$81,305  | \$81,273      |
| Annual Growth  | -4.7%     | 7.6%      | 7.5%          |
| Miscellaneous Receipts   | \$31,184  | \$29,013  | \$29,347      |
| Annual Growth  | 14.4%     | -7.0%     | -5.9%         |
| Federal Receipts (Operating and Capital)   | \$61,344  | \$64,794  | \$66,324      |
| Annual Growth  | 4.1%      | 5.6%      | 8.1%          |
| Total All Funds Receipts   | \$168,106 | \$175,112 | \$176,944     |
| Annual Growth  | 1.6%      | 4.2%      | 5.3%          |
| <b>General Fund Cash Balance</b>   | \$7,206   | \$6,466   | \$6,499       |
| Rainy Day Reserves   | \$2,048   | \$2,476   | \$2,476       |
| Extraordinary Monetary Settlements   | \$4,194   | \$2,640   | \$2,640       |
| Economic Uncertainties   | \$0       | \$829     | \$862         |
| All Other Reserves/Fund Balances   | \$964     | \$521     | \$521         |
| <b>Debt</b>  |           |           |               |
| Debt Service as % All Funds Receipts   | 4.0%      | 3.0%      | 3.0%          |
| State-Related Debt Outstanding   | \$53,528  | \$57,271  | \$57,527      |
| Debt Outstanding as % Personal Income  | 4.0%      | 4.1%      | 4.2%          |
| <b>State Workforce FTEs (Subject to Direct Executive Control)</b>  | 117,967   | 119,491   | 119,491       |
| <sup>1</sup> Includes the planned transfer of Extraordinary Monetary Settlements from the General Fund to other funds to support designated purposes.            |           |           |               |
| <sup>2</sup> Includes capital spending that occurs outside the All Funds budget financed directly from State-supported bond proceeds held by public authorities. |           |           |               |

*Except for the specific revisions described herein, the projections (and the assumptions upon which these are based) in the Financial Plan and this AIS Update are consistent with the projections set forth in the Enacted Budget Financial Plan described in the AIS. Please see “Other Matters Affecting the Financial Plan” for subsequent developments.*

## Summary

Operating results through the first quarter of FY 2020 were mostly in line with expectations. Accordingly, the revisions to the Financial Plan are generally limited to developments since the release of the Enacted Budget Financial Plan.<sup>3</sup>

The following table summarizes the General Fund changes:

| SUMMARY OF REVISIONS<br>GENERAL FUND BUDGETARY BASIS OF ACCOUNTING<br>SAVINGS/(COSTS)<br>(millions of dollars) |                    |                      |                      |                      |
|--|--------------------|----------------------|----------------------|----------------------|
|  | FY 2020<br>Updated | FY 2021<br>Projected | FY 2022<br>Projected | FY 2023<br>Projected |
| <b>ENACTED BUDGET SURPLUS/(GAP)</b>  | <b>0</b>           | <b>(3,913)</b>       | <b>(4,142)</b>       | <b>(4,691)</b>       |
| <b>Receipts Changes</b>  | <b>2</b>           | <b>(71)</b>          | <b>(71)</b>          | <b>(31)</b>          |
| Tax Receipts   | (27)               | (38)                 | (27)                 | (27)                 |
| Debt Service   | (4)                | (33)                 | (44)                 | (4)                  |
| Extraordinary Monetary Settlements   | 33                 | 0                    | 0                    | 0                    |
| <b>Spending Changes</b>  | <b>31</b>          | <b>(3)</b>           | <b>30</b>            | <b>40</b>            |
| Local Assistance   | 9                  | 0                    | 0                    | 0                    |
| Agency Operations  | 6                  | (18)                 | 10                   | 15                   |
| All Other  | 16                 | 15                   | 20                   | 25                   |
| <b>Use/(Reserve) of Balances</b>   | <b>(33)</b>        | <b>0</b>             | <b>0</b>             | <b>0</b>             |
| Economic Uncertainties   | (33)               | 0                    | 0                    | 0                    |
| <b>FIRST QUARTERLY UPDATE BUDGET SURPLUS/(GAP) <sup>1</sup></b>  | <b>0</b>           | <b>(3,987)</b>       | <b>(4,183)</b>       | <b>(4,682)</b>       |
| <b>Adherence to 2% SOF Spending - Calculated Savings <sup>2</sup></b>  | <b>0</b>           | <b>3,752</b>         | <b>5,046</b>         | <b>6,736</b>         |
| <b>FIRST QUARTERLY UPDATE SURPLUS/(GAP)</b>  | <b>0</b>           | <b>(235)</b>         | <b>863</b>           | <b>2,054</b>         |

<sup>1</sup> Before actions to adhere to the 2 percent benchmark.

<sup>2</sup> Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on FY 2020 estimate) and assuming all savings are made available to the General Fund.

<sup>3</sup> Technical changes to the Enacted Budget Financial Plan include revisions to align certain estimates with actual results to date and updated expectations that do not have an aggregate spending impact as they generally move estimates between financial plan categories (e.g., reclassification of spending from local assistance to personal service and non-personal service). Other technical changes include revisions to the level of General Fund transfers to other funds to support anticipated spending in such funds.

The Financial Plan has been updated to reflect bills approved in the 2019 Legislative session following the enactment of the FY 2020 budget (the “Enacted Budget”), which ended in June 2019. Corporate Franchise Tax (CFT) projections have been reduced to reflect the exemption of 95 percent of Global Intangible Low-Taxed Income (GILTI) beginning in tax year 2019. In addition, the Financial Plan reflects debt service cost for capital projects approved after the Enacted Budget. In the coming months, bills approved by both houses will be delivered to the Governor for his review. Any bills with a material fiscal impact that are approved by the Governor will be reflected in future Financial Plan updates, as appropriate.

Since publication of the Enacted Budget Financial Plan, the State has received a \$33 million settlement payment from the Bank of Tokyo-Mitsubishi UFJ, Ltd. (“MUFG Bank”) for violations of New York State laws and regulations. This payment has been added to the reserve for economic uncertainties in the General Fund.

On July 18, 2019, the New York State Police Investigators Association (NYSPIA) ratified a collective bargaining agreement with the State covering FY 2019 through FY 2023. The agreement provides for 2 percent general salary increases in each year of the contract period, and additional compensation changes, which are partly offset by changes in the design of health insurance benefits. The cost of this agreement is estimated to be roughly \$15 million in FY 2020 and has been reflected in the multi-year spending projections for State Police.

In addition, spending projections for the State Police have been updated to reflect salary increases for State troopers pursuant to the agreement reached last year with the Police Benevolent Association of the New York State Troopers (NYSTPBA). Higher State Police spending is offset by reserves set aside for retroactive labor agreements and updated fringe benefit savings associated with existing labor deals.

In October 2019, the Graduate Student Employees Union (GSEU) voted to ratify a four-year labor agreement that provides 2 percent general salary increases annually for 2020 through 2023. The ratified agreement costs an estimated \$2 million in FY 2020 and will be reflected in the Mid-Year Update to the Financial Plan. The State University of New York (SUNY) is responsible for funding the cost of the agreement.

The Financial Plan projections for FY 2021 and thereafter assume that the current Administration will continue to propose, and the Legislature will continue to enact, balanced budgets in future years that limit annual growth in State Operating Funds to no greater than 2 percent. The spending benchmark is calculated using the cash basis of accounting, as described herein, and is based on the current composition of the State Operating Funds perspective as reported by DOB. DOB expects that specific proposals to limit spending growth to 2 percent will be included in future budget proposals.

## ***First Quarter Operating Results (General Fund)***

General Fund receipts, including transfers from other funds, totaled \$23.8 billion through June 2019, \$323 million higher than planned. PIT collections were \$391 million higher than projected but were partially offset by lower consumption/use taxes and estate tax payments. General Fund disbursements, including transfers to other funds, totaled \$24.4 billion, \$1 billion lower than projected. The lower than projected spending is due mainly to certain payments made in July 2019 rather than during the first quarter of FY 2020. However, Medicaid spending has continued to exceed estimates through the first quarter of FY 2020. A discussion of the imbalance in the Medicaid Global Cap is described in “Other Matters Affecting the Financial Plan – Medicaid Global Cap.” The current Financial Plan estimates described in this AIS Update do not reflect the estimated imbalance in the Medicaid Global Cap, or the actions expected to be taken to address it. DOB expects to provide additional information in the Mid-Year Update to the FY 2020 Financial Plan.

The State ended June 2019 with a General Fund balance of \$6.6 billion, \$1.3 billion above the estimate in the Enacted Budget Financial Plan. See “April-June 2019 Operating Results” herein.

State Operating Funds disbursements for FY 2020 are expected to total \$102.2 billion, an increase of \$36 million compared to the Enacted Budget Financial Plan. The higher spending is mainly attributable to salary increases pursuant to labor agreements. The annual growth in disbursements is estimated at 2 percent.

The estimate for FY 2020 All Funds spending has been revised downward by \$910 million compared to the Enacted Budget Financial Plan and is mainly due to a \$1.1 billion reduction to planned Federal spending for the Essential Plan (EP). The Enacted Budget Financial Plan reflected the use of EP resources to fund quality improvement plan payments to certain health care providers. The reduction in Federal spending is partly offset by an increase of \$253 million for capital projects spending for projects approved after FY 2020 budget enactment. The capital projects total \$1.3 billion and will support transportation and transit (\$585 million); economic and community development (\$495 million), including \$100 million for the Lake Ontario Resiliency and Economic Development Program; public housing (\$120 million); and education (\$70 million). Spending for these purposes is expected to occur over a multi-year period and will be funded with bond proceeds.

## Annual Spending Growth

State Operating Funds spending is estimated to total \$102.2 billion in FY 2020, an increase of 2 percent over FY 2019 results. The table below summarizes the sources of the annual change.

| STATE OPERATING FUNDS DISBURSEMENTS<br>FY 2019 TO FY 2020<br>(millions of dollars) |                    |                    |                |               |
|--|--------------------|--------------------|----------------|---------------|
|  | FY 2019<br>Results | FY 2020<br>Updated | Annual Change  |               |
|  |                    |                    | \$             | %             |
| <b>LOCAL ASSISTANCE</b>  | <b>66,177</b>      | <b>68,462</b>      | <b>2,285</b>   | <b>3.5%</b>   |
| School Aid (School Year Basis)   | 26,843             | 27,856             | 1,013          | 3.8%          |
| DOH Medicaid <sup>1</sup>  | 20,476             | 21,686             | 1,210          | 5.9%          |
| Transportation   | 3,938              | 3,549              | (389)          | -9.9%         |
| STAR <sup>2</sup>  | 2,423              | 2,176              | (247)          | -10.2%        |
| Social Services  | 2,798              | 2,871              | 73             | 2.6%          |
| Higher Education   | 2,980              | 2,976              | (4)            | -0.1%         |
| Mental Hygiene <sup>3</sup>  | 2,150              | 1,989              | (161)          | -7.5%         |
| All Other <sup>4</sup>   | 4,569              | 5,359              | 790            | 17.3%         |
| <b>STATE OPERATIONS/GENERAL STATE CHARGES</b>                                      | <b>27,261</b>      | <b>28,521</b>      | <b>1,260</b>   | <b>4.6%</b>   |
| <b>State Operations</b>  | <b>19,057</b>      | <b>19,754</b>      | <b>697</b>     | <b>3.7%</b>   |
| Personal Service:  | <u>13,687</u>      | <u>14,261</u>      | <u>574</u>     | <u>4.2%</u>   |
| Executive Agencies   | 7,526              | 7,682              | 156            | 2.1%          |
| Retroactive Labor Agreements   | 0                  | 185                | 185            | --            |
| University Systems   | 4,000              | 4,241              | 241            | 6.0%          |
| Elected Officials  | 2,161              | 2,153              | (8)            | -0.4%         |
| Non-Personal Service:  | <u>5,370</u>       | <u>5,493</u>       | <u>123</u>     | <u>2.3%</u>   |
| Executive Agencies   | 2,706              | 2,828              | 122            | 4.5%          |
| University Systems   | 2,097              | 2,070              | (27)           | -1.3%         |
| Elected Officials  | 567                | 595                | 28             | 4.9%          |
| <b>General State Charges</b>   | <b>8,204</b>       | <b>8,767</b>       | <b>563</b>     | <b>6.9%</b>   |
| Pension Contribution   | 2,431              | 2,472              | 41             | 1.7%          |
| Health Insurance   | 4,193              | 4,312              | 119            | 2.8%          |
| Other Fringe Benefits/Fixed Costs  | 1,580              | 1,983              | 403            | 25.5%         |
| <b>DEBT SERVICE</b>  | <b>6,699</b>       | <b>5,170</b>       | <b>(1,529)</b> | <b>-22.8%</b> |
| <b>TOTAL STATE OPERATING FUNDS</b>   | <b>100,137</b>     | <b>102,153</b>     | <b>2,016</b>   | <b>2.0%</b>   |
| <b>Capital Projects (State and Federal Funds)</b>                                  | <b>12,266</b>      | <b>14,043</b>      | <b>1,777</b>   | <b>14.5%</b>  |
| <b>Federal Operating Aid</b>   | <b>58,472</b>      | <b>59,921</b>      | <b>1,449</b>   | <b>2.5%</b>   |
| <b>TOTAL ALL GOVERNMENTAL FUNDS</b>  | <b>170,875</b>     | <b>176,117</b>     | <b>5,242</b>   | <b>3.1%</b>   |

<sup>1</sup> Total State share Medicaid funding, prior to the spending offset from the application of Master Settlement Agreement (MSA) payments, which are deposited directly to a Medicaid Escrow Fund to cover a portion of the State's takeover of Medicaid costs for counties and New York City. The value of the offset is reported in "All Other" local assistance disbursements.

<sup>2</sup> The conversion of benefit payments to a State PIT credit decreases reported disbursements for STAR and decreases reported PIT receipts by an identical amount. There is no impact on STAR benefits received by homeowners.

<sup>3</sup> Mental Hygiene spending is estimated at \$4.0 billion in FY 2020, an increase of 6.0 percent from FY 2019. However, a large portion is funded under the Medicaid Global Cap.

<sup>4</sup> "All Other" includes spending for public health, special and other education, local government assistance, parks, environment, economic development, and public safety. It also includes reclassifications among financial plan categories, a reconciliation between school year and State fiscal year spending for School Aid, and MSA payments deposited directly to a Medicaid Escrow Fund (\$444 million in FY 2019 and \$315 million in FY 2020), which reduces reported disbursements.

## ***State Operating Funds — Summary of Annual Spending Change***

State Operating Funds encompasses a wide range of State activities funded from income sources outside of the General Fund, including dedicated tax revenues, tuition, patient income, and assessments. Activities funded with these dedicated income sources often have no direct bearing on the State's ability to maintain a balanced budget in the General Fund, but nonetheless are captured in State Operating Funds and subject to the 2 percent spending limit. Activities funded from these "own-source" revenues contribute to annual spending growth.

Spending growth in recent years reflects the State's effort to address long-standing public policy issues. For example, in FY 2015, the State absorbed the full cost of growth in Medicaid on behalf of local governments, creating significant mandate relief for counties. In FY 2017, the State enacted a law that provides scheduled increases in the minimum wage. In 1970, the State's minimum wage was \$1.85. Over the following 45 years, the State increased the minimum wage sporadically, with long periods between changes. These two policy initiatives alone add an estimated \$2.4 billion to FY 2020 State spending.

### ***Local Assistance***

Local assistance spending includes financial aid to local governments and nonprofit organizations, as well as benefit entitlement payments to individuals. Local assistance comprises roughly 67 percent of State Operating Funds spending. Medicaid and School Aid are the State's largest local aid programs, comprising over 45 percent of State Operating Funds spending.

In School Year (SY) 2020, School Aid is expected to total \$27.9 billion, an increase of \$1 billion (3.8 percent), including a \$618 million increase in Foundation Aid. Medicaid spending subject to the Medicaid spending cap ("Global Cap") is projected to grow at the indexed rate of 3 percent (\$568 million) to \$19.4 billion. Total Medicaid spending, which includes the cost of minimum wage increases and the takeover of local government Medicaid growth outside of the Global Cap, is expected to increase by \$1.2 billion to \$21.7 billion in FY 2020. To limit disbursements to the level authorized under the Global Cap, the Department of Health (DOH) and DOB actively manage the timing of payments. In FY 2019, this included the deferral of \$1.7 billion in payments from FY 2019 to FY 2020. The current estimate for Medicaid in FY 2020 assumes that spending will be limited to the Global Cap level. Additional information on Medicaid cash management, budgetary risks and uncertainties can be found in the "Other Matters Affecting the Financial Plan" section herein.

Reported disbursements for transportation are expected to decline in FY 2020, mainly due to one-time aid payments made in FY 2019 and changes in the accounting and flow of funds to the Metropolitan Transportation Authority (MTA). In FY 2019, the State made an extraordinary operating aid payment of \$194 million for the Subway Action Plan and remitted \$135 million in residual Payroll Mobility Tax (PMT) collections held in fund balances to the MTA. In addition, several taxes and fees collected by the State and remitted to the MTA are no longer subject to annual appropriation by the State Legislature. Previously, the State collected these revenues on behalf of, and disbursed the entire amount to, the MTA. These taxes are now expected to be remitted directly to the MTA, increasing timeliness and removing any uncertainty related to the annual appropriation process. Accordingly, beginning in FY 2020, the Financial Plan does not include the receipts and

related local assistance disbursements for these taxes and fees (estimated at approximately \$300 million).<sup>4</sup> The annual decline is offset in part by increased disbursements from transportation funds supported by expected growth in dedicated resources and use of existing balances.

School Tax Relief (STAR) spending is affected by the continuing conversion of benefit payments from a real property tax exemption to a personal income tax credit. By shifting taxpayers to the credit program, the State is able to more efficiently administer the program while strengthening its ability to prevent abuse. The conversion initially had no impact on the value of STAR benefits available to taxpayers. The FY 2020 Budget amended the program so that homeowners who receive the exemption and who move may see an increase in their STAR benefit upon transitioning to a PIT credit. For the State, the conversion decreases both the level of reported PIT receipts and reported State Operating Funds disbursements by an identical amount (\$938 million in FY 2019 and an estimated \$1.2 billion in FY 2020).<sup>5</sup>

The increase in social services spending is due to a one-time change in the timing of Safety Net Program payments in FY 2019, which is partly offset by the use of available Temporary Assistance for Needy Families (TANF) funding to offset State costs in Child Care and Advantage After School Programs, deferral of the FY 2020 human services cost-of-living adjustment (COLA), and a new requirement for New York City (NYC) to fund a share of the Family Assistance Program.

Higher Education spending in FY 2020 is expected to increase due to growth in tuition assistance programs (TAP), including the third phase of the Excelsior Free Tuition Program, and higher City University of New York (CUNY) fringe benefit costs funded by the State. However, the reported growth is offset by a change in accounting for TAP payments made to State-operated SUNY campuses. Beginning in FY 2020, Higher Education Services Corporation (HESC) TAP payments made to SUNY on behalf of student recipients will now be reflected as a transfer to SUNY, similar to the treatment of Medicaid payments made to State-operated health facilities on behalf of Medicaid recipients. This change eliminates recording payments twice on a State Operating Funds basis – first as local assistance payments from the General Fund to SUNY and again as operating expenses for SUNY.

Mental hygiene spending is estimated at \$4 billion in FY 2020, an increase of \$220 million from FY 2019. The growth reflects enhancements in community mental health services, community-based employment opportunities for individuals with disabilities, increased funding to not-for-profit providers for minimum wage increases, and additional resources to address the heroin and opioid crisis. In addition, the Enacted Budget provides funding to support a 4 percent raise for direct care workers over the next two years and a 2 percent raise for clinical workers serving the mental hygiene community. In FY 2020, \$2 billion of the \$4 billion total spent on mental hygiene is reported under the Global Cap, an increase of \$381 million from FY 2019. This reporting format has the effect of reducing the amount of spending reported as “mental hygiene” spending.

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<sup>4</sup> This is in addition to the PMT, which was no longer appropriated starting in FY 2019.

<sup>5</sup> STAR benefits paid through tax exemptions are recorded as disbursements. STAR benefits paid as tax credits are recorded as a reduction in net tax receipts.

## State Operations/General State Charges

Operating costs for State agencies include salaries, wages, fringe benefits, and non-personal service costs (e.g., supplies, utilities) and comprise more than a quarter of State Operating Funds spending.

Spending for executive agency operations is impacted by the retroactive payments of salary increases in FY 2020 for labor agreements reached with the unions representing correctional officers, State troopers and police investigators. In general, agencies have funded and are expected to continue to fund salary increases within their operating budgets. However, exceptions have been made for retroactive salary payments and increases for certain agencies that provide institutional care (e.g., Department of Corrections and Community Supervision (DOCCs) and mental hygiene agencies), as well as the State Police.

| STATE OPERATING FUNDS - PERSONAL SERVICE / NON-PERSONAL SERVICE COSTS<br>(millions of dollars) |                    |                    |             |
|--|--------------------|--------------------|-------------|
|  | FY 2019<br>Results | FY 2020<br>Updated | Change      |
| <b>Executive Agencies (Excluding Retroactive Payments)</b>                                     | <b>10,232</b>      | <b>10,510</b>      | <b>2.7%</b> |
| Executive Agencies   | 10,232             | 10,695             | 4.5%        |
| Retroactive Labor Agreements (Prior-Year Costs)  | 0                  | (185)              | --          |

Operating spending for SUNY is estimated to grow by 3.5 percent in FY 2020 and includes the cost of a six-year collective bargaining agreement through academic year (AY) 2022. Operating costs for independently elected offices (Attorney General, Comptroller, Judiciary, and Legislature) are expected to increase by 0.7 percent in FY 2020.

Spending on fringe benefits is expected to increase mainly due to rising health care and prescription drug costs for State employees and retirees, and Workers' Compensation expenses. The annual change is also affected by one-time savings in FY 2019 from the automation of fringe benefit bills payable by State agencies.

## Debt Service

Debt service consists of principal, interest, and related expenses paid on State debt. Debt service is projected to decline from FY 2019 to FY 2020 due to the payment of FY 2020 debt service in FY 2019. The prepayment of debt service has been executed each year since FY 2010. DOB determines the level of prepayments each year based on operating results, resources on hand, and other factors. The Financial Plan includes the planned prepayment of \$200 million of FY 2021 expenses in FY 2020. In FY 2020, the effect of prepayments is offset in part by expected growth in debt service on State-supported debt.

**General Fund Cash-Basis Financial Plan**

The Enacted Budget is balanced on a cash basis in the General Fund. General Fund receipts, including transfers from other funds, are expected to total \$77.1 billion. Disbursements, including transfers to other funds, are estimated at \$77.8 billion. The General Fund closing balance is projected to be reduced by roughly \$707 million reflecting the planned use of reserves set aside for payments that did not occur as previously expected in FY 2019, and the use of Extraordinary Monetary Settlements to support spending from the Dedicated Infrastructure Investment Fund (DIIF) and other funds for authorized purposes.

The following table summarizes the General Fund annual change from FY 2019 to FY 2020.

| <b>GENERAL FUND FINANCIAL PLAN</b> |                    |                    |               |              |
|------------------------------------|--------------------|--------------------|---------------|--------------|
| (millions of dollars)              |                    |                    |               |              |
|                                    | FY 2019<br>Results | FY 2020<br>Updated | Annual Change |              |
|                                    |                    |                    | Dollar        | Percent      |
| <b>Opening Fund Balance</b>        | 9,445              | 7,206              | (2,239)       | -23.7%       |
| <b>Total Receipts</b>              | <u>70,544</u>      | <u>77,119</u>      | <u>6,575</u>  | <u>9.3%</u>  |
| Taxes <sup>1</sup>                 | 63,957             | 71,329             | 7,372         | 11.5%        |
| Miscellaneous Receipts             | 3,586              | 2,890              | (696)         | -19.4%       |
| Non-Tax Transfers from Other Funds | 3,001              | 2,900              | (101)         | -3.4%        |
| <b>Total Disbursements</b>         | <u>72,783</u>      | <u>77,826</u>      | <u>5,043</u>  | <u>6.9%</u>  |
| Local Assistance                   | 49,745             | 52,091             | 2,346         | 4.7%         |
| State Operations                   | 18,480             | 19,621             | 1,141         | 6.2%         |
| Transfers to Other Funds           | 4,558              | 6,114              | 1,556         | 34.1%        |
| <b>Net Change in Operations</b>    | (2,239)            | (707)              | 1,532         | 68.4%        |
| <b>Closing Fund Balance</b>        | <u>7,206</u>       | <u>6,499</u>       | <u>(707)</u>  | <u>-9.8%</u> |
| Rainy Day Reserves                 | 2,048              | 2,476              | 428           |              |
| Economic Uncertainties             | 0                  | 862                | 862           |              |
| Reserve for Timing of Payments     | 408                | 0                  | (408)         |              |
| All Other Reserves/Balances        | 556                | 521                | (35)          |              |
| Extraordinary Monetary Settlements | 4,194              | 2,640              | (1,554)       |              |

<sup>1</sup> Includes the transfer of tax receipts from other funds after debt service.

General Fund receipts and disbursements, as well as fund balances, are affected by the receipt and use of Extraordinary Monetary Settlements. The table below summarizes the General Fund sources and uses of Extraordinary Monetary Settlements.<sup>6</sup> The discussions of receipts and disbursements that follow exclude the impact of Extraordinary Monetary Settlements, which principally affect reported miscellaneous receipts and capital projects transfers.

| <b>GENERAL FUND FINANCIAL PLAN</b>        |                |                |                      |                |
|---|----------------|----------------|----------------------|----------------|
| <b>EXTRAORDINARY MONETARY SETTLEMENTS</b> |                |                |                      |                |
| <b>(millions of dollars)</b>              |                |                |                      |                |
|   | <b>FY 2019</b> | <b>FY 2020</b> | <b>Annual Change</b> |                |
|   |                |                | <b>Results</b>       | <b>Updated</b> |
| <b>Opening Balance</b>                    | 5,020          | 4,194          | (826)                | -16.5%         |
| <b>Total Receipts</b>                     | <u>1,106</u>   | <u>862</u>     | <u>(244)</u>         | <u>-22.1%</u>  |
| Settlements Received/Expected             | 1,186          | 862            | (324)                | -27.3%         |
| Funds Retained by Dept. of Law            | (80)           | 0              | 80                   | 100.0%         |
| <b>Total Uses</b>                         | <u>1,932</u>   | <u>2,416</u>   | <u>484</u>           | <u>25.1%</u>   |
| Capital Purposes                          | 769            | 1,316          | 547                  | 71.1%          |
| MTA Operating Aid                         | 194            | 0              | (194)                | -100.0%        |
| General Fund Operations                   | 719            | 0              | (719)                | -100.0%        |
| Rainy Day Reserves                        | 250            | 238            | (12)                 | -4.8%          |
| Economic Uncertainties                    | 0              | 862            | 862                  | --             |
| <b>Net Change in Operations</b>           | (826)          | (1,554)        | (728)                | -88.1%         |
| <b>Closing Balance</b>                    | <u>4,194</u>   | <u>2,640</u>   | <u>(1,554)</u>       | <u>-37.1%</u>  |

<sup>6</sup> More information on the receipt and use of Extraordinary Monetary Settlements can be found in "Other Matters Affecting the Financial Plan" herein.

**Receipts<sup>7</sup>**

General Fund receipts, including transfers from other funds, are projected to total \$76.3 billion in FY 2020, an increase of \$6.8 billion (9.8 percent) from FY 2019 results. The annual change is affected by taxpayers responding to the Tax Cuts and Jobs Act (TCJA) by shifting estimated PIT payments, typically made on a quarterly basis, into the extension and final payments period. Specifically, FY 2020 receipts are positively affected by an increase in extension and final payments at the expense of FY 2019 estimated payments.

PIT receipts, including transfers after payment of debt service on State PIT Revenue Bonds, are estimated to total \$48.5 billion, an increase of \$5.6 billion (12.9 percent) from FY 2019 results. A large share of the increase in FY 2020 is due to a shift in estimated payments from FY 2019 to FY 2018.

Consumption/use tax receipts, including transfers after payment of debt service on the Local Government Assistance Corporation (LGAC) and Sales Tax Revenue Bonds, are estimated to total \$14.6 billion in FY 2020, an increase of \$1.2 billion (8.8 percent) from FY 2019 results. The increase mainly reflects projected growth in disposable income and taxable consumption.

Business tax receipts are estimated at \$6.1 billion in FY 2020, an increase of \$576 million (10.5 percent) from FY 2019 results. The growth is primarily attributable to new for-profit insurance providers subject to premium insurance tax, partially offset by a large refund that was processed in April 2019 instead of March 2019.

Other tax receipts, including transfers after payment of debt service on Clean Water/Clean Air (CW/CA) Bonds and transfers after payment of debt service on revenue bonds, are expected to total \$2.1 billion in FY 2020, an increase of \$44 million (2.2 percent) from FY 2019 results.

Non-tax receipts and transfers are estimated at \$4.9 billion in FY 2020, a decrease of \$553 million (10.1 percent) from FY 2019 results. The decline largely reflects the use of resources in FY 2019 that are not expected to recur in FY 2020.

General Fund receipts are affected by the deposit of dedicated taxes in other funds for debt service and other purposes, the transfer of balances among funds of the State, and other factors.<sup>8</sup>

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<sup>7</sup> Excluding Extraordinary Monetary Settlements.

<sup>8</sup> A more comprehensive discussion of the State's projections for tax receipts, miscellaneous receipts, and transfers, presented on a State Funds and All Funds basis, can be found in "State Financial Plan Multi-Year Projections" herein.

## ***Disbursements<sup>9</sup>***

General Fund disbursements, including transfers to other funds, are expected to total \$76.5 billion in FY 2020, an increase of \$4.7 billion (6.5 percent) from FY 2019 results.

Local assistance spending is estimated at \$52.1 billion in FY 2020, an increase of \$2.3 billion (5.1 percent) from FY 2019. The increase is primarily driven by Medicaid (\$1.4 billion) and School Aid (\$489 million on a State fiscal year basis). As noted above, the estimate for Medicaid assumes disbursements will be limited to levels allowed by the Global Cap. Additional information on Medicaid cash management, budgetary risks and uncertainties can be found in the “Other Matters Affecting the Financial Plan” section herein.

State Operations spending in the General Fund, including fringe benefits and fixed costs, is expected to total \$19.6 billion in FY 2020, an increase of \$1.1 billion (6.2 percent) from FY 2019. The increase reflects salary increases related to labor agreements, including the payment of retroactive salary increases and associated fringe benefits, and underlying growth in fringe benefits, including health insurance costs for State employees and retirees, and State costs for Workers’ Compensation. In addition, operating costs in the General Fund are affected by offsets in other funds and fund reclassifications, such as operating costs related to snow and ice removal that were reclassified from Capital Projects Funds to the General Fund beginning in FY 2019.

General Fund transfers to other funds are projected to total \$4.8 billion in FY 2020, an increase of \$1 billion from FY 2019. Transfers for capital projects (excluding transfers funded with Extraordinary Monetary Settlements) are projected to increase by \$756 million due mainly to the timing of bond proceeds used to reimburse prior-year advances and increasing support for transportation costs. SUNY transfers are expected to increase by \$165 million primarily due to a change in accounting for TAP payments made to State-operated SUNY campuses. All other transfers are projected to increase by \$324 million, largely attributable to the transfer of certain sales tax collections to the MTA. Debt service transfers are expected to decline by \$236 million, mainly due to prepayments.

General Fund disbursements are affected by the level of financing sources available in other funds, transfers of balances between funds of the State, and other factors that may change from year to year.<sup>10</sup> In addition, General Fund disbursements reflect conservative estimates of disbursements in each financial category, a practice that provides a cushion for potential receipts shortfalls and other unanticipated costs.

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<sup>9</sup> Excluding Extraordinary Monetary Settlements.

<sup>10</sup> A more comprehensive discussion of the State's disbursement projections by major activity, presented on a State Operating Funds basis, can be found in “State Financial Plan Multi-Year Projections” herein.

**Closing Balance for FY 2020**

The State is projected to end FY 2020 with a General Fund cash balance of \$6.5 billion, a decrease of \$707 million from FY 2019 results. The balance excluding Extraordinary Monetary Settlements is estimated at \$3.9 billion, or \$847 million higher than FY 2019. The change reflects a new reserve for economic uncertainties funded with new settlement receipts (\$862 million) and planned deposits to the Rainy Day Reserves (\$428 million). These increases are partly offset by the planned use of reserves carried over from FY 2019 to fund retroactive payments related to labor agreements (\$206 million) and a large business tax refund (\$202 million), as well as projected spending from reappropriations in the Community Projects Fund (\$35 million).

Extraordinary Monetary Settlements on deposit at the close of FY 2020 are expected to total \$2.6 billion, a decrease of \$1.6 billion from the FY 2019 closing balance. This decrease reflects expected uses and disbursements for initiatives funded with such settlements.<sup>11</sup>

| <b>TOTAL BALANCES</b><br>(millions of dollars) |                            |                            |                          |
|--|----------------------------|----------------------------|--------------------------|
|  | <b>FY 2019<br/>Results</b> | <b>FY 2020<br/>Updated</b> | <b>Annual<br/>Change</b> |
| <b>TOTAL GENERAL FUND BALANCE</b>              | <b>7,206</b>               | <b>6,499</b>               | <b>(707)</b>             |
| Statutory Reserves:                            |                            |                            |                          |
| Rainy Day Reserves                             | 2,048                      | 2,476                      | 428                      |
| Community Projects                             | 35                         | 0                          | (35)                     |
| Contingency Reserve                            | 21                         | 21                         | 0                        |
| Fund Balance Reserved for:                     |                            |                            |                          |
| Economic Uncertainties                         | 0                          | 862                        | 862                      |
| Debt Management                                | 500                        | 500                        | 0                        |
| Labor Agreements (Timing)                      | 206                        | 0                          | (206)                    |
| Business Tax Refund (Timing)                   | 202                        | 0                          | (202)                    |
| <b>Subtotal Excluding Settlements</b>          | <b>3,012</b>               | <b>3,859</b>               | <b>847</b>               |
| <b>Extraordinary Monetary Settlements</b>      | <b>4,194</b>               | <b>2,640</b>               | <b>(1,554)</b>           |

<sup>11</sup> A more comprehensive discussion of the State's receipt and use of Extraordinary Monetary Settlements can be found in "Other Matters Affecting the Financial Plan -- Extraordinary Monetary Settlements" herein.

## Cash Flow

State Finance Law authorizes the General Fund to borrow money temporarily from available funds held in the Short-Term Investment Pool (STIP). Money may be borrowed for up to four months, or until the end of the fiscal year, whichever period is shorter. The State last used this authorization in April 2011 when the General Fund needed to borrow funds from STIP for a period of five days. The amount of resources that can be borrowed by the General Fund is limited to available balances in STIP, as determined by the State Comptroller. Available balances include money in the State’s governmental funds and a relatively small amount of other money belonging to the State. Several accounts in Debt Service Funds and Capital Projects Funds that are part of All Governmental Funds are excluded from the balances deemed available in STIP. These excluded funds consist of bond proceeds and money obligated for debt service payments.

DOB expects that the State will have adequate liquidity in FY 2020 to make all planned payments as they become due without having to temporarily borrow from STIP. The State continues to reserve money on a quarterly basis for debt service payments financed with General Fund resources. Money to pay debt service on bonds secured by dedicated receipts, including PIT bonds and Sales Tax bonds, continues to be set aside as required by law and bond covenants.

| <b>PROJECTED MONTH-END CASH BALANCES</b> |                         |                        |                      |
|--|-------------------------|------------------------|----------------------|
| <b>FY 2020</b>                           |                         |                        |                      |
| <b>(millions of dollars)</b>             |                         |                        |                      |
|  | <b>General<br/>Fund</b> | <b>Other<br/>Funds</b> | <b>All<br/>Funds</b> |
| <b>April</b>                             | 11,969                  | 6,299                  | 18,268               |
| <b>May</b>                               | 5,222                   | 5,703                  | 10,925               |
| <b>June</b>                              | 6,593                   | 7,135                  | 13,728               |
| <b>July</b>                              | 6,722                   | 6,076                  | 12,798               |
| <b>August</b>                            | 5,628                   | 5,696                  | 11,324               |
| <b>September</b>                         | 7,858                   | 4,135                  | 11,993               |
| <b>October</b>                           | 7,423                   | 4,618                  | 12,041               |
| <b>November</b>                          | 5,684                   | 4,034                  | 9,718                |
| <b>December</b>                          | 7,794                   | 4,637                  | 12,431               |
| <b>January</b>                           | 10,493                  | 6,416                  | 16,909               |
| <b>February</b>                          | 10,023                  | 6,594                  | 16,617               |
| <b>March</b>                             | 6,499                   | 4,601                  | 11,100               |



***April – June 2019  
Operating Results***

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## April – June 2019 Operating Results

This section provides a summary of preliminary operating results for April 2019 through June 2019 compared to: (1) results for the prior fiscal year (April 2018 through June 2018) and (2) the estimates set forth in the Enacted Budget Financial Plan. The focus of the spending discussion is on State Operating Funds, the basis on which the 2 percent growth benchmark is measured.

### All Governmental Funds – Results Compared to Prior Year

Compared to the prior year, All Funds receipts were \$7.9 billion higher mainly in PIT receipts and Federal operating aid. Spending increased by \$2.5 billion over the prior year of which two-thirds was driven by higher Medicaid spending, inclusive of Federal aid and the \$1.7 billion payment deferred from the end of March 2019. Additional information on Medicaid cash management, budgetary risks and uncertainties can be found in the “Other Matters Affecting the Financial Plan” section herein.

| ALL GOVERNMENTAL FUNDS - RESULTS COMPARED TO PRIOR YEAR |               |               |                     |              |
|---|---------------|---------------|---------------------|--------------|
| April through June<br>(millions of dollars)             |               |               |                     |              |
|   | Results       |               | Increase/(Decrease) |              |
|   | FY 2019       | FY 2020       | \$                  | %            |
| OPENING BALANCE   | 12,749        | 9,975         | (2,774)             | -21.8%       |
| <b>ALL FUNDS RECEIPTS:</b>                              | <b>39,703</b> | <b>47,599</b> | <b>7,896</b>        | <b>19.9%</b> |
| <b>Total Taxes</b>                                      | <b>19,753</b> | <b>24,092</b> | <b>4,339</b>        | <b>22.0%</b> |
| Personal Income Tax                                     | 12,991        | 16,910        | 3,919               | 30.2%        |
| All Other Taxes   | 6,762         | 7,182         | 420                 | 6.2%         |
| <b>Miscellaneous Receipts</b>                           | <b>5,967</b>  | <b>6,502</b>  | <b>535</b>          | <b>9.0%</b>  |
| <b>Federal Grants</b>                                   | <b>13,983</b> | <b>17,005</b> | <b>3,022</b>        | <b>21.6%</b> |
| <b>Bond &amp; Note Proceeds</b>                         | <b>0</b>      | <b>0</b>      | <b>0</b>            | <b>0.0%</b>  |
| <b>ALL FUNDS DISBURSEMENTS:</b>                         | <b>41,301</b> | <b>43,798</b> | <b>2,497</b>        | <b>6.0%</b>  |
| <b>STATE OPERATING FUNDS</b>                            | <b>25,126</b> | <b>26,862</b> | <b>1,736</b>        | <b>6.9%</b>  |
| <b>Local Assistance</b>                                 | <b>16,125</b> | <b>17,650</b> | <b>1,525</b>        | <b>9.5%</b>  |
| School Aid  | 6,531         | 6,742         | 211                 | 3.2%         |
| DOH Medicaid (incl. admin and EP)                       | 6,108         | 7,694         | 1,586               | 26.0%        |
| All Other   | 3,486         | 3,214         | (272)               | -7.8%        |
| <b>State Operations</b>                                 | <b>8,645</b>  | <b>8,788</b>  | <b>143</b>          | <b>1.7%</b>  |
| <b>Agency Operations</b>                                | <b>4,864</b>  | <b>5,139</b>  | <b>275</b>          | <b>5.7%</b>  |
| Executive Agencies                                      | 2,554         | 2,733         | 179                 | 7.0%         |
| University Systems                                      | 1,599         | 1,664         | 65                  | 4.1%         |
| Elected Officials                                       | 711           | 742           | 31                  | 4.4%         |
| <b>Fringe Benefits/Fixed Costs</b>                      | <b>3,781</b>  | <b>3,649</b>  | <b>(132)</b>        | <b>-3.5%</b> |
| Pension Contribution                                    | 2,227         | 2,243         | 16                  | 0.7%         |
| Health Insurance  | 1,050         | 1,068         | 18                  | 1.7%         |
| Other Fringe Benefits/Fixed Costs                       | 504           | 338           | (166)               | -32.9%       |
| <b>Debt Service</b>                                     | <b>356</b>    | <b>424</b>    | <b>68</b>           | <b>19.1%</b> |
| <b>Capital Projects</b>                                 | <b>0</b>      | <b>1</b>      | <b>1</b>            | <b>0.0%</b>  |
| <b>CAPITAL PROJECTS (State and Federal Funds)</b>       | <b>2,616</b>  | <b>2,805</b>  | <b>189</b>          | <b>7.2%</b>  |
| <b>FEDERAL OPERATING AID</b>                            | <b>13,559</b> | <b>14,131</b> | <b>572</b>          | <b>4.2%</b>  |
| NET OTHER FINANCING SOURCES                             | 15            | (47)          | (62)                | -413.3%      |
| CHANGE IN OPERATIONS                                    | (1,583)       | 3,754         | 5,337               | 337.1%       |
| CLOSING BALANCE   | 11,166        | 13,729        | 2,563               | 23.0%        |

## **Receipts**

PIT collections were \$3.9 billion (30 percent) higher than last year. This growth is due to a combination of an increase in April 2019 extensions and final returns related to taxpayer behavior in response to the cap on State and Local Tax (SALT) deductions, as well as modest growth in withholding receipts and delinquencies.

Business tax collections growth (\$311 million) is due to higher gross receipts partially offset by higher refunds. Consumption/user tax collections increased (\$123 million) attributable to growth in the sales tax base. These increases were partially offset by lower cigarette tax receipts (\$31 million).

Miscellaneous Receipts were \$535 million (9 percent) higher in FY 2020 than in FY 2019 mainly due to unplanned receipts from Extraordinary Monetary Settlements (\$372 million) and growth in Health Care Reform Act (HCRA) (\$89 million) and lottery (\$59 million) receipts.

Federal grants were \$3 billion higher in FY 2020 than in FY 2019 largely due to the deferral of the final FY 2019 Medicaid cycle.

## **Spending**

State Operating Funds spending totaled \$26.9 billion in the April-June period of FY 2020, an increase of \$1.7 billion (6.9 percent) over the same period in FY 2019.

Local assistance spending growth of \$1.5 billion includes Medicaid and School Aid increases partially offset by lower aggregate spending in all other programs. Spending growth for Medicaid includes deferred liabilities from FY 2019 that were paid in FY 2020. The School Aid spending increase is attributable to planned General Aid and Excess Cost Aid payments that were partially offset by lower Universal Prekindergarten payments. The most significant local assistance spending declines include a drop in transportation spending (\$274 million) attributable to one-time payments made to the MTA in FY 2019 for (i) the MTA Subway Action Plan (\$139 million) and (ii) a final payment of PMT collections attributable to FY 2018 (\$135 million); and lower Public Health spending (\$124 million), primarily related to Early Intervention (EI) and General Public Health Work (GPHW) payments.

Executive agency operational spending increased mainly for personal service costs associated with the payment of retroactive salary increases. Higher costs incurred at SUNY Hospitals increased the University systems operational spending. Fringe Benefits spending declined due to the improved timeliness of reimbursement via the automation of the billing and payment process.

Capital Projects (State and Federal) spending increased by \$189 million, primarily due to the timing of payments for the Empire State Development Corporation (\$181 million), Special Infrastructure (\$58 million), Transportation (\$57 million), and Health (\$46 million); offset by reduced spending in MTA (\$126 million) and Housing (\$95 million).

Federal operating aid spending for the April-June period in FY 2020 increased by \$572 million over the same period in FY 2019. The largest areas of higher spending include Medicaid mainly due to growth in claims (\$746 million); public health (\$109 million) concentrated in the Child Health Plus program; and School Breakfast and Lunch Meal reimbursements (\$45 million). These spending increases were offset by lower spending for public assistance benefits and Flexible Fund for Family Services (\$150 million); Federal Every Student Succeeds Act grant (\$119 million); and other education (\$56 million) driven by Individuals with Disabilities in Education (IDEA) flow-through grants.

## All Governmental Funds – Results Compared to Plan

The State ended June 2019 with a closing balance of \$13.7 billion in All Funds, \$1.1 billion above the Enacted Budget Financial Plan estimate.

| ALL GOVERNMENTAL FUNDS COMPARED TO PLAN           |               |               |                         |               |
|---|---------------|---------------|-------------------------|---------------|
| April 2019 through June 2019                      |               |               |                         |               |
| (millions of dollars)                             |               |               |                         |               |
|   | Enacted       | Results       | Variance Above/ (Below) |               |
|   |               |               | Enacted                 |               |
|   |               |               | \$                      | %             |
| <b>OPENING BALANCE</b>                            | <b>9,975</b>  | <b>9,975</b>  | <b>0</b>                | <b>0.0%</b>   |
| <b>ALL FUNDS RECEIPTS:</b>                        | <b>48,301</b> | <b>47,599</b> | <b>(702)</b>            | <b>-1.5%</b>  |
| <b>Total Taxes</b>                                | <b>23,725</b> | <b>24,092</b> | <b>367</b>              | <b>1.5%</b>   |
| Personal Income Tax                               | 16,520        | 16,910        | 390                     | 2.4%          |
| Consumption / Use Tax                             | 4,515         | 4,491         | (24)                    | -0.5%         |
| Business Taxes                                    | 2,137         | 2,220         | 83                      | 3.9%          |
| Other Taxes                                       | 553           | 471           | (82)                    | -14.8%        |
| <b>Miscellaneous Receipts</b>                     | <b>6,536</b>  | <b>6,502</b>  | <b>(34)</b>             | <b>-0.5%</b>  |
| <b>Federal Grants</b>                             | <b>18,040</b> | <b>17,005</b> | <b>(1,035)</b>          | <b>-5.7%</b>  |
| <b>ALL FUNDS DISBURSEMENTS:</b>                   | <b>45,652</b> | <b>43,798</b> | <b>(1,854)</b>          | <b>-4.1%</b>  |
| <b>STATE OPERATING FUNDS</b>                      | <b>27,944</b> | <b>26,862</b> | <b>(1,082)</b>          | <b>-3.9%</b>  |
| <b>Local Assistance</b>                           | <b>18,809</b> | <b>17,650</b> | <b>(1,159)</b>          | <b>-6.2%</b>  |
| School Aid  | 7,115         | 6,742         | (373)                   | -5.2%         |
| DOH Medicaid <sup>1</sup>                         | 7,322         | 7,694         | 372                     | 5.1%          |
| Transportation                                    | 818           | 774           | (44)                    | -5.4%         |
| STAR  | 0             | 0             | 0                       | 0.0%          |
| Social Services                                   | 660           | 354           | (306)                   | -46.4%        |
| Higher Education                                  | 1,290         | 399           | (891)                   | -69.1%        |
| Mental Hygiene                                    | 439           | 455           | 16                      | 3.6%          |
| All Other   | 1,165         | 1,232         | 67                      | 5.8%          |
| <b>State Operations</b>                           | <b>8,724</b>  | <b>8,788</b>  | <b>64</b>               | <b>0.7%</b>   |
| <b>Agency Operations</b>                          | <b>4,995</b>  | <b>5,139</b>  | <b>144</b>              | <b>2.9%</b>   |
| <b>Personal Service:</b>                          | <b>3,582</b>  | <b>3,815</b>  | <b>233</b>              | <b>6.5%</b>   |
| Executive Agencies                                | 1,896         | 2,104         | 208                     | 11.0%         |
| University Systems                                | 1,111         | 1,113         | 2                       | 0.2%          |
| Elected Officials                                 | 575           | 598           | 23                      | 4.0%          |
| <b>Non-Personal Service:</b>                      | <b>1,413</b>  | <b>1,324</b>  | <b>(89)</b>             | <b>-6.3%</b>  |
| Executive Agencies                                | 684           | 629           | (55)                    | -8.0%         |
| University Systems                                | 577           | 551           | (26)                    | -4.5%         |
| Elected Officials                                 | 152           | 144           | (8)                     | -5.3%         |
| <b>Fringe Benefits/Fixed Costs</b>                | <b>3,729</b>  | <b>3,649</b>  | <b>(80)</b>             | <b>-2.1%</b>  |
| Pension Contribution                              | 2,245         | 2,243         | (2)                     | -0.1%         |
| Health Insurance                                  | 1,052         | 1,068         | 16                      | 1.5%          |
| Other Fringe Benefits/Fixed Costs                 | 432           | 338           | (94)                    | -21.8%        |
| <b>Debt Service</b>                               | <b>411</b>    | <b>424</b>    | <b>13</b>               | <b>3.2%</b>   |
| <b>CAPITAL PROJECTS (State and Federal Funds)</b> | <b>2,837</b>  | <b>2,805</b>  | <b>(32)</b>             | <b>-1.1%</b>  |
| <b>FEDERAL OPERATING AID</b>                      | <b>14,871</b> | <b>14,131</b> | <b>(740)</b>            | <b>-5.0%</b>  |
| <b>NET OTHER FINANCING SOURCES</b>                | <b>(38)</b>   | <b>(47)</b>   | <b>(9)</b>              | <b>-23.7%</b> |
| <b>CHANGE IN OPERATIONS</b>                       | <b>2,611</b>  | <b>3,754</b>  | <b>1,143</b>            | <b>43.8%</b>  |
| <b>CLOSING BALANCE</b>                            | <b>12,586</b> | <b>13,729</b> | <b>1,143</b>            | <b>9.1%</b>   |

1. Includes the Essential Plan

**Receipts**

Total tax receipts were \$367 million above the Enacted Budget Financial Plan estimate for the period of April through June 2019. PIT collections (\$390 million) exceeded the estimate due to stronger wage growth and lower than expected tax year 2018 refund growth. Business tax collections (\$83 million) reflect stronger than anticipated corporate franchise tax collections, partially offset by lower audits. Lower than estimated other taxes (\$82 million) reflect a drop in large and extra-large estate tax receipts.

Miscellaneous receipts were \$34 million lower than projected, largely related to lower than projected SUNY hospital receipts.

Federal grants were \$1 billion lower than the Enacted Budget Financial Plan estimate, consistent with operating aid disbursements described below.

**Spending**

State Operating Funds spending was \$1.1 billion (3.9 percent) lower than planned almost entirely due to local assistance spending.

Local assistance spending was \$1.2 billion lower than estimated due mainly to the timing of payments in various programs as noted below.

- Higher Education (\$892 million lower) spending for CUNY Senior Colleges (\$865 million) and Community Colleges (\$60 million) occurred in July and is partly offset by higher than projected TAP payments (\$54 million).
- School Aid (\$373 million lower) spending for Statewide Full-Day Universal Prekindergarten (\$296 million), Excess cost aid (\$66 million), Universal Prekindergarten (\$53 million) and Boards of Cooperative Educational Services (BOCES) aid (\$19 million) is now expected to occur in the next quarter and is partly offset by earlier than estimated General Aid (\$50 million) and Commercial Gaming (\$24 million) payments.
- Social Services (\$307 million lower) spending also did not occur as estimated for Child Welfare Services (\$123 million), Foster Care Block Grants (\$70 million), Adult Shelter (\$58 million), and Day Care Programs (\$30 million).
- Medicaid (\$373 million higher) spending was higher than estimated largely due to increased Medicaid claims.

State operations spending exceeded estimates due mainly to the payment of retroactive salary increases partly offset by lower non-personal service and fringe benefits spending.

Lower than expected Federal operating aid spending mainly occurred for social service programs (\$546 million) including Flexible Fund for Family Services, public assistance, child care and child welfare; and Medicaid, excluding administration (\$484 million lower) related to the timing of rate package approvals by the State driving lower spending and the timing of offline payments. This lower spending was partly offset by higher spending for school aid (\$296 million) programs including Federal Every Student Succeeds Act grants and School Breakfast and Lunch Meal reimbursements; and public health (\$96 million higher) due to the timing of Federal Child Health Plus (CHP) transfers.

**General Fund – Results Compared to Plan**

The General Fund closing balance at the end of June 2019 was \$1.3 billion higher than estimated due to lower spending (\$1.0 billion) and higher receipts (\$323 million).

Higher receipts were attributable to PIT collections partially offset by lower Consumption/Use Taxes and estate tax payments.

Lower spending was mainly due to the timing of planned local assistance payments for CUNY, School Aid and Social Services, the majority of which were paid in July. The payment of retroactive salary increases resulted in higher agency operations spending.

At the end of June 2019, the Extraordinary Monetary Settlement balance held in the General Fund was \$4.5 billion, \$102 million lower than estimated due to earlier than planned transfers of monetary settlements to support spending in other funds.

The table below summarizes the General Fund variances from Enacted Budget Financial Plan estimates, inclusive of Extraordinary Monetary Settlements.

| GENERAL FUND OPERATING RESULTS       |                |               |                |              |
|--------------------------------------|----------------|---------------|----------------|--------------|
| April 2019 through June 2019         |                |               |                |              |
| (millions of dollars)                |                |               |                |              |
|                                      | Enacted        | Results       | Variance       |              |
|                                      |                |               | Above/ (Below) |              |
|                                      |                |               | Enacted        |              |
|                                      |                |               | \$             | %            |
| <b>OPENING BALANCE</b>               | <b>7,206</b>   | <b>7,206</b>  | <b>0</b>       | <b>0.0%</b>  |
| <b>Total Receipts</b>                | <b>23,448</b>  | <b>23,771</b> | <b>323</b>     | <b>1.4%</b>  |
| Taxes:                               | 22,058         | 22,314        | 256            | 1.2%         |
| Personal Income Tax <sup>1</sup>     | 16,403         | 16,794        | 391            | 2.4%         |
| Consumption / Use Taxes <sup>1</sup> | 3,633          | 3,570         | (63)           | -1.7%        |
| Business Taxes                       | 1,490          | 1,505         | 15             | 1.0%         |
| Other Taxes <sup>1</sup>             | 532            | 445           | (87)           | -16.4%       |
| Receipts and Grants                  | 1,153          | 1,179         | 26             | 2.3%         |
| Transfers From Other Funds           | 237            | 278           | 41             | 17.3%        |
| <b>Total Spending</b>                | <b>25,380</b>  | <b>24,384</b> | <b>(996)</b>   | <b>-3.9%</b> |
| Local Assistance                     | 16,156         | 15,012        | (1,144)        | -7.1%        |
| Agency Operations (including GSCs)   | 6,357          | 6,509         | 152            | 2.4%         |
| Transfers to Other Funds             | 2,867          | 2,863         | (4)            | -0.1%        |
| Debt Service Transfer                | 133            | 138           | 5              | 3.8%         |
| Capital Projects Transfer            | 1,517          | 1,515         | (2)            | -0.1%        |
| SUNY Operations Transfer             | 764            | 764           | -              | 0.0%         |
| All Other Transfers                  | 453            | 446           | (7)            | -1.5%        |
| <b>Change in Operations</b>          | <b>(1,932)</b> | <b>(613)</b>  | <b>1,319</b>   | <b>68.3%</b> |
| <b>CLOSING BALANCE</b>               | <b>5,274</b>   | <b>6,593</b>  | <b>1,319</b>   | <b>25.0%</b> |

<sup>1</sup> Includes transfers from other funds after debt service.

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***Other Matters Affecting the  
Financial Plan***

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**General**

The Financial Plan is subject to complex economic, social, financial, political, and environmental risks and uncertainties, many of which are outside the ability of the State to predict or control. DOB believes that the projections of receipts and disbursements in the Financial Plan are based on reasonable assumptions, but there can be no assurance that results will not differ materially and adversely from these projections. For instance, receipts collections have fallen substantially below the levels forecasted in certain fiscal years. In addition, certain projections contained in the Financial Plan assume that annual growth in State Operating Funds spending will be limited to 2 percent in FY 2021 through FY 2023, and that all savings that result from the 2 percent spending growth benchmark will be made available to the General Fund.

DOB routinely executes cash management actions to manage the State's large and complex budget. These actions are intended for a variety of purposes that include improving the State's cash flow, managing resources within and across State fiscal years, assisting in adherence to spending targets, and better positioning the State to address future risks and unanticipated costs, such as economic downturns, unexpected revenue deterioration, and unplanned expenditures. As such, the State regularly makes certain payments above those initially planned, subject to available resources, to maintain budget flexibility. All payments made above the planned amount are reflected in the year they occur and adhere to the limit of the State's 2 percent growth benchmark.

The Financial Plan is based on numerous assumptions including the condition of the State and national economies, and the concomitant collection of economically sensitive tax receipts in the amounts projected. Other uncertainties and risks concerning the economic and receipts forecasts include impacts of: national and international events; ongoing financial risks in the eurozone; changes in consumer confidence, price and supply of oil and gas; major terrorist events and hostilities or war; climate change and extreme weather events; cybersecurity threats; Federal statutory and regulatory changes concerning financial sector activities; Federal tax law; changes to Federal programs; changes concerning financial sector bonus payouts, as well as any future legislation governing the structure of compensation; shifts in monetary policy affecting interest rates and the financial markets; credit rating agency actions; financial and real estate market developments which may adversely affect bonus income and capital gains realizations; tech industry developments and employment; effect of household debt on consumer spending and State tax collections; and outcomes of litigation and other claims affecting the State.

The Financial Plan is subject to various uncertainties and contingencies relating to: wage and benefit increases for State employees that exceed projected annual costs; changes in the size of the State's workforce; realization of the projected rate of return for pension fund assets, and current assumptions with respect to wages for State employees affecting the State's required pension fund contributions; willingness and ability of the Federal government to provide the aid projected in the Financial Plan; ability of the State to implement cost reduction initiatives, including reductions in State agency operations, and success with which the State controls expenditures; unanticipated growth in Medicaid program costs; and ability of the State and its public authorities to issue securities successfully in the public credit markets. Some of these issues are described in more detail herein. The projections and assumptions contained in the Financial Plan are subject to revisions which may result in substantial change. No assurance can be given that these estimates and projections, which depend in part upon actions the State expects to be taken but which are not within the State's control, will be realized.

## ***Budget Risks and Uncertainties***

There can be no assurance that the State's financial position will not change materially and adversely from current projections. If this were to occur, the State would be required to take additional gap-closing actions. Such actions may include but are not limited to: reductions in State agency operations; delays or reductions in payments to local governments or other recipients of State aid; delays in or suspension of capital maintenance and construction; extraordinary financing of operating expenses; use of nonrecurring resources; or other measures. In some cases, the ability of the State to implement such actions requires the approval of the Legislature and cannot be implemented solely by the Governor.

To manage potential Financial Plan risks in FY 2020, the Budget establishes a process for the uniform reduction of local assistance disbursements of up to 1 percent of State Operating Funds disbursements (approximately \$1.02 billion) if DOB identifies a General Fund imbalance of \$500 million or more in the current fiscal year. Upon identification of an imbalance, the Budget Director would transmit a plan to the Legislature identifying the specific appropriations and cash disbursements that would be reduced. The Legislature would then have 30 days to adopt, by concurrent resolution, its own plan for eliminating the imbalance. If no plan is adopted, the plan submitted by the Budget Director would take effect automatically. The process exempts certain types of local assistance appropriations from uniform reduction, including public assistance and Supplemental Security Income (SSI) payments.

The Financial Plan forecast assumes various transactions could fail to occur as planned including, but not limited to: receipt of certain payments from public authorities; receipt of certain revenue sharing payments under the Tribal-State compact, including payments from the Seneca Nation; receipt of miscellaneous revenues at the levels expected in the Financial Plan; and achievement of cost-saving measures including, but not limited to, transfer of available fund balances to the General Fund at levels currently projected. Such risks and uncertainties, if they were to materialize, could adversely impact the Financial Plan in current or future years, or both.

The Financial Plan also includes actions that affect spending reported on a State Operating Funds basis, including accounting and reporting changes. If these and other transactions are not implemented or reported as planned, annual spending growth in State Operating Funds would increase above current estimates.

In developing the Financial Plan, DOB attempts to mitigate financial risks from receipts volatility, litigation, and unexpected costs, with an emphasis on the General Fund. It does this by, among other things, exercising caution when calculating total General Fund disbursements and managing the accumulation of financial resources that can be used to offset new costs. Such resources include but are not limited to, fund balances not needed each year, reimbursement for capital advances, acceleration of tax refunds above the level budgeted each year, and prepayment of expenses. There can be no assurance that such resources will be enough to address risks that may materialize in a given fiscal year.

Financial Plan projections for FYs 2021 through 2023 assume that School Aid and Medicaid disbursements will be limited to the ten-year rolling average growth of State personal income and the medical component of the Consumer Price Index (CPI), respectively. From FY 2014 to FY 2020, the School Aid growth cap was calculated based on the annual growth in NYS personal income. However, enacted budgets in FYs 2014 through 2019 authorized increases above these levels. To reduce volatility and align with the Medicaid cap, the statutory Personal Income Growth Index (PIGI) for School Aid has been amended to reflect average annual income growth over a ten-year period, beginning in FY 2021.

### ***Medicaid Global Cap***

In FY 2012, the State enacted legislation intended to limit the year-to-year growth in DOH State funds Medicaid spending to the ten-year rolling average of the medical component of the CPI. The statutory provisions of the Medicaid spending cap (“Global Cap”) allow for flexibility in adjusting Medicaid projections to meet unanticipated costs resulting from a disaster, and grant the Commissioner of Health certain powers to limit Medicaid disbursements to the level authorized by the Global Cap. The Commissioner’s powers are intended to limit the rate of annual spending growth to the levels set by the Global Cap indexed rate for the current fiscal year, through actions which may include reducing rates to providers. These actions may be dependent upon timely Federal approvals and other elements of the program that govern implementation. Major changes to the State share of Medicaid spending include State costs for the takeover of Medicaid growth from local governments and reimbursement to providers for minimum wage costs. It should further be noted that General Fund spending remains sensitive to revenue performance in the State’s HCRA fund that finances approximately one-quarter of the DOH State-share costs of Medicaid.

Since enactment of the Global Cap, the portion of DOH State Funds Medicaid spending subject to the Global Cap has remained at or below indexed levels. However, the DOH has, at times, taken management actions, including adjustments to the timing of Medicaid payments, to ensure compliance with the Global Cap. Between FY 2015 and FY 2018, DOH managed the timing of payments across State fiscal years (payments managed across fiscal years during this period ranged from \$50 million to roughly \$435 million, according to DOH).

At the close of FY 2019, DOH deferred, for three business days, the final cycle payment to Medicaid Managed Care Organizations, as well as other payments. The FY 2019 deferral had a State-share value of \$1.7 billion and was paid from available funds in the General Fund in April 2019, in time to satisfy contractual obligations. According to DOH, the deferral had no impact on provider services. However, absent the deferral and any other actions, Medicaid spending under the Global Cap would have exceeded the statutorily indexed rate for FY 2019 and the State would have used available General Fund resources to fund the payments in FY 2019. The General Fund ended FY 2019 with sufficient resources. According to DOH, the higher spending in FY 2019 reflected growth in managed care and long-term managed care enrollment and utilization costs above projections, as well as the timing of certain savings actions and offsets that were not processed by year-end.

## The Global Cap Imbalance

Based on a review of price and utilization trends, FY 2019 results, and other factors, DOB has concluded that a structural imbalance exists within the Global Cap. A structural imbalance in this case means that estimated expense growth in State-share Medicaid, absent measures to control costs, is growing faster than allowed under the Global Cap spending growth index (currently 3 percent).<sup>12</sup> DOB estimates that, absent the actions described below, State-share Medicaid spending could exceed the Global Cap by a range of \$3 billion to \$4 billion in FY 2020 (including the FY 2019 deferral of \$1.7 billion). The amount by which State-share Medicaid spending could exceed the Global Cap in FY 2021 will depend in part on the actions taken by the State to control costs in FY 2020. However, it is expected that additional actions will need to be taken in FY 2021 in addition to those taken to contain spending within the Global Cap in FY 2020.

Factors that have placed upward pressure on State-share Medicaid spending include, but are not limited to: provider reimbursement for the cost of the increase in minimum wage; the phase-out of enhanced federal Medicaid match rates that were designed as part of the Affordable Care Act to support additional coverage; increased enrollment and costs in managed long-term care; and payments to financially distressed hospitals.

In FY 2020, it is expected that, to the extent practicable, management actions will be taken to limit Medicaid spending in FY 2020 to avoid piercing the Global Cap. It is expected that up to \$2.0 billion in FY 2020 savings will be realized from adjusting the timing of payments consistent with contractual terms and past practice, leaving an imbalance in the range of \$1.5 billion. Other actions to limit spending under the Global Cap in the current year may include, but are not limited to, the imposition of statutorily-authorized cost controls, including across-the-board reductions in rates paid to providers and health plans and reductions in discretionary payments.

In FY 2021, the imbalance remaining after FY 2020 actions is expected to be addressed within the Global Cap and in the context of the State's overall gap-closing plan. The imbalance that needs to be closed within the Global Cap will depend in part on the actions taken by the State to control costs in FY 2020. The Governor is expected to issue the FY 2021 Executive Budget in January 2020.

If State Funds Medicaid spending is not reduced to levels that adhere to the Global Cap or other savings are not identified, it could have a materially adverse impact on General Fund budget balance and the State's ability to limit annual State Operating Funds spending growth to 2 percent in FY 2020 and FY 2021.

The current Financial Plan estimates described in this AIS Update, which report that the General Fund is balanced and has a projected budget gap of \$4.0 billion in FY 2021, do not reflect the estimated imbalance in the Global Cap, or the actions expected to be taken to address it. DOB expects to provide additional information in the Mid-Year update to the FY 2020 Financial Plan.

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<sup>12</sup> The annual growth in Medicaid spending subject the Global Cap is limited to the ten-year rolling average of the medical component of the CPI.

## ***Federal Issues***

The State receives a substantial amount of Federal aid for health care, education, transportation, and other governmental purposes, as well as Federal funding to respond to, and recover from, severe weather events and other disasters. Many policies that drive this Federal aid may be subject to change under the Trump Administration and Congress. Current Federal aid projections, and the assumptions on which they rely, are subject to revision because of changes in Federal policy.

In addition, the Financial Plan may also be adversely affected by other Federal government actions including audits, disallowances, and changes to Federal participation rates or other Medicaid rules. For instance, the Financial Plan includes reimbursement to the Federal government of \$100 million annually through FY 2027 pursuant to a March 2015 agreement between the State and the Centers for Medicare & Medicaid Services (CMS). The agreement resolved a pending disallowance for FY 2011 and all related payment disputes for State-operated services prior to April 1, 2013, including home and community-based waiver services. Pursuant to the agreement, the State must adjust the Federal/State share of future Medicaid costs to reimburse the Federal government. The State used \$850 million in Extraordinary Monetary Settlement payments, previously set aside for financial risks, to finance the initial repayment amount in FY 2016.

The Enacted Budget includes for the third year a process by which the State can address significant reductions in Federal aid during FY 2020 should they arise. Specifically, the Enacted Budget allows the Budget Director to prepare a plan for consideration by the Legislature in the event that Federal policymakers (a) reduce Federal Financial Participation (FFP) in Medicaid funding to New York State or its subdivisions by \$850 million or more; or (b) reduce FFP or other Federal aid in funding to New York State that affects the State Operating Funds Financial Plan by \$850 million or more, exclusive of any cuts to Medicaid. Each limit is triggered separately and is not additive. The plan prepared by the Budget Director must equally and proportionally reduce appropriations and cash disbursements in the General Fund and State Special Revenue Funds. Upon receipt of the plan, the Legislature has 90 days to prepare its own corrective action plan, which may be adopted by concurrent resolution passed by both houses, or the plan submitted by the Budget Director takes effect automatically.

### **Current Federal Aid**

President Trump proposed significant cuts to mandatory and discretionary domestic programs in Federal Fiscal Years (FFYs) 2018 and 2019, which were largely rejected by the final appropriations bills advanced for both years. The President proposed similar cuts for FFY 2020, however these cuts are unlikely given the recently enacted Bipartisan Budget Act of 2019. The law increases the discretionary spending caps set by the Budget Control Act of 2011 for the final two years that the caps are in place under current law – FFYs 2020 and 2021. Assuming Congress passes appropriations at the levels allowed under the newly increased caps, cuts to discretionary Federal aid programs on which the State relies are unlikely.

## Medicaid Disproportionate Share Hospital (DSH) Payments

Provisions within the Federal Medicaid statute allow for a capped amount of payments to hospitals that treat a disproportionate number of Medicaid recipients. Changes made initially in the Affordable Care Act (ACA) to reduce the aggregate amount of Federal reimbursements for DSH payments are scheduled to take effect in FFY 2020, beginning October 1, 2019. The State estimates that if the changes take effect as scheduled, New York hospitals will lose \$7.2 billion when fully phased in, the largest reduction in Federal DSH payments among all states.

## Essential Plan

In 2017, the Federal government attempted to end the Basic Health Program EP in New York State, reverse the ACA's Medicaid expansion, and shift a larger share of growth in Medicaid costs to states by imposing per capita caps on Medicaid spending in lieu of Medicaid's current open-ended policy. If enacted into law, these policies would have had a substantial adverse impact on the State.

Additionally, the Trump Administration withheld Cost Sharing Reduction (CSR) payments, threatening low-cost health insurance coverage for income-eligible recipients purchasing Qualified Health Plan (QHP) or EP coverage through the New York State of Health (NYSOH), New York's official health plan marketplace. Recent actions by the Trump Administration in response to litigation brought by the State will allow the State to recoup some of the withheld EP funding through changes to the reimbursement methodology for 2018. However, the State has not received any guidance on whether it will receive Federal reimbursement in the EP for CSR payments in 2019 and beyond. This funding represents about 25 percent of the total Federal funding for the program and, absent any action by Congress, the State Financial Plan remains at risk. Additionally, the Trump Administration has proposed to alter the Federal reimbursement formula which would further decrease the amount of Federal funding for the EP. The Financial Plan reflects continued Federal support for the EP program.

## Excise Tax on High-Cost Employer-Sponsored Health Coverage ("Cadillac Tax")

The Excise Tax on High-Cost Employer-Sponsored Health Coverage (26 USC 4980I) is a 40 percent excise tax assessed on the portion of the premium for an employer-sponsored health insurance plan that exceeds a certain annual limit. The provision was initially included in the ACA to offset mandatory spending increases but has since been altered by intervening laws that delay the implementation of the tax until 2022.

Regulations from the Internal Revenue Service (IRS) have yet to be published. The U.S. House of Representatives recently passed legislation (H.R. 748) to repeal the excise tax and it is now under consideration in the U.S. Senate. DOB has no current estimate as to the potential impact to the State from this Federal excise tax.

### Medicaid Redesign Team (MRT) Medicaid Waiver

The CMS and the State have an agreement authorizing up to \$8 billion in new Federal funding over several years to transform New York's health care system and ensure access to quality care for all Medicaid beneficiaries. This funding, provided through an amendment to the State's Partnership Plan 1115 Medicaid waiver, is divided among the Interim Access Assurance Fund (IAAF), the Delivery System Reform Incentive Payment (DSRIP) Program, Health Homes, and various other Medicaid redesign initiatives.

Since January 1, 2014, in accordance with provisions of the ACA, the State has been eligible for enhanced Federal Medical Assistance Percentage (FMAP) funding associated with childless adults. The DOH continues to work with the CMS and to refine eligibility data systems to draw the appropriate amount of enhanced FMAP funding. This reconciliation may result in a modification of payments to the State and local governments.

### Federal Debt Limit

The recently enacted Bipartisan Budget Act of 2019 temporarily suspends the debt limit through July 31, 2021, bringing to a close the extraordinary measures that the U.S. Treasury had been operating under since the prior suspension expired on March 1, 2019. A Federal government default on payments, particularly for a prolonged period, could have a materially adverse effect on national and State economies, financial markets, and intergovernmental aid payments. Specific effects on the updated Financial Plan of a future Federal government default are unknown and impossible to predict. However, data from past economic downturns suggest that the State's revenue loss could be substantial if the economy goes into a recession due to a Federal default.

A payment default by the United States may adversely affect the municipal bond market. Municipal issuers, including the State, could face higher borrowing costs and impaired access to capital markets. This would jeopardize planned capital investments in transportation infrastructure, higher education facilities, hazardous waste remediation, environmental projects, and economic development projects. Additionally, the market for and market value of outstanding municipal obligations, including municipal obligations of the State, could be adversely affected.

### Federal Tax Law Changes

On December 22, 2017, President Trump signed into law the Tax Cuts and Jobs Act of 2017 (TCJA) (H.R. 1, P.L. 115-97), making major changes to the Federal Internal Revenue Code, most of which were effective in the 2018 Tax Year. The Federal tax law made extensive changes to Federal personal income taxes, corporate income taxes, and estate taxes.

The State's income tax system interacts with the Federal system in numerous ways. Changes to the Federal tax code have significant flow-through effects on State tax burdens and State tax receipts. From the standpoint of certain individual New York State taxpayers, the new \$10,000 limit on the deductibility of SALT payments, effective for Tax Year 2018, is substantial. The TCJA's

SALT deduction limit represents a large increase in the State's effective tax rate relative to historical experience and may adversely affect New York's economic competitiveness.

The SALT deduction originated with the first Federal income tax implemented to fund the Civil War effort and has been in place continuously since 1913. DOB and the Department of Taxation and Finance (DTF) estimate that the new SALT deduction limit raised Federal tax liability for New York taxpayers by roughly \$14 billion for Tax Year 2018, relative to what taxpayers would have paid absent the limitation. Over the course of the eight years the SALT deduction limit is scheduled to be in effect, the State estimates that resident taxpayers who itemize at the Federal level for each year through 2025 will collectively pay an additional \$121 billion in Federal taxes relative to what they would have paid absent the SALT deduction limit.

Moreover, the TCJA contains numerous provisions that may adversely affect residential real estate prices in New York State and elsewhere, of which the SALT deduction limit is the most significant. A loss of wealth associated with a decline in home prices could have a significant impact on household spending in the State through the wealth effect, whereby consumers perceive the rise and fall of the value of an asset, such as a home, as a corresponding increase or decline in income, causing them to alter their spending practices. Reductions in household spending by New York residents, if they were to occur, would be expected to result in lower sales for the State's businesses, which, in turn, would cause further reductions in economic activity and employment. Lastly, falling home prices could result in homeowners delaying the sale of their homes. The combined impact of lower home prices and fewer sales transactions could result in lower real estate transfer tax collections.

In sum, the Federal tax law changes may intensify migration pressures and the drag on the value of home prices, thereby posing risks to the State's tax base and current Financial Plan projections.

### State Response to Federal Tax Law Changes

In response to the TCJA, the State enacted tax reforms in tax year 2018 intended to mitigate issues arising from the Federal law, including decoupling many State tax provisions from the Federal changes, creation of an optional payroll tax program, and establishment of a new State charitable giving vehicle, as described below.

The State developed the Employer Compensation Expense Program (ECEP) and Charitable Gifts Trust Fund, as described below, based on a review of existing laws, regulations, and precedents. However, there can be no assurance that the IRS will allow taxes paid under the ECEP by an electing employer, or donations made by taxpayers to the Charitable Gifts Trust Fund, to be deductible for Federal tax purposes under current law and the TCJA. As noted below, the IRS has issued regulations that impair the ability of taxpayers to deduct donations to the Charitable Gifts Trust Fund from federally taxable income while receiving State tax credits for such donations.

On July 17, 2018, the State, joined by Connecticut, Maryland, and New Jersey, filed a lawsuit to protect New York taxpayers from the new Federal limit on the SALT deduction. The lawsuit claims the new SALT limit was enacted to target New York and similarly situated states, interferes with states' rights to make their own fiscal decisions, and disproportionately harms taxpayers in these

states. On September 30, 2019, the Southern District of New York found that the states failed to make a valid legal claim that the SALT limit unconstitutionally encroaches on states' sovereign authority to determine their own taxation and fiscal policies. The State is reviewing the decision and considering an appeal.

On June 13, 2019, the IRS issued final regulations (Treasury Decision 9864) that provided final rules and additional guidance on the availability of Federal income tax deductions for charitable contributions when a taxpayer receives or expects to receive a State or local tax credit for such charitable contributions. In the case of State tax credits received by a taxpayer making a charitable contribution, the regulations require the taxpayer to reduce the Federal income tax deduction by the amount of the State tax credit received for such charitable contribution. This rule does not apply, however, if the value of the State tax credit does not exceed 15 percent of the charitable contribution. The regulations are retroactive to August 27, 2018 (the date on which the U.S. Treasury and Internal Revenue Service first published proposed regulatory changes).

On July 17, 2019, New York State, joined by Connecticut and New Jersey, filed a Federal lawsuit challenging Treasury Decision 9864. The lawsuit seeks to restore the full Federal income tax deduction for charitable contributions, regardless of the amount of any State tax credit provided to taxpayers as a result of contributions made to the Charitable Gifts Trust Fund, in accordance with the precedent since 1917. If the Federal lawsuit is successful it is expected that donations to the Charitable Gifts Trust Fund in future years could be higher than the \$93 million level of donations made in 2018. See "Impact of State Tax Law Changes on PIT Revenue Bonds" below.

As part of the State tax reforms enacted in 2018, taxpayers may claim reimbursement from the State for interest on underpayments of Federal tax liability for the 2019, 2020 and 2021 tax years if the underpayments arise from reliance on the 2018 amendments to State tax law. To receive reimbursement, taxpayers are required to submit their reimbursement claims to DTF within 60 days of making an interest payment to the IRS.

The State would incur costs if taxpayer participation in the ECEP and Charitable Gifts initiatives for the 2019, 2020 and 2021 tax years results in Federal determinations of underpayment of Federal income tax. Any cost to the Financial Plan from State reimbursement of interest charges would occur in FY 2021 at the earliest for determinations on 2019 tax payments due in April 2020 or thereafter.

The Financial Plan does not include any estimate of the magnitude of the possible interest expense to the State, which depends on several factors including the rates of participation in the ECEP; magnitude of donations to the Charitable Gifts Trust Fund; aggregate amount of determinations of underpayment attributable to reliance on the 2018 amendments to State tax law; amount of time between the due date of the return and the date any Federal determination is issued; interest rate applied; and frequency at which taxpayers submit timely reimbursement claims to the State. Interest on unpaid Federal tax generally accrues from the due date of the return until the date of payment in full. Under current Federal law, the interest rate is determined quarterly and is the Federal short-term rate plus 3 percent, compounded daily.

### Employer Compensation Expense Program

Employers that elect to participate in the ECEP will be subject to a 5 percent State tax on all annual payroll expenses in excess of \$40,000 per employee, phased in over three years beginning on January 1, 2019 as follows: 1.5 percent in Tax Year 2019, 3 percent in Tax Year 2020, and 5 percent in Tax Year 2021. Employers must elect to participate in the ECEP for the upcoming tax year by December 1 of the preceding calendar year. For the 2019 Tax Year, 262 employers elected to participate in the ECEP and are expected to remit \$2 million.

The ECEP is intended to mitigate the tax burden for employees affected by the SALT deduction limit. While the TCJA limits deductibility for individuals, it does not cap deductibility for ordinary and necessary business expenses paid or incurred by employers in carrying on a trade or business. The ECEP is expected to be State revenue neutral, with any decrease in New York State PIT receipts expected to be offset by a comparable increase in ECEP revenue. A new State PIT credit is available to employees whose wages are subject to the tax. Any decrease in New York State PIT receipts is expected to be offset by a comparable increase in ECEP revenue because the formula used to calculate the State PIT credit corresponds in value to the ECEP. Remittance of ECEP revenue to the State began in the fourth quarter of FY 2019.

### State Charitable Gifts Trust Fund

Starting in Tax Year 2018, the Charitable Gifts Trust Fund was established to accept gifts for the purposes of funding health care and education in New York State. Taxpayers who itemize deductions may claim these charitable contributions as deductions on their Federal and State income tax returns. Any taxpayer who makes a donation may also claim a State tax credit equal to 85 percent of the donation amount for the tax year after the donation is made. State PIT receipts will be reduced by the State tax deduction and 85 percent tax credit.<sup>13</sup>

In FY 2019, the State received \$93 million in charitable gifts deposited to the Charitable Gifts Trust Fund for healthcare and education (\$58 million and \$35 million, respectively). These resources are appropriated in the Budget for the authorized purposes.

### Impact of State Tax Law Changes on PIT Revenue Bonds

To offset the potential reduction in the level of New York State PIT receipts resulting from activity of the ECEP and donations to the Charitable Gifts Trust Fund, State Finance Law provisions creating the Revenue Bond Tax Fund (RBTF) were amended to increase the percentage of New York State PIT receipts required to be deposited upon receipt in the RBTF, from 25 percent to 50 percent. In addition, the legislation that created the ECEP required that 50 percent of ECEP receipts received by the State be deposited to the RBTF. These changes became effective April 1, 2018.

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<sup>13</sup> SUNY Research Foundation, CUNY Research Foundation, and Health Research, Inc. to accept up to \$10 million each in charitable gifts on an annual basis. The State PIT receipts will also be reduced by the State tax deduction and an 85 percent credit for those donations that will be available beginning in Tax Year 2019.

The amendments also increased the amount of all New York State PIT receipts collected from payroll withholding and ECEP receipts that must be deposited in the RBTF if (a) the State Legislature fails to appropriate amounts required to make all debt service payments on State PIT Revenue Bonds or (b) having been appropriated and set aside pursuant to a certificate of the Director of the Budget, debt service payments and other cash requirements under the applicable financing agreements have not been made when due on the State PIT Revenue Bonds. Under prior law, New York State PIT receipts from payroll withholding were to be deposited to the RBTF until amounts on deposit in the RBTF equaled the greater of 25 percent of annual New York State PIT receipts or \$6 billion. Under the new law, New York State PIT receipts and ECEP receipts are deposited to the RBTF until amounts on deposit in the RBTF equal the greater of 40 percent of the aggregate of annual New York State PIT receipts and ECEP receipts or \$12 billion.

Donations to the Charitable Gifts Trust Fund could reduce State PIT receipts by nearly one dollar for every dollar donated. If Treasury Decision 9864 is upheld in Federal court, taxpayer participation in the future will likely be reduced. However, if the legal challenge is successful in restoring the full Federal tax deduction for charitable contributions, donations to the Charitable Gifts Trust Fund in future years could be higher than in 2018, when donations totaled \$93 million. In such event, the amount of donations to the Charitable Gifts Trust Fund would pose a risk to the amount of New York State PIT receipts deposited to the RBTF in future years. To address this risk, the State increased the amount of PIT receipts deposited to the RBTF from 25 percent to 50 percent as part of the State tax reforms enacted in 2018.

DOB and DTF performed a calculation of the maximum amount of charitable donations to the Charitable Gifts Trust Fund that could occur annually under varying assumptions. This calculation of the maximum amount of potential contributions to the Charitable Gifts Trust Fund was intended to serve as a stress test on State PIT receipts that may flow to the RBTF under different levels of assumed taxpayer participation. Accordingly, the calculation should not, under any circumstances, be viewed as a projection of likely donations in any future year. The factors that may influence donation activity are complex and include, but are not limited to, possible statements, actions, or interpretive guidance by the IRS or others relating to the deductibility of such donations; the liquidity position, risk tolerance, and knowledge of individual taxpayers; advice or guidance of tax advisors or other professionals; changes in general economic conditions; adoption of similar trusts in other states; and tax reciprocity agreements among states.

The calculation of the maximum amount of potential donations from 2019 through 2023 is on average in the range of \$30 billion annually. The calculation assumes that every resident taxpayer who has an incentive to donate will do so, and such donations will be equal to the total value of each resident taxpayer's SALT payments, less the value of the \$10,000 Federal SALT deduction limit, up to the value of the taxpayer's total State tax liability. The calculation is dependent on several assumptions concerning the number of itemized filers. It relies on the most recent PIT population study file, as trended forward, as well as the impact of the TCJA and State law changes on the number and distribution of itemized and standardized filers. The calculation also assumes that (a) no further changes in Federal tax law occur, and (b) DOB projections of the level of State taxpayer liability for the forecast period as set forth in the Financial Plan are materially accurate.

In general, assumptions made regarding taxpayer behavior were intended to maximize the calculated impact of charitable giving on PIT receipts in each year. After factoring in all of the foregoing adjustments and with inclusion of ECEP revenues, RBTF receipts are projected to remain above the level of receipts that would have been expected under statutes in effect prior to April 2018, even in a maximum participation scenario.

The DOB and DTF calculation of the projected maximum amount of potential contributions to the Charitable Gifts Trust Fund is necessarily based on many assumptions that may change materially over time. While DOB believes that these factors can be expected to constrain donation activity, there can be no assurance that, under conditions of maximum participation, the amount of annual charitable gifts will not reduce the level of PIT receipts deposited into the RBTF below the levels projected in February 2018 before State tax reforms were enacted. If that were to occur, it is DOB's expectation that changes to the tax law would be recommended to further increase the percentage of PIT receipts deposited into the RBTF.

### ***Climate Change Adaptation***

Climate change poses significant long-term threats to physical, biological and economic systems in New York and around the world. Potential hazards and risks related to climate change for the State include, among other things, rising sea levels, more severe coastal flooding and erosion hazards, and more intense storms. Storms in recent years, including Superstorm Sandy, Hurricane Irene, and Tropical Storm Lee, have demonstrated vulnerabilities in the State's infrastructure (including mass transit systems, power transmission and distribution systems, and other critical lifelines) to extreme weather events including coastal flooding caused by storm surges. The potential effects of climate change could adversely impact the Financial Plan in current or future years. To mitigate and manage these impacts, significant long-term planning and investments by the Federal government, the State of New York, municipalities, and public utilities are expected to be needed to adapt existing infrastructure to climate change risks.

The State continues to recover from the damage sustained during three powerful storms that crippled entire regions. In August 2011, Hurricane Irene disrupted power and caused extensive flooding in various State counties. In September 2011, Tropical Storm Lee caused flooding in additional State counties and, in some cases, exacerbated the damage caused by Hurricane Irene two weeks earlier. On October 29, 2012, Superstorm Sandy struck the East Coast, causing widespread infrastructure damage and economic losses to the greater New York region. The frequency and intensity of these storms present economic and financial risks to the State. Reimbursement claims for costs of the immediate response, recovery, and future mitigation efforts continue, largely supported by Federal funds. In January 2013, the Federal government approved approximately \$60 billion in Federal disaster aid for general recovery, rebuilding, and mitigation activity nationwide. It is anticipated that the State, its localities, and the MTA may receive approximately one-half of this amount for response, recovery, and mitigation costs. To date, a total of \$17 billion has been committed to repairing impacted homes and businesses, restoring community services, and mitigating future storm risks across the State. There can be no assurance that all anticipated Federal disaster aid described above will be provided to the State and its affected entities over the coming years.

Financial markets participants are increasingly acknowledging climate change risks. In June 2017, an industry-led Task Force on Climate-Related Financial Disclosure convened by the Financial Stability Board (an international body which monitors the global financial system), published recommendations stating that climate risk affects most market sectors and that climate-related risk should be publicly disclosed to investors in annual financial filings.<sup>14</sup> In November 2017, Moody's Investors Service issued guidance to state and local governments that climate change is forecast to heighten exposure to economic losses, placing potential pressure on credit ratings. The Moody's report identified rising sea levels and their effect on coastal infrastructure as the primary climate risks for the northeastern United States, including New York State. These risks are heightened by population and critical infrastructure concentration in coastal counties.

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<sup>14</sup> For further context to the June 2017 disclosure recommendations, the Financial Stability Board was asked by an international coalition of G20 Finance Ministers and Central Bank Governors to address concerns that undisclosed climate risk could destabilize global financial markets.

An October 2018 special report released by the Intergovernmental Panel on Climate Change of the United Nations (IPCC) found that human activity has already caused approximately 1.0°C of warming and is continuing to increase average global temperatures at 0.2°C per decade due to past and ongoing emissions. The IPCC states that global warming is likely to reach 1.5°C of warming between 2030 and 2052 if temperatures continue to increase at the current rate. This increase is expected to produce a range of adverse outcomes (“reasons for concern”). For example, the IPCC rates global risks of extreme weather events and coastal flooding as increasing from moderate (“detectable”) today, to high (“severe and widespread”) at 1.5°C of warming. The risk of severe impacts increases further at higher temperatures. Using current trends, climate change risks increasingly fall within the term of current outstanding bonds of the State, its public authorities and municipalities. State bonds may be issued with a term of up to 30 years under State statute.

New York is participating in efforts to reduce greenhouse gas emissions in order to mitigate the risk of severe impacts from climate change. At the end of the 2019 legislative session, the Governor and Legislature agreed to set the State on a path toward developing regulations to reduce statewide greenhouse gas emissions to 85 percent below the 1990 level by 2050. As part of this target, the State plans to fully transition its electricity sector away from carbon emissions by 2040. New York is a member of the Regional Greenhouse Gas Initiative (RGGI) and has used a cap and trade mechanism to regulate carbon dioxide emissions from electric power plants since 2008.

***Current Labor Negotiations and Agreements (Current Contract Period)***

The State has multi-year labor agreements in place with most of the unionized workforce and a tentative agreement with the Graduate Student Employees Union (GSEU). Negotiations for successor agreements with the Public Employees Federation (PEF), the Council 82 Security Supervisors Unit and the Police Benevolent Association of New York State (PBANYS) are on-going.

On July 18, 2019, the New York State Police Investigators Association (NYSPIA) membership ratified an agreement with the State covering a five-year period (FY 2019 through FY 2023). The agreement provides for a 2 percent general salary increase each year, and additional compensation changes, which are partly offset by benefit design changes within New York State Health Insurance Program (NYSHIP). The cost of this agreement is estimated to be roughly \$15 million in FY 2020 and has been reflected in the multi-year spending projections for State Police.

In October 2019, GSEU voted to ratify a four-year labor agreement that provides for 2 percent general annual salary increases for 2020 through 2023. The ratified agreement costs an estimated \$2 million in FY 2020 and will be reflected in the Mid-Year Financial Plan Update. SUNY is responsible for funding the cost of the agreement.

The State previously reached agreement with the following unions:

The Civil Service Employees Association (CSEA) and DC-37 (Local 1359 Rent Regulation Service Employees) have five-year labor contracts that provide annual salary increases of 2 percent for FYs 2017 through 2021 and additional compensation changes, offset by benefit design changes within NYSHIP and reductions in overtime costs. Salary increases provided to CSEA and DC-37 (Local 1359) employees were also extended to Management/Confidential (M/C) employees.

The United University Professions (UUP) has a six-year collective bargaining agreement that covers AYs 2017 through 2022. The agreement provides for 2 percent general salary increases in each year of the contract and additional compensation changes, which are partly offset by benefit design changes within NYSHIP. The cost of the agreement (approximately \$253 million in FY 2020) has been included in the Financial Plan and is primarily funded by SUNY except for related fringe benefit costs, paid by the State. At the request of SUNY, the State will advance approximately \$110 million in planned payments for State-operated SUNY campuses from November 2019 to June 2019, to make resources available for retroactive payments.

The New York State Correctional Officers and Police Benevolent Association (NYSCOPBA) has a seven-year collective bargaining agreement for FY 2017 through FY 2023. The agreement provides for 2 percent general salary increases in each year of the agreement, and additional compensation changes, offset by benefit design changes within NYSHIP and reductions in overtime costs. Police Benevolent Association of the New York State Troopers (NYSTPBA) has a five-year collective bargaining agreement for FY 2019 through FY 2023. The agreement provides for 2 percent general salary increases in each year of the contract and additional compensation changes, which are partly offset by benefit design changes within NYSHIP.

Contract periods and related general salary increases for State employee union contracts are illustrated below.

| UNION LABOR CONTRACTS |                   |         |         |         |         |         |         |         |         |         |
|-----------------------|-------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
|                       | Contract Period   | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 |
| NYSTPBA               | FY 2019 - FY 2023 | 2%      | 2%      | 1.5%    | 1.5%    | 2%      | 2%      | 2%      | 2%      | 2%      |
| NYSPIA                | FY 2019 - FY 2023 | 2%      | 2%      | 1.5%    | 1.5%    | 2%      | 2%      | 2%      | 2%      | 2%      |
| NYSCOPBA              | FY 2017 - FY 2023 | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      |
| GSEU                  | AY 2020 - AY 2023 | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      |
| UUP                   | AY 2017 - AY 2022 | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      | TBD     |
| CSEA                  | FY 2017 - FY 2021 | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      | TBD     | TBD     |
| DC-37                 | FY 2017 - FY 2021 | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      | TBD     | TBD     |
| PEF                   | FY 2017 - FY 2019 | 2%      | 2%      | 2%      | 2%      | 2%      | TBD     | TBD     | TBD     | TBD     |
| CUNY                  | FY 2011 - FY 2018 | 2.5%    | 2%      | 2%      | 1.5%    | TBD     | TBD     | TBD     | TBD     | TBD     |
| COUNCIL 82            | FY 2010 - FY 2016 | 2%      | 2%      | TBD     |
| PBANYS                | FY 2006 - FY 2015 | 2%      | TBD     |

The Judiciary also has agreements with all 12 unions represented within its workforce. The contract periods are as follows: FY 2018 to FY 2020 for CSEA; FY 2012 to FY 2021 for the NYS Supreme Court Officers Association, the NYS Court Officers Association and the Court Clerks Association; and FY 2020 to FY 2021 for the remaining eight unions.

## ***Pension Contributions***<sup>15</sup>

### Overview

The State makes annual contributions to the New York State and Local Retirement System (NYSLRS) for employees in the New York State and Local Employees' Retirement System (ERS) and the New York State and Local Police and Fire Retirement System (PFRS). This section discusses contributions from the State, including the Judiciary, to the NYSLRS, which account for the majority of the State's pension costs.<sup>16</sup> All projections are based on estimated market returns and numerous actuarial assumptions which, if unrealized, could change these projections materially.

During FY 2016, the NYSLRS updated its actuarial assumptions based on the results of the 2015 five-year experience study. In September 2015, NYSLRS announced that employer contribution rates would decrease beginning in FY 2017 and the assumed rate of return would be lowered from 7.5 percent to 7 percent. The salary scale assumptions were also changed – for ERS the scale was reduced from 4.9 percent to 3.8 percent and for PFRS the scale was reduced from 6 percent to 4.5 percent. During FY 2019, salary scale assumptions were further changed via a one-time 10 percent increase for both ERS and PFRS, which is reflected in FY 2020 contribution rates.

In August 2019, the actuary for NYSLRS issued the Annual Report to the Comptroller on Actuarial Assumptions, which provides a reduction in the State pension fund's assumed long-term rate of return on investments from 7 percent to 6.8 percent, anticipating a lower return on investment environment. The estimated average employer contribution rate for the ERS will remain stable at 14.6 percent of payroll due to offsetting gains from a change in the mortality improvement scale and new entrants. However, the estimated average employer contribution rate for the PFRS will increase by 0.9 percent, from 23.5 percent of payroll to 24.4 percent of payroll.

### FY 2020 Projections

The preliminary FY 2020 ERS/PFRS pension liability estimate of \$2.2 billion is affected by FY 2018 investment returns of 11.4 percent, which was above the Comptroller's prior assumed 7 percent rate of return. The estimate also reflects the impact of past investment performance and growth in the number of lower cost Tier 6 members. As a result, the average contribution rate for ERS will decrease from 14.9 percent to 14.6 of payroll, while the average contribution rate for PFRS will remain stable at 23.5 percent of payroll.<sup>17</sup>

The pension liability also reflects changes to military service credit provisions found in Section 1000 of the Retirement and Social Security Law (RSSL) enacted during the 2016 legislative session

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<sup>15</sup> The information contained under this heading was prepared solely by DOB and reflects the budgetary aspects of pension amortization. The information that appears later in this AIS Update, under the section entitled "State Retirement System" was furnished solely by OSC.

<sup>16</sup> The State's aggregate pension costs also include costs for State employees in the Teachers' Retirement System (TRS) for both SUNY and the State Education Department (SED), the Optional Retirement Program (ORP) for both SUNY and SED, and the New York State Voluntary Defined Contribution Plan (VDC).

<sup>17</sup> Average contribution rates include the Group Life Insurance Plan (GLIP), and thus differ from the system average normal rates reported in the pension amortization section.

(Chapter 41 of the Laws of 2016). All veterans who are members of NYSLRS may, upon application, receive extra service credit for up to three years of military duty if such veterans (a) were honorably discharged, (b) have achieved five years of credited service in a public retirement system, and (c) have agreed to pay the employee share of such additional pension credit. Costs to the State for employees in the ERS will be incurred at the time each member purchases credit, as documented by the Office of the State Comptroller (OSC) at the end of each calendar year, while costs for employees in PFRS will be distributed across PFRS employers and billed on a two-year lag (e.g. FY 2017 costs were first billed in FY 2019). Additionally, Section 25 of the RSSL requires the State to pay the ERS employer contributions associated with this credit on behalf of local governments. The State is also permitted to amortize the cost of past service credits that are newly incurred in a given fiscal year. However, the State does not anticipate choosing this option as there would be an interest rate of 7 percent applied to this amortization. The ERS cost to the State (including costs covered for local ERS) was \$26 million in FY 2019 based on actual credit purchased through December 31, 2018. DOB currently estimates ERS costs of \$25 million in FY 2020 and ongoing annual costs of \$7 million beginning in FY 2021 as additional veterans become eligible to purchase the credit.

## Outyear Projections

Pension liability estimates for FY 2021 and beyond, as projected by DOB, reflect growth in normal costs primarily based on the expectation that collective bargaining will result in continued salary increases, and that investment returns will be below the actuarially assumed 6.8 percent rate of return in the near-to-mid-term.

## Pension Amortization

Under legislation enacted in August 2010, the State and local governments may amortize (defer paying) a portion of their annual pension costs. Amortization temporarily reduces the pension costs that must be paid by public employers in a given fiscal year but results in higher costs overall when repaid with interest.

The State and local governments are required to begin repayment on each new amortization in the fiscal year immediately following the year in which the amortization was initiated. The full amount of each amortization must be repaid within ten years at a fixed interest rate determined by OSC. Legislation included in the FY 2017 Enacted Budget authorized the State to prepay a portion of remaining principal associated with an amortization, and then pay a lower recalculated interest installment in any subsequent year for which the principal has been prepaid. This option does not allow the State to delay the original ten-year repayment schedule, nor does it allow for the interest rate initially applied to the amortization amount to be modified.

The portion of an employer's annual pension costs that may be amortized is determined by comparing the employer's amortization-eligible contributions as a percentage of employee salaries (i.e., the normal rate<sup>18</sup>) to a system-wide amortization threshold (i.e., the graded rate). Graded rates are determined for ERS and PFRS according to a formula enacted in the FY 2010 legislation, and

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<sup>18</sup> For the purpose of this discussion, the "normal rate" refers to all amortization-eligible costs (i.e., normal and administrative costs, as well as certain employer-provided options such as sick leave credit) divided by salary base.

generally move toward their system’s average normal rate by up to one percentage point per year. When an employer’s normal rate is greater than the system-wide graded rate, the employer can elect to amortize the difference. However, when the normal rate of an employer that previously amortized is less than the system-wide graded rate, the employer is required to pay the graded rate. Additional contributions are first used to pay off existing amortizations and are then deposited into a reserve account to offset future increases in contribution rates. Chapter 48 of the Laws of 2017 changed the graded rate computation to provide an employer-specific graded rate based on the employer’s own tier and plan demographics.

Neither the State nor the Office of Court Administration (OCA) has amortized its pension costs since FY 2016.

The amortization threshold is projected to equal the normal rate in upcoming fiscal years. The following table reflects projected pension contributions and amortizations exclusively for Executive branch and Judiciary employers participating in ERS and PFRS.

| EMPLOYEE RETIREMENT SYSTEM AND POLICE AND FIRE RETIREMENT SYSTEM<br>(millions of dollars) |   |                            |                              |   |  |  |             |   |          |
|---|---|----------------------------|------------------------------|---|--|--|-------------|---|----------|
| Fiscal Year   | Statewide Pension Payments <sup>1</sup> |                            |                              |   | Interest Rate<br>on<br>Amortization<br>Amount (%) <sup>3</sup> | Excess Contributions                       |             |   |          |
|   | Normal<br>Costs <sup>2</sup>            | (Amortization<br>Amount) / |                              | Total<br>Statewide<br>Pension<br>Payments |  | System Average<br>Normal Rate <sup>4</sup> |             | Amortization Threshold<br>(Graded Rate) |          |
|   |   | Excess<br>Contributions    | Repayment of<br>Amortization |   |  | ERS (%)                                    | PFRS<br>(%) | ERS (%)                                 | PFRS (%) |
| 2011  | 1,543.2                                 | (249.6)                    | 0.0                          | 1,293.6                                   | 5.00   | 11.5                                       | 18.1        | 9.5                                     | 17.5     |
| 2012  | 2,037.6                                 | (562.9)                    | 32.3                         | 1,507.0                                   | 3.75   | 15.9                                       | 21.6        | 10.5                                    | 18.5     |
| 2013  | 2,076.1                                 | (778.5)                    | 100.8                        | 1,398.4                                   | 3.00   | 18.5                                       | 25.7        | 11.5                                    | 19.5     |
| 2014  | 2,633.8                                 | (937.0)                    | 192.0                        | 1,888.8                                   | 3.67   | 20.5                                       | 28.9        | 12.5                                    | 20.5     |
| 2015  | 2,325.7                                 | (713.1)                    | 305.7                        | 1,918.3                                   | 3.15   | 19.7                                       | 27.5        | 13.5                                    | 21.5     |
| 2016  | 1,972.1                                 | (356.1)                    | 389.9                        | 2,005.9                                   | 3.21   | 17.7                                       | 24.7        | 14.5                                    | 22.5     |
| 2017  | 1,788.6                                 | 0.0                        | 432.1                        | 2,220.7                                   | 2.33   | 15.1                                       | 24.3        | 15.1                                    | 23.5     |
| 2018  | 1,786.6                                 | 0.0                        | 432.1                        | 2,218.7                                   | 2.84   | 14.9                                       | 24.3        | 14.9                                    | 24.3     |
| 2019  | 1,772.8                                 | 0.0                        | 432.1                        | 2,204.9                                   | 3.64   | 14.4                                       | 23.5        | 14.4                                    | 23.5     |
| 2020 Est.   | 1,807.7                                 | 0.0                        | 432.1                        | 2,239.8                                   | TBD  | 14.2                                       | 23.5        | 14.2                                    | 23.5     |
| -----Projected by DOB <sup>5</sup> -----  |   |                            |                              |   |  |  |             |   |          |
| 2021  | 1,967.8                                 | 0.0                        | 432.1                        | 2,399.9                                   | TBD  | 15.2                                       | 24.5        | 15.2                                    | 24.5     |
| 2022  | 2,188.6                                 | 0.0                        | 399.8                        | 2,588.4                                   | TBD  | 16.2                                       | 25.5        | 16.2                                    | 25.5     |
| 2023  | 2,392.6                                 | 0.0                        | 331.3                        | 2,723.9                                   | TBD  | 17.2                                       | 26.5        | 17.2                                    | 26.5     |
| 2024  | 2,607.8                                 | 0.0                        | 240.1                        | 2,847.9                                   | TBD  | 18.2                                       | 27.5        | 18.2                                    | 27.5     |
| 2025  | 2,815.5                                 | 0.0                        | 126.4                        | 2,941.9                                   | TBD  | 19.2                                       | 28.5        | 19.2                                    | 28.5     |
| 2026  | 3,028.2                                 | 0.0                        | 42.2                         | 3,070.4                                   | TBD  | 20.2                                       | 29.5        | 20.2                                    | 29.5     |

<sup>1</sup> Pension Contribution values in this table do not include pension costs related to the ORP, VDC, and TRS for SUNY and SED, whereas the projected pension costs in other Financial Plan tables include such pension disbursements.

<sup>2</sup> Normal costs include payments from amortizations prior to FY 2011, which ended in FY 2016 as a result of early repayments.

<sup>3</sup> Interest rates are determined by the State Comptroller based on the market rate of return on comparable taxed fixed income investments (e.g., Ten-Year Treasuries). The interest rate is fixed for the duration of the ten-year repayment period.

<sup>4</sup> The system average normal rate represents system-wide amortization-eligible costs (i.e. normal and administrative costs, as well as the cost of certain employer options) as a percentage of the system's total salary base. The normal rate does not include the following costs, which are not eligible for amortization: Group Life Insurance Plan (GLIP) contributions, deficiency contributions, previous amortizations, incentive costs, administrative costs, costs of new legislation in some cases, and prior-year adjustments. "(Amortization Amount) / Excess Contributions" are calculated for each employer in the system using employer-specific normal rates, which may differ from the system average.

<sup>5</sup> Outyear projections are prepared by DOB. The Retirement System does not prepare, or make available, outyear projections of pension costs.

The “Normal Costs” column shows the State’s underlying pension cost in each fiscal year, before the effects of amortization. The “(Amortization Amount) / Excess Contributions” column shows amounts amortized. The “Repayment of Amortization” column provides the amount paid in principal and interest towards the outstanding balance on prior-year amortizations. The “Total Statewide Pension Payments” column provides the State’s actual or planned pension contribution, inclusive of amortization. The “Interest Rate on Amortization Amount (%)” column provides the interest rate at which the State will repay the amortized contribution, as determined by OSC. The remaining columns provide information on the normal rate and graded rate, which are used to determine the maximum allowed “(Amortized)” amount or the mandatory “Excess Contributions” amount for a given fiscal year.

## **Other Post-Employment Benefits (OPEB)**

State employees become eligible for post-employment benefits (e.g., health insurance) if they reach retirement while working for the State; are enrolled in either NYSHIP or the NYSHIP opt-out program at the time they reach retirement; and have the required years of eligible service. The cost of providing post-retirement health insurance is shared between the State and the retired employee. Contributions are established by law and may be amended by the Legislature. The State pays its share of costs on a Pay-As-You-Go (PAYGO) basis as required by law.

The State Comptroller adopted Governmental Accounting Standards Board (GASB) Statement (GASBS) 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*, for State’s Basic Financial Statements for FY 2019. GASBS 75, which replaces GASBS 45 and GASBS 57, addresses accounting and financial reporting for OPEB that is provided to the employees of state and local governmental employers. GASBS 75 establishes standards for recognizing and measuring liabilities and expenses/expenditures, as well as identifying the methods and assumptions that are required to be used to project benefit payments, discount projected benefit payments to their actuarial determined present value, and attribute that present value to periods of employee service. Specifically, GASBS 75 now requires the full liability be recognized. As a result, the March 31, 2018 ending net positive position of \$28.6 billion (previously reported using GASBS 45) in the State’s governmental activities was restated to an April 1, 2018 beginning net deficit position of \$3.3 billion upon the implementation of GASBS 75.

The State’s total OPEB liability equals the employer’s share of the actuarial determined present value of projected benefit payments attributed to past periods of employee service. The total OPEB obligation less any OPEB assets set aside in an OPEB trust or similar arrangement represent the net OPEB obligation.

As reported in the State’s Basic Financial Statements for FY 2019, the total ending OPEB liability for FY 2019 is \$63.4 billion (\$50.9 billion for the State and \$12.5 billion for SUNY). The total OPEB liability as of March 31, 2019 was measured as of March 31, 2018 and was determined using an actuarial valuation as of April 1, 2017, with update procedures used to roll forward the total OPEB liability to March 31, 2018. The total beginning OPEB liability for FY 2019 was \$66.5 billion (\$53.5 billion for the State and \$13.0 billion for SUNY). The total OPEB liability was calculated using the Entry Age Normal cost method. The discount rate is based on the Bond Buyer 20-year general

obligation municipal bond index rate at March 31 (3.86 percent in FY 2018 and 3.89 percent in FY 2019). The total OPEB liability declined by \$3.1 billion during FY 2019, primarily attributable to the difference between expected and actual experience.

The contribution requirements of NYSHIP members and the State are established by, and may be amended by, the Legislature. The State is not required to provide funding above the PAYGO amount necessary to provide current benefits to retirees and has not funded a qualified trust or its equivalent as defined in GASBS 75. The State continues to fund these costs, along with all other employee health care expenses, on a PAYGO basis, meaning the State pays these costs as they become due.

The FY 2018 Enacted Budget included legislation creating a Retiree Health Benefit Trust Fund (the "Trust Fund"), a qualified trust under GASBS 75, that authorizes the State to reserve money for the payment of health benefits of retired employees and their dependents. Under the legislation, the State may deposit into the Trust Fund, in any given fiscal year, up to 0.5 percent of total then-current unfunded actuarial accrued OPEB liability. The Financial Plan does not currently include any deposits to the Trust Fund.

GASBS 75 is not expected to alter the Financial Plan cash PAYGO projections for health insurance costs. DOB's methodology for forecasting these costs over a multi-year period already incorporates factors and considerations consistent with the new actuarial methods and calculations required by the GASB Statement.

### ***Litigation***

Litigation against the State may include, among other things, potential challenges to the constitutionality of various actions. The State may also be affected by adverse decisions that are the result of various lawsuits. Such adverse decisions may not meet the materiality threshold to warrant a description herein but, in the aggregate, could still adversely affect the Financial Plan. For more information, see the "Litigation" section later in this AIS Update.

### ***Cybersecurity***

New York State government, like many other large public and private entities, relies on a large and complex technology environment to conduct its operations. As a recipient and provider of personal, private, or sensitive information, the State and its public corporations and municipalities face multiple cyber threats including, but not limited to, hacking, viruses, malware and other attacks on computer and other sensitive digital networks and systems. Entities or individuals may attempt to gain unauthorized access to the State's digital systems for the purposes of misappropriating assets or information or causing operational disruption and damage. To mitigate the risk of business operations impact and/or damage from cyber incidents or cyber-attacks, the State invests in multiple forms of cybersecurity and operational controls. The State's Chief Information Security Office (CISO) within the State's Office of Information Technology Services (ITS) maintains comprehensive policies and standards, programs, and services relating to the security of State

government networks and geographic information systems<sup>19</sup>, and annually assesses the implementation of security policies and standards to ensure compliance through the Nationwide Cyber Security Review. In addition, the CISO maintains the New York State Cyber Command Center team, which provides a security operations center, digital forensics capabilities, and related procedures for cyber incident reporting and response, distributes real-time advisories and alerts, provides managed security services, and implements statewide information security training and exercises. While controls are routinely reviewed and tested, no assurances can be given that such security and operational control measures will be completely successful at guarding against cyber threats and attacks. The results of any such attack could impact business operations and/or damage State digital networks and systems, State and local infrastructure, and the costs of remedying any such damage could be substantial.

The State has also adopted regulations designed to protect the financial services industry from cyberattacks. Banks, insurance companies and other covered entities regulated by the Department of Financial Services (DFS) are, unless eligible for limited exemptions, required to: (a) maintain a cybersecurity program, (b) create written cybersecurity policies and perform risk assessments, (c) designate a CISO with responsibility to oversee the cybersecurity program, (d) annually certify compliance with the cybersecurity regulations, and (e) report to DFS cybersecurity events that have a reasonable likelihood of materially harming any material part of the entity's normal operation(s) or for which notice is required to any government body, self-regulatory agency, or supervisory body.

### ***Financial Condition of New York State Localities***

The State's localities rely in part on State aid to balance their budgets and meet their cash requirements. As such, unanticipated financial need among localities can adversely affect the State's Financial Plan projections. Certain localities outside NYC, including cities and counties, have experienced financial problems and have requested and received additional State assistance during the last several State fiscal years. In 2013, the Financial Restructuring Board for Local Governments was created to aid distressed local governments. The Restructuring Board performs comprehensive reviews and provides grants and loans on the condition of implementing recommended efficiency initiatives. For additional details on the Restructuring Board, please visit [www.frb.ny.gov](http://www.frb.ny.gov).

### ***Bond Market***

Successful implementation of the Financial Plan is dependent on the State's ability to market bonds. The State finances much of its capital spending, in the first instance, from the General Fund or the Short-Term Investment Pool (STIP), which it then reimburses with proceeds from the sale of bonds. If the State or its public authorities cannot sell bonds at the levels (or on the timetable) expected in the capital plan, the State's overall cash position and capital funding plan may be adversely affected. The success of projected public sales will be subject to prevailing market conditions and related ratings issued by national credit rating agencies, among other factors.

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<sup>19</sup> Statewide cybersecurity policies can be found at: <https://its.ny.gov/eiso/policies/security>.

Future developments in the financial markets, including possible changes in Federal tax law relating to the taxation of interest on municipal bonds, as well as future developments concerning the State and public discussion of such developments generally, may affect the market for outstanding State-supported and State-related debt. The TCJA adversely impacted the State and its public authorities by removing certain refunding opportunities for Federal tax-exempt financing, including advance refundings for debt service savings when interest rates are favorable.

**Debt Reform Act Limit**

The Debt Reform Act of 2000 (“Debt Reform Act”) restricts the issuance of State-supported debt funding to capital purposes only and limits the maximum term of bonds to 30 years. The Act limits the amount of new State-supported debt to 4 percent of State personal income, and new State-supported debt service costs to 5 percent of All Funds receipts. The restrictions apply to all new State-supported debt issued after April 1, 2000. DOB, as administrator of the Debt Reform Act, determined that the State was in compliance with the statutory caps in the most recent calculation period.

Financial Plan projections indicate that debt outstanding and debt service will continue to remain below limits imposed by the Debt Reform Act. Based on the most recent personal income and debt outstanding forecasts, the available debt capacity under the debt outstanding cap is expected to decline from \$6 billion in FY 2019 to about \$415 million in FY 2024. This includes the estimated impact of funding increased capital commitment levels with State bonds. The cost of debt issued after April 1, 2000 and estimated new issuances is projected at \$5.2 billion in FY 2020, or roughly \$3.6 billion below the statutory debt service limit.

| DEBT OUTSTANDING SUBJECT TO CAP<br>(millions of dollars) |             |       |        |  |                          |                      |                         |  | TOTAL STATE-SUPPORTED DEBT<br>(millions of dollars) |  |
|--|-------------|-------|--------|--|--------------------------|----------------------|-------------------------|--|---|--|
| Year   | Personal    |       |        | Debt Outstanding<br>Since April 1, 2000 <sup>1</sup> | \$ Remaining<br>Capacity | Debt as a<br>% of PI | % Remaining<br>Capacity | Debt Outstanding<br>Prior to April 1, 2000 | Total State-Supported<br>Debt Outstanding           |  |
|  | Income      | Cap % | Cap \$ |  |                          |                      |                         |  |   |  |
| FY 2019  | \$1,339,802 | 4.00% | 53,592 | 47,645   | 5,947                    | 3.56%                | 0.44%                   | 5,579                                      | 53,224  |  |
| FY 2020  | \$1,385,075 | 4.00% | 55,403 | 52,465   | 2,938                    | 3.79%                | 0.21%                   | 4,822                                      | 57,287  |  |
| FY 2021  | \$1,441,320 | 4.00% | 57,653 | 56,959   | 694                      | 3.95%                | 0.05%                   | 3,396                                      | 60,355  |  |
| FY 2022  | \$1,500,617 | 4.00% | 60,025 | 59,562   | 463                      | 3.97%                | 0.03%                   | 2,789                                      | 62,351  |  |
| FY 2023  | \$1,563,228 | 4.00% | 62,529 | 61,900   | 629                      | 3.96%                | 0.04%                   | 2,186                                      | 64,086  |  |
| FY 2024  | \$1,628,743 | 4.00% | 65,150 | 64,735   | 415                      | 3.97%                | 0.03%                   | 1,698                                      | 66,433  |  |

| DEBT SERVICE SUBJECT TO CAP<br>(millions of dollars) |           |       |        |                                     |                          |                         |                         |  | TOTAL STATE-SUPPORTED DEBT SERVICE<br>(millions of dollars) |  |
|--|-----------|-------|--------|-------------------------------------|--------------------------|-------------------------|-------------------------|--|---|--|
| Year   | All Funds |       |        | Debt Service<br>Since April 1, 2000 | \$ Remaining<br>Capacity | DS as a<br>% of Revenue | % Remaining<br>Capacity | Debt Service<br>Prior to April 1, 2000 | Total State-Supported<br>Debt Service <sup>2</sup>          |  |
|  | Receipts  | Cap % | Cap \$ |                                     |                          |                         |                         |  |   |  |
| FY 2019  | \$168,106 | 5.00% | 8,405  | 4,759                               | 3,646                    | 2.83%                   | 2.17%                   | 1,035                                  | 5,794   |  |
| FY 2020  | \$176,943 | 5.00% | 8,847  | 5,215                               | 3,632                    | 2.95%                   | 2.05%                   | 1,254                                  | 6,469   |  |
| FY 2021  | \$176,177 | 5.00% | 8,809  | 5,740                               | 3,069                    | 3.26%                   | 1.74%                   | 1,333                                  | 7,073   |  |
| FY 2022  | \$180,371 | 5.00% | 9,019  | 6,153                               | 2,866                    | 3.41%                   | 1.59%                   | 972                                    | 7,125   |  |
| FY 2023  | \$186,500 | 5.00% | 9,325  | 6,579                               | 2,746                    | 3.53%                   | 1.47%                   | 750                                    | 7,329   |  |
| FY 2024  | \$191,588 | 5.00% | 9,579  | 6,928                               | 2,651                    | 3.62%                   | 1.38%                   | 543                                    | 7,471   |  |

<sup>1</sup> Assumes that SUNY Dormitory Facilities lease revenue bonds will be refunded into the new SUNY Dormitory Facilities Revenue Bond credit at their call dates.

<sup>2</sup> Total State-supported debt service is adjusted for prepayments.

The projected debt capacity under the debt outstanding cap depends on expected growth in State personal income. The State uses personal income estimates published by the Federal government, specifically the Bureau of Economic Analysis (BEA), to calculate the cap on debt outstanding, as required by statute. The BEA revises these estimates on a quarterly basis and such revisions can be significant. The BEA increased its Calendar Year 2017 personal income estimate for New York

by \$70 billion from March to October 2018, resulting in a \$2.8 billion increase in debt outstanding capacity. Notably, this material fluctuation in statutory debt capacity occurred between the end of FY 2018, when debt outstanding is measured, and the final compliance determination in October 2018. While, in this instance, the State benefitted from the significant increase in BEA’s estimate of New York State personal income, this volatility could have compromised the State’s ability to manage within its statutory debt cap had the personal income estimate been unexpectedly revised downward by a similar amount. Absent such swings in personal income estimates, the State traditionally has relied on adjustments to capital spending priorities and debt financing practices to preserve available debt capacity and stay within the statutory limits.

Such volatility in New York State personal income estimates has prompted DOB to reexamine the manner in which BEA calculates personal income, in particular the apportionment of income among states. For Federal reporting purposes, BEA reassigns income from the state where it was earned to the state in which a person resides, for situations where a person lives and earns income in different states (the “residency adjustment”). The BEA residency adjustment has the effect of reducing reported New York State personal income because income earned in New York by nonresidents regularly exceeds income earned in other states by New York residents. The net residency adjustment reported by BEA decreased the measure of 2017 State personal income by \$73 billion at the time of the FY 2018 debt outstanding calculation. The State taxes all personal income earned in New York, regardless of place of residency. Therefore, including the BEA personal income residency adjustment in the debt cap calculation reduces alignment with the State tax base and understates the PIT revenues available to support State-supported debt. To date, in administering the debt reform cap, DOB has used State personal income, as reduced by the BEA residency adjustment, in debt outstanding cap calculations and projections which correspondingly reduces the State’s debt capacity under the Debt Reform Act.

Changes in the State's available debt capacity, as illustrated below, reflect the impact of several factors, including personal income forecast adjustments and capital spending revisions. This includes \$1.3 billion of new capital commitments enacted in the 2019 legislative session, offset by adjustments to borrowing needs based on capital trends. The State may adjust capital spending priorities and debt financing practices from time to time to preserve available debt capacity and stay within the statutory limits, as events warrant.

| <b>DEBT OUTSTANDING SUBJECT TO CAP REMAINING CAPACITY SUMMARY</b> |                |                |                  |                  |                  |                  |
|---|----------------|----------------|------------------|------------------|------------------|------------------|
| <i>(millions of dollars)</i>                                      |                |                |                  |                  |                  |                  |
|   | <b>FY 2019</b> | <b>FY 2020</b> | <b>FY 2021</b>   | <b>FY 2022</b>   | <b>FY 2023</b>   | <b>FY 2024</b>   |
|   | <b>Results</b> | <b>Updated</b> | <b>Projected</b> | <b>Projected</b> | <b>Projected</b> | <b>Projected</b> |
| <b>Enacted Budget Financial Plan</b>                              | <b>6,032</b>   | <b>3,230</b>   | <b>1,365</b>     | <b>621</b>       | <b>201</b>       | <b>107</b>       |
| Personal Income Forecast Adjustment                               | (85)           | (36)           | (29)             | (55)             | (82)             | (92)             |
| Capital Spending Adjustment                                       | 0              | (256)          | (642)            | (103)            | 510              | 400              |
| <b>First Quarterly Update Financial Plan</b>                      | <b>5,947</b>   | <b>2,938</b>   | <b>694</b>       | <b>463</b>       | <b>629</b>       | <b>415</b>       |

### ***Secured Hospital Program***

Under the Secured Hospital Program, the State entered into service contracts to enable certain financially distressed not-for-profit hospitals to have tax-exempt debt issued on their behalf, to pay for upgrading their primary health care facilities. Revenues pledged to pay debt service on the bonds include hospital payments made under loan agreements between the Dormitory Authority of the State of New York (DASNY) and the hospitals, and certain reserve funds held by the applicable trustees for the bonds. In the event of revenue shortfalls to pay debt service on the Secured Hospital bonds, the service contracts obligate the State to pay debt service, subject to annual appropriations by the Legislature, on bonds issued by DASNY through the Secured Hospital Program. As of March 31, 2019, approximately \$165 million of bonds were outstanding for this program.

Three of the four remaining hospitals in the State's Secured Hospital Program are in poor financial condition. In relation to the Secured Hospital Program, the State's contingent contractual obligation was invoked to pay debt service for the first time in FY 2014. Since then the State has paid \$125 million for debt service costs. DASNY also estimates the State will pay debt service costs of approximately \$31 million both in FY 2020 and FY 2021, \$25 million in FY 2022, and \$20 million in both FY 2023 and FY 2024. These amounts are based on the actual experience to date of the participants in the program and would cover debt service costs for one hospital whose debt service obligation was discharged in bankruptcy, a second hospital which closed in 2010, and a third hospital that is currently delinquent in its payments. The State has estimated additional exposure of up to \$7 million annually, if all hospitals in the program failed to meet the terms of their agreements with DASNY, and if available reserve funds were depleted.

### ***SUNY Downstate Hospital and Long Island College Hospital (LICH)***

In May 2011, the New York State Supreme Court issued an order that approved the transfer of real property and other assets of LICH to a New York State not-for-profit corporation ("Holdings"), the sole member of which is SUNY. Subsequent to such transfer, Holdings leased the LICH hospital facility to SUNY University Hospital at Brooklyn. In 2012, DASNY issued tax exempt State PIT Revenue Bonds ("PIT Bonds"), to refund approximately \$120 million in outstanding debt originally incurred by LICH and assumed by Holdings.

Pursuant to a court-approved settlement in 2014, SUNY, together with Holdings, issued a request for proposals (RFP) seeking a qualified party to provide or arrange to provide health care services at LICH and to purchase the LICH property.

In accordance with the settlement, Holdings has entered into a purchase and sale agreement with (a) the Fortis Property Group (FPG) Cobble Hill Acquisitions, LLC (the "Purchaser"), an affiliate of Fortis Property Group, LLC ("Fortis") (also party to the agreement), which proposes to purchase the LICH property, and (b) NYU Hospitals Center, which proposes to provide both interim and long-term health care services. The Fortis affiliate plans to develop a mixed-use project. The agreement was approved by the Offices of the Attorney General and the State Comptroller, and the sale of all or substantially all of the assets of Holdings was approved by the State Supreme Court in Kings

County. The initial closing was held as of September 1, 2015, and on September 3, 2015 sale proceeds of approximately \$120 million were transferred to the trustee for the PIT Bonds, which were paid and legally defeased from such proceeds. Titles to 17 of the 20 properties were conveyed to the special purpose entities formed by the Purchaser to hold title.

The next closing, when title to the New Medical Site (NMS) portion of the LICH property is to be conveyed to NYU Hospitals Center (the NMS Closing), is anticipated to occur within 30 days after all buildings on the NMS are fully demolished and all environmental issues remediated by the Purchaser. The physical demolition has been completed, and final review of the environmental paperwork is nearing completion.

As the NMS Closing did not occur on or before June 30, 2016, NYU Hospitals Center has the right to terminate its obligations under the purchase and sale agreement upon 30 days prior notice to Purchaser and Holdings. There can be no assurance that NYU Hospitals Center will not exercise its right to terminate. If NYU Hospitals Center terminates its obligations under the purchase and sale agreement, it has the contractual right to close its interim emergency department services immediately, but that right would be subject to obtaining regulatory approval for the closure. Also, if NYU Hospitals Center terminates its obligations under the purchase and sale agreement, the Purchaser has the ability under the purchase and sale agreement to continue with the final closing if, among other criteria, the Purchaser can identify a replacement provider with a confirming letter of interest to provide certain of the health care services expected to be provided by NYU Hospitals Center. To date, Holdings has received no indication that NYU Hospitals Center intends to terminate its obligations under the purchase and sale agreement.

The final closing is anticipated to occur within 36 months after the NMS Closing. At the final closing, titles to the two remaining portions of the LICH properties will be conveyed to special purpose entities of Fortis, and Holdings will receive the balance of the purchase price, \$120 million less the remaining down payment. The final closing is conditioned upon completion of the New Medical Building by NYU Hospitals Center, and relocation of the emergency department to the New Medical Building.

There can be no assurance that the resolution of legal, financial, and regulatory issues surrounding LICH, including the payment of outstanding liabilities, will not have a materially adverse impact on SUNY.

**Extraordinary Monetary Settlements**

Since FY 2015, DOB estimates the State has received \$12.7 billion in Extraordinary Monetary Settlements for violations of State laws by major financial institutions and other entities. The table below lists the receipts by firm and amount. Since the start of FY 2020, the State has received settlements totaling \$862 million. Effective April 1, 2019, DOB is no longer classifying or distinctly identifying any settlement of less than \$25 million as an Extraordinary Monetary Settlement.

| SUMMARY OF RECEIPTS OF EXTRAORDINARY MONETARY SETTLEMENTS BETWEEN<br>REGULATORS AND FINANCIAL INSTITUTIONS<br>(millions of dollars) |              |              |              |            |              |            |               |
|---|--------------|--------------|--------------|------------|--------------|------------|---------------|
|   | FY 2015      | FY 2016      | FY 2017      | FY 2018    | FY 2019      | FY 2020    | Total         |
| <b>Extraordinary Monetary Settlements</b>   | <b>4,942</b> | <b>3,605</b> | <b>1,317</b> | <b>805</b> | <b>1,186</b> | <b>862</b> | <b>12,717</b> |
| Aetna Insurance Company   | 0            | 0            | 0            | 0          | 2            | 0          | 2             |
| Agricultural Bank of China  | 0            | 0            | 215          | 0          | 0            | 0          | 215           |
| American International Group, Inc.  | 35           | 0            | 0            | 0          | 0            | 0          | 35            |
| Athene Life Insurance   | 0            | 0            | 0            | 0          | 15           | 0          | 15            |
| AXA Equitable Life Insurance Company  | 20           | 0            | 0            | 0          | 0            | 0          | 20            |
| Bank Leumi  | 130          | 0            | 0            | 0          | 0            | 0          | 130           |
| Bank of America   | 300          | 0            | 0            | 0          | 0            | 0          | 300           |
| Bank of America Merrill Lynch   | 0            | 0            | 0            | 0          | 42           | 0          | 42            |
| Bank of Tokyo Mitsubishi  | 315          | 0            | 0            | 0          | 0            | 0          | 315           |
| Barclays  | 0            | 670          | 0            | 0          | 15           | 0          | 685           |
| BNP Paribas   | 2,243        | 1,348        | 0            | 350        | 0            | 0          | 3,941         |
| Chubb   | 0            | 0            | 0            | 0          | 1            | 0          | 1             |
| Cigna   | 0            | 0            | 0            | 2          | 0            | 0          | 2             |
| Citigroup (State Share)   | 92           | 0            | 0            | 0          | 0            | 0          | 92            |
| Commerzbank   | 610          | 82           | 0            | 0          | 0            | 0          | 692           |
| Conduent Education Services   | 0            | 0            | 0            | 0          | 1            | 0          | 1             |
| Credit Agricole   | 0            | 459          | 0            | 0          | 0            | 0          | 459           |
| Credit Suisse AG  | 715          | 30           | 0            | 135        | 0            | 0          | 880           |
| Deutsche Bank   | 0            | 800          | 444          | 0          | 205          | 0          | 1,449         |
| FedEx   | 0            | 0            | 0            | 0          | 26           | 0          | 26            |
| Goldman Sachs   | 0            | 50           | 190          | 0          | 55           | 0          | 295           |
| Habib Bank  | 0            | 0            | 0            | 225        | 0            | 0          | 225           |
| Intesa SanPaolo   | 0            | 0            | 235          | 0          | 0            | 0          | 235           |
| Lockton Affinity  | 0            | 0            | 0            | 0          | 7            | 0          | 7             |
| Mashreqbank   | 0            | 0            | 0            | 0          | 40           | 0          | 40            |
| Mega Bank   | 0            | 0            | 180          | 0          | 0            | 0          | 180           |
| MetLife Parties   | 50           | 0            | 0            | 0          | 20           | 0          | 70            |
| Morgan Stanley  | 0            | 150          | 0            | 0          | 0            | 0          | 150           |
| MUFG Bank   | 0            | 0            | 0            | 0          | 0            | 33         | 33            |
| Nationstar Mortgage   | 0            | 0            | 0            | 0          | 5            | 0          | 5             |
| New Day   | 0            | 1            | 0            | 0          | 0            | 0          | 1             |
| Ocwen Financial   | 100          | 0            | 0            | 0          | 0            | 0          | 100           |
| Oscar Insurance Company   | 0            | 0            | 0            | 0          | 1            | 0          | 1             |
| PHH Mortgage  | 0            | 0            | 28           | 0          | 0            | 0          | 28            |
| PricewaterhouseCoopers LLP  | 25           | 0            | 0            | 0          | 0            | 0          | 25            |
| Promontory  | 0            | 15           | 0            | 0          | 0            | 0          | 15            |
| RBS Financial Products Inc.   | 0            | 0            | 0            | 0          | 100          | 0          | 100           |
| Société Générale SA   | 0            | 0            | 0            | 0          | 498          | 0          | 498           |
| Standard Chartered Bank   | 300          | 0            | 0            | 0          | 40           | 322        | 662           |
| Unicredit   | 0            | 0            | 0            | 0          | 0            | 507        | 507           |
| UBS   | 0            | 0            | 0            | 0          | 41           | 0          | 41            |
| Volkswagen  | 0            | 0            | 32           | 33         | 0            | 0          | 65            |
| Wells Fargo   | 0            | 0            | 0            | 0          | 65           | 0          | 65            |
| Western Union   | 0            | 0            | 0            | 60         | 0            | 0          | 60            |
| William Penn  | 0            | 0            | 0            | 0          | 6            | 0          | 6             |
| Other Settlements   | 7            | 0            | (7)          | 0          | 1            | 0          | 1             |

The table below summarizes the past and planned uses of Extraordinary Monetary Settlements received.

| GENERAL FUND SUMMARY OF RECEIPTS AND USE/TRANSFER OF FUNDS FROM EXTRAORDINARY MONETARY SETTLEMENTS<br>BETWEEN REGULATORS AND FINANCIAL INSTITUTIONS<br>(millions of dollars) |              |              |              |            |            |            |               |
|--|--------------|--------------|--------------|------------|------------|------------|---------------|
|  | FYs          |              |              |            |            |            | Total         |
|  | 2015 - 2019  | FY 2020      | FY 2021      | FY 2022    | FY 2023    | FY 2024    |               |
| <b>Opening Settlement Balance in General Fund</b>  | 0            | 4,194        | 2,640        | 1,782      | 915        | 122        | 0             |
| <b>Receipt of Extraordinary Monetary Settlements</b>   | 11,855       | 862          | 0            | 0          | 0          | 0          | 12,717        |
| <b>Use/Transfer of Funds</b>   | <u>7,661</u> | <u>2,416</u> | <u>858</u>   | <u>867</u> | <u>793</u> | <u>122</u> | <u>12,717</u> |
| <b>Capital Purposes:</b>   | <u>4,134</u> | <u>1,316</u> | <u>858</u>   | <u>867</u> | <u>793</u> | <u>122</u> | <u>8,090</u>  |
| Dedicated Infrastructure Investment Fund   | 3,373        | 1,420        | 1,113        | 751        | 531        | 122        | 7,310         |
| Environmental Protection Fund  | 120          | 0            | 0            | 0          | 0          | 0          | 120           |
| Mass Transit   | 70           | 6            | 6            | 3          | 0          | 0          | 85            |
| Healthcare   | 25           | 70           | 80           | 63         | 87         | 0          | 325           |
| Clean Water Grants   | 0            | 0            | 25           | 50         | 175        | 0          | 250           |
| Javits Center Expansion  | 546          | 320          | 134          | 0          | 0          | 0          | 1,000         |
| Bond Proceed Receipts for Javits Center Expansion  | 0            | (500)        | (500)        | 0          | 0          | 0          | (1,000)       |
| <b>Other Purposes:</b>   | <u>3,122</u> | <u>0</u>     | <u>0</u>     | <u>0</u>   | <u>0</u>   | <u>0</u>   | <u>3,122</u>  |
| Audit Disallowance - Federal Settlement  | 850          | 0            | 0            | 0          | 0          | 0          | 850           |
| CSX Litigation Payment   | 76           | 0            | 0            | 0          | 0          | 0          | 76            |
| Financial Plan - General Fund Operating Purposes   | 1,807        | 0            | 0            | 0          | 0          | 0          | 1,807         |
| Mass Transit Operating   | 10           | 0            | 0            | 0          | 0          | 0          | 10            |
| MTA Operating Aid  | 194          | 0            | 0            | 0          | 0          | 0          | 194           |
| Department of Law - Litigation Services Operations   | 180          | 0            | 0            | 0          | 0          | 0          | 180           |
| OASAS Chemical Dependence Program  | 5            | 0            | 0            | 0          | 0          | 0          | 5             |
| <b>Reservation of Funds:</b>   | <u>405</u>   | <u>1,100</u> | <u>0</u>     | <u>0</u>   | <u>0</u>   | <u>0</u>   | <u>1,505</u>  |
| Rainy Day Reserves   | 250          | 238          | 0            | 0          | 0          | 0          | 488           |
| Reserve for Economic Uncertainties   | 0            | 862          | 0            | 0          | 0          | 0          | 862           |
| Reserve for Retroactive Labor Agreements   | 155          | 0            | 0            | 0          | 0          | 0          | 155           |
| <b>Closing Settlement Balance in General Fund</b>  | <b>4,194</b> | <b>2,640</b> | <b>1,782</b> | <b>915</b> | <b>122</b> | <b>0</b>   | <b>0</b>      |



***State Financial Plan  
Multi-Year Projections***

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## ***Introduction***

This section presents the State’s multi-year Financial Plan projections for receipts and disbursements, reflecting the impact of forecast revisions in FYs 2020 through FY 2023, with an emphasis on FY 2020 projections, which reflect the impact of the Financial Plan.

The State’s cash-basis budgeting system, complex fund structure, and practice of earmarking certain tax receipts for specific purposes complicate the discussion of the State’s receipts and disbursements projections. Therefore, to minimize the distortions caused by these factors and, equally important, to highlight relevant aspects of the projections, DOB has adopted the following approaches in summarizing the projections:

- ***Receipts.*** The detailed discussion of tax receipts covers projections for both the General Fund and State Funds (including capital projects). The State Funds perspective reflects estimated tax receipts before distribution to various funds and accounts, including tax receipts dedicated to capital projects funds (which fall outside of the General Fund and State Operating Funds accounting perspectives). DOB believes this presentation provides a clearer picture of projected receipts, trends, and forecast assumptions, by factoring out the distorting effects of earmarking tax receipts for specific purposes.
- ***Disbursements.*** Roughly 30 percent of projected State-financed spending for operating purposes (excluding transfers) is accounted for outside the General Fund, concentrated primarily in the areas of health care, School Aid, higher education, and transportation. To provide a clear picture of spending commitments, the multi-year projections and growth rates are presented, where appropriate, on both a General Fund and State Operating Funds basis.

In evaluating the State’s multi-year operating forecast, it should be noted that the reliability of the estimates and projections as a predictor of the State’s future financial position is likely to diminish, the further removed such estimates and projections are from the date of the Financial Plan. Accordingly, in terms of outyear projections, the first “outyear” of the FY 2020 Budget, FY 2021, is the most relevant from a planning perspective.

## ***Summary***

The Financial Plan reflects 2 percent annual growth in State Operating Funds, consistent with the expectation of adherence to a 2 percent annual spending growth benchmark.

The projections for FY 2021 and thereafter, as set forth in the Financial Plan, reflect savings that DOB estimates would be realized if the Governor continues to propose, and the Legislature continues to enact, balanced budgets in future years that limit annual growth in State Operating Funds spending to no greater than 2 percent. The calculations are developed using the State Operating Funds accounting perspective, as it is currently reflected in the Financial Plan. From time to time, the State has approved legislation that has affected spending reflected in State Operating Funds.

Estimated savings are labeled on a distinct line in the Financial Plan tables as “Adherence to 2% Spending Benchmark.” The total disbursements in the Financial Plan tables do not assume these savings. Such savings will be developed and proposed in future budgets. If the State exceeds the 2 percent State Operating Funds spending benchmark in FY 2020, FY 2021, and/or FY 2022, the projected operating position could decline.

The following tables present the Financial Plan multi-year projections for the General Fund and State Operating Funds, as well as reconciliation between State Operating Funds projections and General Fund budget gaps. The tables are followed by a summary of multi-year receipts and disbursements forecasts.

**General Fund Projections**

| <b>GENERAL FUND PROJECTIONS</b><br>(millions of dollars) |                |                |                  |                  |                  |
|--|----------------|----------------|------------------|------------------|------------------|
|  | <b>FY 2019</b> | <b>FY 2020</b> | <b>FY 2021</b>   | <b>FY 2022</b>   | <b>FY 2023</b>   |
|  | <b>Results</b> | <b>Updated</b> | <b>Projected</b> | <b>Projected</b> | <b>Projected</b> |
| <b>RECEIPTS</b>  |                |                |                  |                  |                  |
| Taxes (After Debt Service)                               | 63,957         | 71,329         | 74,292           | 77,258           | 81,345           |
| Miscellaneous Receipts                                   | 3,586          | 2,890          | 2,049            | 1,892            | 1,869            |
| Other Transfers  | 3,001          | 2,900          | 2,042            | 1,696            | 1,560            |
| <b>Total Receipts</b>                                    | <b>70,544</b>  | <b>77,119</b>  | <b>78,383</b>    | <b>80,846</b>    | <b>84,774</b>    |
| <b>DISBURSEMENTS</b>                                     |                |                |                  |                  |                  |
| Local Assistance   | 49,745         | 52,091         | 55,794           | 57,928           | 60,969           |
| School Aid   | 23,080         | 23,569         | 24,916           | 26,090           | 27,312           |
| Medicaid   | 14,340         | 15,751         | 16,760           | 17,606           | 18,389           |
| All Other  | 12,325         | 12,771         | 14,118           | 14,232           | 15,268           |
| State Operations   | 11,341         | 11,934         | 12,620           | 12,647           | 12,956           |
| Personal Service   | 8,719          | 9,064          | 9,569            | 9,547            | 9,757            |
| Non-Personal Service                                     | 2,622          | 2,870          | 3,051            | 3,100            | 3,199            |
| General State Charges                                    | 7,139          | 7,687          | 8,230            | 8,797            | 9,356            |
| Transfers to Other Funds                                 | 4,558          | 6,114          | 6,584            | 6,524            | 6,968            |
| Debt Service   | 786            | 550            | 738              | 637              | 612              |
| Capital Projects   | 1,888          | 3,191          | 3,305            | 3,168            | 3,486            |
| State Share of Mental Hygiene Medicaid                   | (29)           | 0              | 0                | 0                | 0                |
| SUNY Operations  | 1,020          | 1,185          | 1,259            | 1,255            | 1,255            |
| All Other  | 893            | 1,188          | 1,282            | 1,464            | 1,615            |
| <b>Total Disbursements</b>                               | <b>72,783</b>  | <b>77,826</b>  | <b>83,228</b>    | <b>85,896</b>    | <b>90,249</b>    |
| <b>Use (Reservation) of Fund Balance:</b>                | <b>2,239</b>   | <b>707</b>     | <b>858</b>       | <b>867</b>       | <b>793</b>       |
| Community Projects                                       | 11             | 35             | 0                | 0                | 0                |
| Labor Agreements   | (51)           | 206            | 0                | 0                | 0                |
| Business Tax Refund                                      | (202)          | 202            | 0                | 0                | 0                |
| Undesignated Fund Balance                                | 1,905          | 0              | 0                | 0                | 0                |
| Extraordinary Monetary Settlements <sup>1</sup>          | 826            | 1,554          | 858              | 867              | 793              |
| <b>BUDGET SURPLUS/(GAP) PROJECTIONS<sup>2</sup></b>      | <b>0</b>       | <b>0</b>       | <b>(3,987)</b>   | <b>(4,183)</b>   | <b>(4,682)</b>   |
| <b>Adherence to 2% Spending Benchmark<sup>3</sup></b>    | <b>n/a</b>     | <b>n/a</b>     | <b>3,752</b>     | <b>5,046</b>     | <b>6,736</b>     |
| <b>BUDGET SURPLUS/(GAP) ESTIMATE AT 2%</b>               | <b>0</b>       | <b>0</b>       | <b>(235)</b>     | <b>863</b>       | <b>2,054</b>     |

<sup>1</sup> Reflects transfers of Extraordinary Monetary Settlement funds from the General Fund to the Dedicated Infrastructure Investment Fund, the Environmental Protection Fund, and the Capital Projects Fund.

<sup>2</sup> Before actions to adhere to the 2 percent spending growth benchmark.

<sup>3</sup> Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on FY 2020 estimate) and assuming all savings are made available to the General Fund.

### State Operating Funds Projections

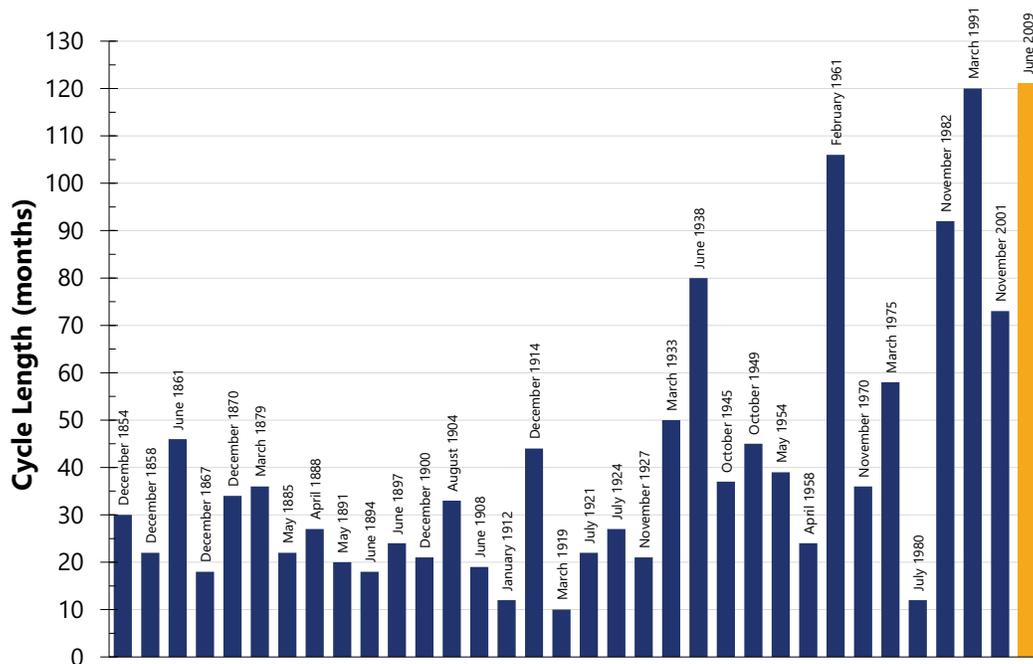
| STATE OPERATING FUNDS DISBURSEMENTS<br>(millions of dollars)  |                    |                    |                      |                      |                      |
|---|--------------------|--------------------|----------------------|----------------------|----------------------|
|   | FY 2019<br>Results | FY 2020<br>Updated | FY 2021<br>Projected | FY 2022<br>Projected | FY 2023<br>Projected |
| <b>RECEIPTS</b>   |                    |                    |                      |                      |                      |
| Taxes   | 74,144             | 79,853             | 84,293               | 87,719               | 91,913               |
| Miscellaneous Receipts/Federal Grants   | 23,558             | 21,114             | 18,642               | 18,831               | 18,283               |
| <b>Total Receipts</b>   | <b>97,702</b>      | <b>100,967</b>     | <b>102,935</b>       | <b>106,550</b>       | <b>110,196</b>       |
| <b>DISBURSEMENTS</b>  |                    |                    |                      |                      |                      |
| Local Assistance  | 66,177             | 68,462             | 71,475               | 73,916               | 76,580               |
| School Aid (School Year Basis)  | 26,843             | 27,856             | 28,957               | 30,159               | 31,382               |
| DOH Medicaid <sup>1</sup>   | 20,476             | 21,686             | 22,700               | 23,527               | 24,393               |
| Transportation  | 3,938              | 3,549              | 3,849                | 4,047                | 4,296                |
| STAR  | 2,423              | 2,176              | 2,073                | 1,979                | 1,858                |
| Higher Education  | 2,980              | 2,976              | 2,945                | 2,989                | 3,024                |
| Social Services   | 2,798              | 2,871              | 2,958                | 3,016                | 3,019                |
| Mental Hygiene  | 2,150              | 1,989              | 2,480                | 2,474                | 2,731                |
| All Other <sup>2</sup>  | 4,569              | 5,359              | 5,513                | 5,725                | 5,877                |
| State Operations  | 19,057             | 19,754             | 20,229               | 20,334               | 20,693               |
| Personal Service  | 13,687             | 14,261             | 14,683               | 14,684               | 14,973               |
| Non-Personal Service  | 5,370              | 5,493              | 5,546                | 5,650                | 5,720                |
| General State Charges   | 8,204              | 8,767              | 9,371                | 9,951                | 10,540               |
| Pension Contribution  | 2,431              | 2,472              | 2,636                | 2,830                | 2,965                |
| Health Insurance  | 4,193              | 4,312              | 4,651                | 5,001                | 5,378                |
| All Other   | 1,580              | 1,983              | 2,084                | 2,120                | 2,197                |
| Debt Service  | 6,699              | 5,170              | 6,873                | 7,125                | 7,329                |
| Capital Projects  | 0                  | 0                  | 0                    | 0                    | 0                    |
| <b>Total Disbursements<sup>3</sup></b>  | <b>100,137</b>     | <b>102,153</b>     | <b>107,948</b>       | <b>111,326</b>       | <b>115,142</b>       |
| Net Other Financing Sources/(Uses)  | 1,190              | (113)              | (297)                | (310)                | (611)                |
| <b>RECONCILIATION TO GENERAL FUND GAP</b>   |                    |                    |                      |                      |                      |
| Designated Fund Balances:   | 1,245              | 1,299              | 1,323                | 903                  | 875                  |
| General Fund  | 2,239              | 707                | 858                  | 867                  | 793                  |
| Special Revenue Funds   | (1,082)            | 574                | 449                  | 33                   | 88                   |
| Debt Service Funds  | 88                 | 18                 | 16                   | 3                    | (6)                  |
| <b>GENERAL FUND BUDGET SURPLUS/(GAP)<sup>3</sup></b>  | <b>0</b>           | <b>0</b>           | <b>(3,987)</b>       | <b>(4,183)</b>       | <b>(4,682)</b>       |
| <b>Adherence to 2% Spending Benchmark<sup>4</sup></b>   | <b>n/a</b>         | <b>n/a</b>         | <b>3,752</b>         | <b>5,046</b>         | <b>6,736</b>         |
| <b>BUDGET SURPLUS/(GAP) ESTIMATE AT 2%</b>  | <b>0</b>           | <b>0</b>           | <b>(235)</b>         | <b>863</b>           | <b>2,054</b>         |
| <p><sup>1</sup> Total State share Medicaid funding, prior to the spending offset from the application of MSA payments, which are directly deposited to a Medicaid Escrow Fund to cover a portion of the State's takeover of Medicaid costs for counties and New York City. The value of the offset is reported in "All Other" local assistance disbursements.</p> <p><sup>2</sup> All Other includes education, parks, environment, economic development, and public safety, as well as the MSA payment offset and a reconciliation between school year and State fiscal year spending on School Aid.</p> <p><sup>3</sup> Before actions to adhere to the 2 percent spending growth benchmark.</p> <p><sup>4</sup> Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on FY 2020 estimate) and assuming all savings are made available to the General Fund.</p> |                    |                    |                      |                      |                      |

## Economic Backdrop

### The U.S. and Global Economy

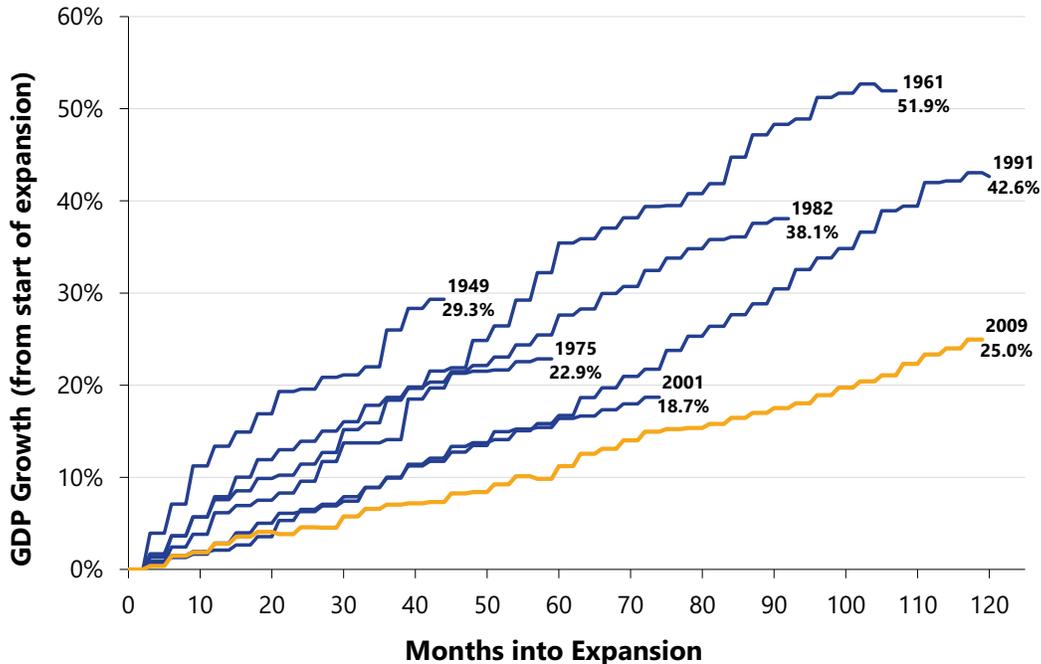
The U.S. economy officially entered its longest economic expansion in July 2019, breaking the 120-month record of economic recovery between March 1991 to March 2001, according to the National Bureau of Economic Research (NBER). The current economic expansion that started in June of 2009 after a particularly deep recession (Great Recession, December 2007–June 2009), while record-breaking in duration, is marked by slower real Gross Domestic Product (GDP) growth compared to previous post-war expansions, as illustrated below. Job gains have also been slower than most post-war economic expansions, even though the April 2019 unemployment rate was the lowest since December 1969. Worries about the continuation of the expansion have intensified recently due to waning support from fiscal stimulus, slowing global growth, labor market constraints, heightened trade frictions with China and other significant trading partners and increasing economic policy uncertainties.

### U.S. Economic Expansions



Note: Bar labels indicate the start of each economic expansion.  
Source: NBER.

## Real GDP Growth During Economic Expansion



Source: Haver Analytics/U.S. Bureau of Economic Analysis (BEA).

The International Monetary Fund (IMF) in its latest World Economic Outlook Report projects global growth to slow in calendar year 2019, particularly in several key economies.<sup>20</sup> Chinese economic growth in the first quarter is signaling a stronger deceleration than anticipated. Germany is currently in an industrial-manufacturing downturn, while Italy is still in recession territory, and Turkey seems to be pulling out of a technical recession. The European Central Bank (ECB) has signaled it will begin providing more stimulus in the near future to counter the slowdown in the region. Fixed income investors have taken note and begun their flight to safety: German 10-year bonds fell below zero percent in recent months, indicating investors are willing to pay reputable governments to hold their money. Investors have also piled into U.S. treasury bonds, pushing 10-year bond yields below three-month Treasury bills, inverting the yield curve—a leading indicator of economic downturns.<sup>21</sup>

<sup>20</sup> International Monetary Fund: <https://www.imf.org/en/publications/weo>.

<sup>21</sup> Federal Reserve Bank of St. Louis: <https://fred.stlouisfed.org/series/T10Y3M>; Lower yields on longer-dated U.S. bonds compared to shorter maturities indicate investor pessimism of future growth, and investors willing to preserve capital than invest in the economy.

### ***U.S. Economic Forecast***<sup>22</sup>

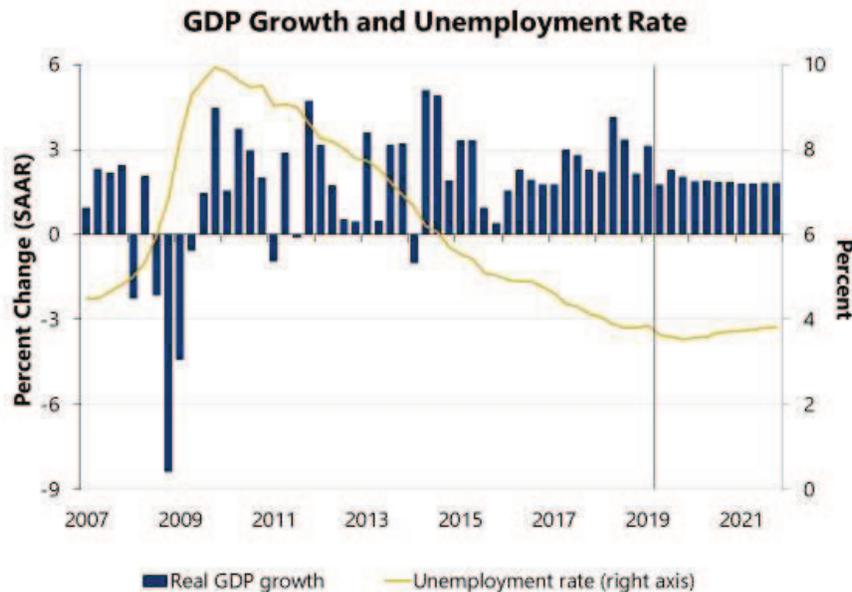
According to the BEA, the third estimate of real GDP grew 3.1 percent in the first quarter of calendar year 2019. This was unrevised from the second estimate reported in May 2019. The third estimate revised down consumption by 0.4 percentage point to 0.9 percent, while raising growth of fixed investment and government expenditures.

DOB expects real GDP growth of 2.6 percent in 2019, slower than the 2.9 percent pace set in 2018. Compared to the Enacted Budget Financial Plan forecast, 2019 real GDP growth has been raised by 0.1 percentage point. Growth in 2019 is led by consumer spending and government expenditures. Real consumption, the largest component of GDP, is forecast to grow 2.5 percent, an uptick of 0.1 percentage point from 2.4 percent expected in the Enacted Budget Financial Plan forecast. Government consumption and gross investment were revised up from the Enacted Budget Financial Plan forecast, mainly due to a temporary boost in state and local government construction spending. Growth will be tempered by declining net exports and a reduction in inventories after surging in the first quarter of 2019. Real GDP growth is forecast to increase two percent in 2020, one-tenth of a percent higher than the Enacted Budget Financial Plan forecast. In 2021, real GDP growth is forecast to advance 1.8 percent, one-tenth of a percent lower than the Enacted Budget Financial Plan forecast.

The U.S. economy added 224,000 nonfarm payroll jobs in June 2019, bringing the average monthly job gains during the first half of this year to 172,000; this is considerably weaker than the 223,000 monthly average for 2018. The unemployment rate edged up to 3.7 percent in June from a near 50-year low of 3.6 percent recorded in the prior two months. Employment growth is expected to lose momentum over the next several years. Total nonfarm employment growth of 1.5 percent is projected for 2019, followed by 1.1 percent growth for 2020, both of which are one-tenth of a percentage point below the Enacted Budget Financial Plan forecast.

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<sup>22</sup> DOB's forecast incorporates the third estimate of 2019 first quarter GDP, May 2019 personal income and outlays, June 2019 employment, and June 2019 CPI reports.



Source: Moody's Analytics/BEA, BLS; DOB staff estimates.

Consistent with capacity-constrained labor markets and a current unemployment rate that is 0.8 percentage point below the Congressional Budget Office (CBO's) Non-Accelerating Inflation Rate of Unemployment (NAIRU)<sup>23</sup>, the outlook for wage growth is expected to remain robust. However, recent average hourly earnings growth has been softer-than-expected; wage and salaries estimated growth for calendar year 2019 has been revised down to 3.6 percent, 0.8 percentage point below the Enacted Budget Financial Plan forecast. Personal income growth for 2019 is projected to be 4 percent, slightly weaker than estimated in the Enacted Budget Financial Plan forecast. On balance, downward forecast revisions to wage, proprietors' and rental incomes were offset by upward revisions to interest, dividend and transfer incomes.

Tight labor markets with low wage pressures has kept consumer price inflation relatively subdued. The Consumer Price Index (CPI) is projected to rise 1.8 percent in 2019, unchanged from the Enacted Budget Financial Plan forecast, after growing 2.4 percent in 2018. CPI is projected to rise 2.2 percent in 2020 and 2.3 percent in 2021, unchanged from the Enacted Budget Financial Plan forecast.

The Federal Reserve last raised its benchmark interest rate in December 2018 by 25 basis points. As DOB expected, the Federal Open Market Committee cut the Federal funds target rate by 25 basis points at its end-of July 2019 meeting. The rate cut is considered as "insurance" against downside risks such as softening domestic growth, trade policy uncertainty, fading impacts of fiscal stimulus and tepid core consumer price inflation. Projections of yields on U.S. 10-year notes are revised down in 2019 through 2021 from the Enacted Budget Financial Plan forecast.

<sup>23</sup> NAIRU is a theoretical level of unemployment below which inflation would be expected to rise.

Real consumer spending was a drag on growth in the first quarter of 2019, contributing only 0.6 percentage point to the 3.1 percent quarterly GDP growth. Recent monthly data indicate a rebound in consumption for the second quarter. Personal consumption on both durable and non-durable goods is forecast to bounce back in the second quarter. Consumption is anticipated to grow 2.5 percent in 2019, a 0.1 percentage point increase from the Enacted Budget Financial Plan forecast. Consumption is forecast to slow to 2.2 percent in 2020 and decelerate further to 1.8 percent in 2021; the Enacted Budget Financial Plan forecast expected consumption to gain 2.1 percent and 1.8 percent in 2020 and 2021, respectively.

Mortgage rates have fallen since peaking in November 2018. The 30-year mortgage rate is 3.8 percent as of mid-July, 110 basis points lower than last November. While the decline in mortgage rates should have encouraged housing activities, it has done little to stimulate new construction to date. As of the first quarter of this year, real residential investment has declined for the fifth consecutive quarter. However, DOB expects lower mortgage rates will eventually end the recent residential investment slump, though at a markedly slower pace in 2020 and 2021 than the Enacted Budget Financial Plan forecast. Following a 0.3 percent decline in 2018, real residential investment is expected to drop 1.7 percent in 2019 before reversing course into positive territory in 2020 and 2021.

Business investment growth slowed down significantly during the second quarter of 2019 as global growth cooled and trade policy uncertainties deterred businesses from making capital investment plans. DOB projects 3.7 percent growth in business fixed investment during 2019, following 6.9 percent growth in 2018. Growth of investment in equipment is forecast at 1.8 percent in 2019, a sharp decline from the 2018 growth rate of 7.4 percent. Part of this slowdown is due to Boeing halting production of the 787 MAX aircraft, which will remain on hold through at least September 2019. Investment in structures is expected to remain flat in 2019, following five percent growth last year. Investment in intellectual property is expected to maintain its healthy pace in 2019 at a rate of 8.5 percent, following 7.5 percent growth last year.

DOB's latest forecast includes a step-up in tariffs on approximately \$200 billion of goods imported from China, from 10 percent to 25 percent. In addition, DOB has included retaliatory tariffs on approximately \$100 billion of U.S. exports to China. Trade frictions will place upward pressure on core (excluding food and energy) consumer price inflation. Weaker global growth, a stronger dollar and retaliatory tariffs will exert downward pressure on U.S. export growth.

| ECONOMIC INDICATORS FOR THE UNITED STATES<br>(Calendar Year Growth) |                     |                       |                       |
|---|---------------------|-----------------------|-----------------------|
|   | CY 2018<br>(Actual) | CY 2019<br>(Forecast) | CY 2020<br>(Forecast) |
| Real U.S. Gross Domestic Product                                    | 2.9                 | 2.6                   | 2.0                   |
| Consumer Price Index (CPI)  | 2.4                 | 1.8                   | 2.2                   |
| Personal Income   | 4.4                 | 4.0                   | 4.2                   |
| Nonagricultural Employment  | 1.7                 | 1.5                   | 1.1                   |
| Civilian Unemployment Rate  | 3.9                 | 3.7                   | 3.6                   |

Source: Moody's Analytics; DOB staff estimates.

## **Risks**

Downside risks to the DOB forecast include an escalation of the trade dispute between the U.S. and China and other trading partners, anemic global economic growth, commodity price shocks from geopolitical instability, the uncertainty surrounding the Brexit process, a splintering of the eurozone, a stock market correction and a possible U.S. debt ceiling crisis.

Upside risks to the DOB forecast include easing of U.S.-China trade tensions, improved global economic conditions, stronger business investments and exports, a speedy recovery of the housing market, rising wages sustaining domestic demand, and an amicable resolution to Brexit.

## ***The New York State Economy***

New York State's private sector employment grew an estimated 1.4 percent in the first quarter of calendar year 2019 over the prior year, which is above historical trend but a notable deceleration from recent years. The utilities, wholesale trade, retail trade, and manufacturing sectors continued to shed jobs in early 2019, extending losses recorded in 2018. Declines in these sectors were compensated by robust gains in the education, healthcare and social assistance and the transportation and warehousing sectors. The finance and insurance as well as the professional and business services sectors are highly sensitive to national and global economic trends, and susceptible to financial market fluctuations. Job gains in these highly-paid sectors have decelerated during the last three years and continued their slowdown in the first half of 2019.

Since the release of the Enacted Budget Financial Plan forecast, private sector employment growth in 2018 was revised up by 0.1 percentage point to 1.5 percent on a calendar year basis. Growth in 2019 has been revised to 1.3 percent, up 0.1 percentage point from the Enacted Budget Financial Plan forecast, reflecting stronger than expected national GDP growth. Total employment gains, including government, were virtually unchanged from the Enacted Budget Financial Plan forecast, rising 1.1 percent in 2019 after growing 1.3 percent in 2018. Job gains in 2020 and 2021 are forecast to wane as economic growth in the national and state economies is anticipated to slow. Total employment growth in 2021 is unchanged at 0.8 percent, while 2022 growth is raised a notch to 0.9 percent from 0.8 percent from the Enacted Budget Financial Plan forecast.

New York Stock Exchange member firms had a great year in 2018, with nearly 20 percent growth in revenue.<sup>24</sup> However, total revenues for the five largest Wall Street banks declined 1.3 percent from prior year results during the first quarter of 2019. The same banks posted modest growth of 1.7 percent during the second quarter. DOB estimates that bonuses from the finance and insurance sector fell 9.2 percent for FY 2019, an improvement from the Enacted Budget Financial Plan forecast that projected a steeper 11.2 percent decline. The drop in bonuses in FY 2019 follow an elevated FY 2018 level that was lifted by the Federal corporate tax cut under TCJA. Total wages, including bonuses, are estimated to have grown 3.5 percent in FY 2019, following 4.5 percent growth in FY 2018.

The Initial Public Offering (IPO) market was at a standstill during the first two months of 2019 due to weakened equity market prices and the partial Federal government shutdown. IPOs have grown 5.6 percent during the first six months of the year over 2018 results. In contrast, debt underwriting fell over 15 percent from prior year results during the first five months of 2019, an accelerated pace of decline after debt underwriting dropped 10.6 percent in 2018. The improved IPO market, tempered by weaker debt underwriting, results in finance and insurance sector bonuses advancing 1.5 percent in FY 2020, slightly above DOB expectations in the Enacted Budget Financial Plan forecast. Overall wage growth, including bonuses, is projected to rise 3.9 percent for FY 2020, a 0.1 percentage point increase from the Enacted Budget Financial Plan forecast. Total wage growth in FY 2021 is projected at 4.1 percent, unchanged from the Enacted Budget Financial Plan forecast.

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<sup>24</sup>New York Stock Exchange revenues cover only the broker dealer arm of the member firms.

| ECONOMIC INDICATORS FOR NEW YORK STATE<br>(Fiscal Year Growth) |                     |                        |                       |
|--|---------------------|------------------------|-----------------------|
|  | FY 2018<br>(Actual) | FY 2019<br>(Estimated) | FY 2020<br>(Forecast) |
| Personal Income  | 5.6                 | 3.9                    | 3.7                   |
| Wages  | 4.5                 | 3.5                    | 3.9                   |
| Nonagricultural Employment                                     | 1.3                 | 1.3                    | 1.1                   |

Source: Moody's Analytics; DOB staff estimates.

As job growth slows in the State, there are many risks to the forecast. All the risks to the U.S. forecast also apply to the State forecast. However, as the nation's financial capital, both the volume of financial market activity and the volatility in equity markets involve a particularly large degree of uncertainty for New York State. Since the State's financial services and professional and business services sectors serve a global market, they can be highly sensitive to global economic trends. Equity market volatility along with weaker than anticipated growth in both the U.S. and international economies could result in weaker bonus and overall wage growth, as well as lower taxable capital gains realizations. In contrast, stronger equity markets, along with stronger national and global growth, could result in stronger employment and wage growth than is reflected in this Financial Plan forecast.

## Receipts

Financial Plan receipts results and projections include a variety of taxes, fees and assessments, charges for State-provided services, Federal grants, and other miscellaneous receipts. The multiyear tax and miscellaneous receipts estimates are prepared by DOB with the assistance of DTF and other agencies which collect State receipts and are predicated on economic analysis and forecasts.

Overall base growth (i.e., growth not due to law changes) in tax receipts is dependent on many factors. In general, base tax receipts growth rates are determined by economic changes including, but not limited to, changes in interest rates, prices, wages, employment, nonwage income, capital gains realizations, taxable consumption, corporate profits, household net worth, real estate prices and gasoline prices. Federal law changes can influence taxpayer behavior, which often alters base tax receipts. State taxes account for approximately half of total All Funds receipts.

The projections of Federal receipts generally correspond to the anticipated spending levels of a variety of programs including Medicaid, public assistance, mental hygiene, education, public health, and other activities.

Where noted, certain tables in the following section display General Fund tax receipts that exclude amounts transferred to the General Fund in excess of amounts needed for certain debt service obligations (e.g., PIT receipts in excess of the amount transferred for debt service on revenue bonds).

### Overview of the Receipts Forecast

All Funds receipts in FY 2020 are projected to total \$176.9 billion, 5.3 percent above FY 2019 results.

| ALL FUNDS RECEIPTS<br>(millions of dollars) |                    |                    |             |                      |              |                      |             |                      |             |
|---|--------------------|--------------------|-------------|----------------------|--------------|----------------------|-------------|----------------------|-------------|
|   | FY 2019<br>Results | FY 2020<br>Updated | Change      | FY 2021<br>Projected | Change       | FY 2022<br>Projected | Change      | FY 2023<br>Projected | Change      |
| Personal Income Tax                         | 48,088             | 52,150             | 8.4%        | 55,376               | 6.2%         | 58,036               | 4.8%        | 61,178               | 5.4%        |
| Consumption/Use Taxes                       | 17,357             | 18,308             | 5.5%        | 19,014               | 3.9%         | 19,548               | 2.8%        | 20,123               | 2.9%        |
| Business Taxes                              | 7,912              | 8,553              | 8.1%        | 8,934                | 4.5%         | 9,049                | 1.3%        | 9,417                | 4.1%        |
| Other Taxes                                 | 2,221              | 2,262              | 1.8%        | 2,362                | 4.4%         | 2,472                | 4.7%        | 2,581                | 4.4%        |
| <b>Total State Taxes</b>                    | <b>75,578</b>      | <b>81,273</b>      | <b>7.5%</b> | <b>85,686</b>        | <b>5.4%</b>  | <b>89,105</b>        | <b>4.0%</b> | <b>93,299</b>        | <b>4.7%</b> |
| Miscellaneous Receipts                      | 31,184             | 29,347             | -5.9%       | 25,935               | -11.6%       | 25,014               | -3.6%       | 24,385               | -2.5%       |
| Federal Receipts                            | 61,344             | 66,324             | 8.1%        | 64,555               | -2.7%        | 66,253               | 2.6%        | 68,815               | 3.9%        |
| <b>Total All Funds Receipts</b>             | <b>168,106</b>     | <b>176,944</b>     | <b>5.3%</b> | <b>176,176</b>       | <b>-0.4%</b> | <b>180,372</b>       | <b>2.4%</b> | <b>186,499</b>       | <b>3.4%</b> |

State tax receipts are projected to increase 7.5 percent in FY 2020, driven by underlying annual outyear growth across all tax categories, consistent with the projected growth in the State economy over the multi-year Financial Plan period.

After controlling for the impact of tax law changes, base tax revenue decreased 3 percent in FY 2019, is projected to increase by 12.4 percent in FY 2020 and by 4 percent in FY 2021.

## Personal Income Tax

| PERSONAL INCOME TAX<br>(millions of dollars) |               |               |              |               |             |               |             |               |             |
|--|---------------|---------------|--------------|---------------|-------------|---------------|-------------|---------------|-------------|
|  | FY 2019       | FY 2020       |              | FY 2021       |             | FY 2022       |             | FY 2023       |             |
|  | Results       | Updated       | Change       | Projected     | Change      | Projected     | Change      | Projected     | Change      |
| <b>STATE/ALL FUNDS</b>                       | <b>48,088</b> | <b>52,150</b> | <b>8.4%</b>  | <b>55,376</b> | <b>6.2%</b> | <b>58,036</b> | <b>4.8%</b> | <b>61,178</b> | <b>5.4%</b> |
| Gross Collections                            | 59,175        | 64,729        | 9.4%         | 66,839        | 3.3%        | 70,797        | 5.9%        | 74,578        | 5.3%        |
| Refunds (Incl. State/City Offset)            | (11,087)      | (12,579)      | -13.5%       | (11,463)      | 8.9%        | (12,761)      | -11.3%      | (13,400)      | -5.0%       |
| <b>GENERAL FUND<sup>1</sup></b>              | <b>21,621</b> | <b>23,899</b> | <b>10.5%</b> | <b>25,615</b> | <b>7.2%</b> | <b>27,039</b> | <b>5.6%</b> | <b>28,731</b> | <b>6.3%</b> |
| Gross Collections                            | 59,175        | 64,729        | 9.4%         | 66,839        | 3.3%        | 70,797        | 5.9%        | 74,578        | 5.3%        |
| Refunds (Incl. State/City Offset)            | (11,087)      | (12,579)      | -13.5%       | (11,463)      | 8.9%        | (12,761)      | -11.3%      | (13,400)      | -5.0%       |
| STAR   | (2,423)       | (2,176)       | 10.2%        | (2,073)       | 4.7%        | (1,979)       | 4.5%        | (1,858)       | 6.1%        |
| RBTf   | (24,044)      | (26,075)      | -8.4%        | (27,688)      | -6.2%       | (29,018)      | -4.8%       | (30,589)      | -5.4%       |

<sup>1</sup>Excludes Transfers.

All Funds PIT receipts for FY 2020 are estimated to total \$52.2 billion, an increase of \$4.1 billion (8.4 percent) from FY 2019 results. Increases in withholding, final returns, and extension payments related to the 2018 Tax Year are partially offset by growth in expected refunds.

The following table summarizes, by component, actual receipts for FY 2019 and forecast amounts through FY 2023.

| ALL FUNDS PERSONAL INCOME TAX FISCAL YEAR COLLECTION COMPONENTS |               |               |               |               |               |
|---|---------------|---------------|---------------|---------------|---------------|
| (millions of dollars)   |               |               |               |               |               |
|   | FY 2019       | FY 2020       | FY 2021       | FY 2022       | FY 2023       |
|   | Results       | Updated       | Projected     | Projected     | Projected     |
| <b>Receipts</b>   |               |               |               |               |               |
| Withholding   | 41,084        | 42,900        | 44,556        | 46,738        | 48,672        |
| Estimated Payments  | 14,010        | 16,972        | 17,169        | 18,751        | 20,391        |
| Current Year  | 10,481        | 10,956        | 11,579        | 12,433        | 13,276        |
| Prior Year <sup>1</sup>   | 3,529         | 6,016         | 5,590         | 6,318         | 7,115         |
| Final Returns   | 2,685         | 3,348         | 3,508         | 3,632         | 3,789         |
| Current Year  | 344           | 301           | 316           | 331           | 346           |
| Prior Year <sup>1</sup>   | 2,341         | 3,047         | 3,192         | 3,301         | 3,443         |
| Delinquent  | 1,396         | 1,509         | 1,606         | 1,676         | 1,726         |
| Gross Receipts  | 59,175        | 64,729        | 66,839        | 70,797        | 74,578        |
| <b>Refunds</b>  |               |               |               |               |               |
| Prior Year <sup>1</sup>   | 6,034         | 6,448         | 6,841         | 7,827         | 8,147         |
| Previous Years  | 589           | 658           | 688           | 719           | 750           |
| Current Year <sup>1</sup>                                       | 2,249         | 2,250         | 1,750         | 1,750         | 1,750         |
| Advanced Credit Payment   | 1,080         | 1,924         | 760           | 916           | 1,079         |
| State/City Offset <sup>1</sup>                                  | 1,135         | 1,299         | 1,424         | 1,549         | 1,674         |
| Total Refunds   | 11,087        | 12,579        | 11,463        | 12,761        | 13,400        |
| <b>Net Receipts</b>   | <b>48,088</b> | <b>52,150</b> | <b>55,376</b> | <b>58,036</b> | <b>61,178</b> |

<sup>1</sup>These components, collectively, are known as the "settlement" on the prior year's tax liability.

FY 2020 withholding is estimated to be \$1.8 billion (4.4 percent) higher than FY 2019 results, driven by wage growth of 3.9 percent. Extension payments related to Tax Year 2018 are expected to increase by \$2.5 billion (70.5 percent), primarily due to a behavioral response to the TCJA. Taxpayers, who otherwise would have made more substantial estimated payments in December 2018, opted to pay a greater percentage of their liabilities through extensions and final payments in April 2019. Estimated payments attributable to Tax Year 2019 are expected to increase by \$475 million (4.5 percent), suppressed by a 0.4 percent growth in nonwage income. FY 2020 final return payments are estimated to increase by \$663 million (24.7 percent), due to the aforementioned behavioral response to the TCJA, and delinquencies are expected to increase by \$113 million (8.1 percent).

Estimated growth in total refunds of \$1.5 billion (13.5 percent) in FY 2020 includes increases of \$844 million (78.1 percent) in advanced credit payments related to Tax Year 2019, \$69 million (11.7 percent) in previous tax year (2017 and earlier) refunds, \$164 million (14.4 percent) in the state-city offset, and \$414 million (6.9 percent) in prior tax year (2018) refunds. The administrative January-March refund cap is expected to remain at the higher level in FY 2020, virtually unchanged from FY 2019 results. General Fund PIT receipts are net of deposits to the STAR Fund, which provides property tax relief, and the RBTF, which supports debt service payments on State PIT revenue bonds. General Fund PIT receipts for FY 2020 of \$23.9 billion are estimated to increase by \$2.3 billion (10.5 percent) from FY 2019 results, reflecting the increase in All Funds receipts noted above. The FY 2020 STAR transfer is expected to be nearly \$2.2 billion.

All Funds PIT receipts for FY 2021 of \$55.4 billion are projected to increase by \$3.2 billion (6.2 percent) from FY 2020 estimates. Gross PIT receipts are projected to increase 3.3 percent, reflecting increases of \$1.7 billion (3.9 percent) in withholding, \$623 million (5.7 percent) in estimated payments related to tax year 2020, \$160 million (4.8 percent) in final returns, and \$97 million (6.4 percent) in delinquencies, partially offset by a decline of \$426 million (7.1 percent) in extension payments related to tax year 2019. Total refunds are projected to decline \$1.1 billion (8.9 percent), due to declines of nearly \$1.2 billion (60.5 percent) in advanced credit payments and \$500 million (22.2 percent) in the administrative January-March refund cap, partially offset by increases of \$125 million (9.6 percent) in the state-city offset, \$393 million (6.1 percent) in prior tax year (2019) refunds, and \$30 million (4.6 percent) in previous tax year (2018 and earlier) refunds. General Fund PIT receipts for FY 2021 of \$25.6 billion are projected to increase by \$1.7 billion (7.2 percent), mainly reflecting the increase in All Funds receipts noted above. RBTF deposits are projected to be \$27.7 billion, and the STAR transfer is projected to be \$2.1 billion.

All Funds PIT receipts for FY 2022 of \$58 billion are projected to increase by \$2.7 billion (4.8 percent) from FY 2021 projections. Gross PIT receipts are projected to increase 5.9 percent, reflecting projected increases of \$2.2 billion (4.9 percent) in withholding and \$1.6 billion (9.2 percent) in total estimated payments, partially offset by a projected increase in total refunds of \$1.3 billion (11.3 percent).

General Fund PIT receipts for FY 2022 of \$27 billion are projected to increase by \$1.4 billion (5.6 percent). RBTF deposits are projected to be \$29 billion, and the STAR transfer is projected to be \$2 billion.

All Funds PIT receipts in FY 2023 are projected to increase by \$3.1 billion from FY 2022 projections to reach \$61.2 billion, while General Fund PIT receipts are projected to total \$28.7 billion in FY 2023.

**Consumption/Use Taxes**

| CONSUMPTION/USE TAXES<br>(millions of dollars) |               |               |             |               |             |               |             |               |             |
|--|---------------|---------------|-------------|---------------|-------------|---------------|-------------|---------------|-------------|
|  | FY 2019       | FY 2020       |             | FY 2021       |             | FY 2022       |             | FY 2023       |             |
|  | Results       | Updated       | Change      | Projected     | Change      | Projected     | Change      | Projected     | Change      |
| <b>STATE/ALL FUNDS</b>                         | <b>17,357</b> | <b>18,308</b> | <b>5.5%</b> | <b>19,014</b> | <b>3.9%</b> | <b>19,548</b> | <b>2.8%</b> | <b>20,123</b> | <b>2.9%</b> |
| Sales Tax                                      | 15,128        | 16,158        | 6.8%        | 16,849        | 4.3%        | 17,419        | 3.4%        | 18,027        | 3.5%        |
| Cigarette and Tobacco Taxes                    | 1,108         | 1,041         | -6.0%       | 981           | -5.8%       | 936           | -4.6%       | 895           | -4.4%       |
| Vapor Excise Tax                               | 0             | 10            | n/a         | 39            | 290.0%      | 39            | 0.0%        | 39            | 0.0%        |
| Motor Fuel Tax                                 | 528           | 515           | -2.5%       | 515           | 0.0%        | 515           | 0.0%        | 515           | 0.0%        |
| Highway Use Tax                                | 145           | 141           | -2.8%       | 143           | 1.4%        | 145           | 1.4%        | 146           | 0.7%        |
| Alcoholic Beverage Taxes                       | 262           | 265           | 1.1%        | 269           | 1.5%        | 272           | 1.1%        | 275           | 1.1%        |
| Opioid Excise Tax                              | 0             | 66            | n/a         | 100           | 51.5%       | 100           | 0.0%        | 100           | 0.0%        |
| Medical Cannabis Excise Tax                    | 4             | 4             | 0.0%        | 4             | 0.0%        | 4             | 0.0%        | 4             | 0.0%        |
| Taxicab Surcharge <sup>2</sup>                 | 52            | 0             | -100.0%     | 0             | 0.0%        | 0             | 0.0%        | 0             | 0.0%        |
| Auto Rental Tax <sup>2</sup>                   | 130           | 108           | -16.9%      | 114           | 5.6%        | 118           | 3.5%        | 122           | 3.4%        |
| <b>GENERAL FUND<sup>1</sup></b>                | <b>7,681</b>  | <b>8,209</b>  | <b>6.9%</b> | <b>8,558</b>  | <b>4.3%</b> | <b>8,817</b>  | <b>3.0%</b> | <b>9,095</b>  | <b>3.2%</b> |
| Sales Tax                                      | 7,091         | 7,568         | 6.7%        | 7,893         | 4.3%        | 8,160         | 3.4%        | 8,445         | 3.5%        |
| Cigarette and Tobacco Taxes                    | 328           | 310           | -5.5%       | 296           | -4.5%       | 285           | -3.7%       | 275           | -3.5%       |
| Alcoholic Beverage Taxes                       | 262           | 265           | 1.1%        | 269           | 1.5%        | 272           | 1.1%        | 275           | 1.1%        |
| Opioid Excise Tax                              | 0             | 66            | n/a         | 100           | 51.5%       | 100           | 0.0%        | 100           | 0.0%        |

<sup>1</sup>Excludes Transfers.

<sup>2</sup>FY 2020 estimates and outyear projections no longer include MTA receipts as the Enacted Budget provided that they be remitted to the MTA without an appropriation beginning in FY 2020.

All Funds consumption/use tax receipts for FY 2020 are estimated to total \$18.3 billion, a \$951 million (5.5 percent) increase from FY 2019 results. Sales tax receipts are estimated to increase by over \$1 billion (6.8 percent) from FY 2019 results, reflecting tax base growth of 3.4 percent and an additional \$346 million in projected revenue related to FY 2020 Enacted Budget legislation and guidance associated with the U.S. Supreme Court Wayfair ruling, implemented by DTF. A partially phased-in excise tax on the first sale of opioids within the state and on vapor products is projected to generate \$66 million and \$10 million, respectively. Cigarette and tobacco tax collections are projected to decrease by \$67 million (6 percent), reflecting a continuing decline in taxable cigarette consumption. Highway Use Tax (HUT) collections are estimated to decrease by \$4 million (2.8 percent) reflecting a non-triennial year. Motor fuel tax receipts are estimated to decrease by \$13 million (2.5 percent) reflecting an estimated return to typical fuel consumption. Due to the shifting of certain MTA receipts directly to the MTA without appropriation, taxicab surcharge receipts are projected to decrease by \$52 million (100 percent), while auto rental tax receipts are projected to decrease by \$22 million (16.9 percent). The projected decline in auto rental tax receipts includes \$19.5 million in new revenue related to enacted legislation that expands the auto rental surcharge within the Metropolitan Commuter Transportation District (MCTD) to the entire state.

A portion of sales tax receipts is initially deposited to the Local Government Assistance Tax Fund (25 percent), and the Sales Tax Revenue Bond Fund (25 percent), which support debt service payments on bonds issued under the LGAC and State Sales Tax Revenue Bond programs. Receipts in excess of the debt service requirements of these funds and the local assistance payments to NYC, or its assignee, are subsequently transferred to the General Fund.

General Fund consumption/use tax receipts for FY 2020 are estimated to total \$8.2 billion, a \$528 million (6.9 percent) increase from FY 2019 results. This increase largely reflects the All Funds sales and use tax and cigarette tax trends noted above.

FY 2021 All Funds consumption/use tax receipts are projected to increase to \$19 billion, a \$706 million (3.9 percent) increase from FY 2020 estimates. Increases in sales tax receipts reflect base growth of 3.5 percent, and an additional \$494 million in projected revenue related to enacted legislation and guidance as previously discussed. When fully phased-in, the excise tax on vapor products and opioids is projected to generate an additional \$29 million and \$34 million, respectively. These increases are partially offset by a continued decline in taxable cigarette consumption. FY 2021 General Fund consumption/use tax receipts are projected to increase to nearly \$8.6 billion, a \$349 million (4.3 percent) increase from FY 2020 estimates.

FY 2022 All Funds consumption/use tax receipts are projected to increase to over \$19.5 billion (2.8 percent growth), largely representing base growth in sales tax receipts, which is slightly offset by a continued decline in taxable cigarette consumption. General Fund consumption/use tax receipts are projected to increase to \$8.8 billion (3 percent growth) in FY 2022.

FY 2023 All Funds consumption/use tax receipts are projected to increase to \$20.1 billion (2.9 percent growth), largely representing base growth in sales tax receipts, slightly offset by a continued decline in taxable cigarette consumption. General Fund consumption/use tax receipts are projected to increase to \$9.1 billion (3.2 percent growth) in FY 2023.

**Business Taxes**

| <b>BUSINESS TAXES</b><br>(millions of dollars) |              |              |              |              |             |              |             |              |             |
|--|--------------|--------------|--------------|--------------|-------------|--------------|-------------|--------------|-------------|
|  | FY 2019      | FY 2020      |              | FY 2021      |             | FY 2022      |             | FY 2023      |             |
|  | Results      | Updated      | Change       | Projected    | Change      | Projected    | Change      | Projected    | Change      |
| <b>STATE/ALL FUNDS</b>                         | <b>7,912</b> | <b>8,553</b> | <b>8.1%</b>  | <b>8,934</b> | <b>4.5%</b> | <b>9,049</b> | <b>1.3%</b> | <b>9,417</b> | <b>4.1%</b> |
| Corporate Franchise Tax                        | 4,297        | 4,245        | -1.2%        | 4,775        | 12.5%       | 4,833        | 1.2%        | 5,077        | 5.0%        |
| Corporation and Utilities Tax                  | 672          | 729          | 8.5%         | 706          | -3.2%       | 713          | 1.0%        | 724          | 1.5%        |
| Insurance Tax                                  | 1,837        | 2,251        | 22.5%        | 2,344        | 4.1%        | 2,413        | 2.9%        | 2,541        | 5.3%        |
| Bank Tax                                       | (60)         | 167          | 378.3%       | 0            | -100.0%     | 0            | 0.0%        | 0            | 0.0%        |
| Petroleum Business Tax                         | 1,166        | 1,161        | -0.4%        | 1,109        | -4.5%       | 1,090        | -1.7%       | 1,075        | -1.4%       |
| <b>GENERAL FUND</b>                            | <b>5,501</b> | <b>6,077</b> | <b>10.5%</b> | <b>6,472</b> | <b>6.5%</b> | <b>6,550</b> | <b>1.2%</b> | <b>6,871</b> | <b>4.9%</b> |
| Corporate Franchise Tax                        | 3,410        | 3,363        | -1.4%        | 3,843        | 14.3%       | 3,855        | 0.3%        | 4,053        | 5.1%        |
| Corporation and Utilities Tax                  | 495          | 557          | 12.5%        | 537          | -3.6%       | 543          | 1.1%        | 552          | 1.7%        |
| Insurance Tax                                  | 1,638        | 2,017        | 23.1%        | 2,092        | 3.7%        | 2,152        | 2.9%        | 2,266        | 5.3%        |
| Bank Tax                                       | (42)         | 140          | 433.3%       | 0            | -100.0%     | 0            | 0.0%        | 0            | 0.0%        |
| Petroleum Business Tax                         | 0            | 0            | 0.0%         | 0            | 0.0%        | 0            | 0.0%        | 0            | 0.0%        |

FY 2020 All Funds business tax receipts are estimated to total nearly \$8.6 billion, an increase of \$641 million (8.1 percent) from FY 2019 results. The estimate reflects increases in insurance tax, bank tax and utilities tax receipts.

Corporation franchise tax receipts are estimated to decrease \$52 million (1.2 percent) from FY 2019 results, reflecting a large increase in refunds and lower growth in gross receipts. Several refunds that were initially expected to be paid in FY 2019 were instead paid in FY 2020. The significant growth in gross receipts in FY 2019 (29.3 percent) is not expected to recur in FY 2020. The 95 percent GILTI exemption enacted at the end of the 2019 legislative session is estimated to decrease gross receipts by \$32 million (\$27 million decrease to the General Fund, \$5 million to MTA funds.) Audit receipts in FY 2019 were lower than recent history and are expected to increase to recent trend levels in FY 2020.

Corporation and utilities tax receipts for FY 2020 are estimated to increase by \$57 million (8.5 percent) from FY 2019 results. This is primarily due to increases in gross receipts and audits. Utility gross receipts are expected to grow at modest levels compared to the prior year. Mandatory 2019 liability first installment payments for telecommunications companies were less than expected in FY 2019 but are expected to be paid in FY 2020, resulting in estimated gross receipts growth year-over-year. Gross receipts from telecommunications companies for 2019 liability are expected to be flat over 2018 due to industry competitiveness and the movement of most communications to non-taxable internet-based solutions.

Insurance tax receipts for FY 2020 are estimated to increase \$414 million (22.5 percent) from FY 2019 results. The estimated increase is primarily due to conversion of a not-for-profit health insurer to a for-profit health insurer, and growing insurance tax premiums. FY 2019 Audit receipts were significantly lower than recent history but are expected to return to trend levels in FY 2020, while refunds are estimated to grow slightly over the previous fiscal year.

Receipts from the repealed bank tax (all from prior liability periods) in FY 2020 are estimated to increase by \$227 million from FY 2019 results, primarily due to a significant estimated decrease in refunds and a significant increase in audit receipts. Petroleum Business Tax (PBT) receipts are estimated to decrease \$5 million (0.4 percent) from FY 2019 results, due to a combination of lower fuel demand and a projected five percent decline to the PBT rates in calendar year 2020.

General Fund business tax receipts for FY 2020 of \$6.1 billion are estimated to increase by \$576 million (10.5 percent) from FY 2019 results, reflecting the All Funds trends discussed above.

All Funds business tax receipts for FY 2021 of \$8.9 billion are projected to increase by \$381 million (4.5 percent), and General Fund business tax receipts are projected to increase to \$6.5 billion (6.5 percent growth) from FY 2020 estimates. The increase primarily reflects growth in corporation franchise tax receipts driven by higher gross receipts and lower refunds. An increase in projected insurance tax receipts is partially offset by a decline in projected corporation and utilities tax, bank tax and PBT receipts.

All Funds business tax receipts for FY 2022 of over \$9 billion are projected to increase by \$115 million (1.3 percent), and General Fund business tax receipts are projected to increase to nearly \$6.6 billion (1.2 percent) from FY 2021 projections. The increase primarily reflects growth in insurance tax and corporation franchise tax receipts driven by higher gross receipts. A decline in PBT receipts is partially offset by a modest increase in corporation and utilities tax receipts.

All Funds business tax receipts for FY 2023 reflect projected trends in corporate profits, taxable insurance premiums, electric utility consumption and prices, consumption of taxable telecommunications services, and automobile fuel consumption and fuel prices. In FY 2023, All Funds business tax receipts are projected to increase to \$9.4 billion (4.1 percent growth), and General Fund business tax receipts are projected to increase to \$6.9 billion (4.9 percent growth).

**Other Taxes**

| OTHER TAXES<br>(millions of dollars)  |                    |                    |             |                      |             |                      |             |                      |             |
|---------------------------------------|--------------------|--------------------|-------------|----------------------|-------------|----------------------|-------------|----------------------|-------------|
|                                       | FY 2019<br>Results | FY 2020<br>Updated | Change      | FY 2021<br>Projected | Change      | FY 2022<br>Projected | Change      | FY 2023<br>Projected | Change      |
| <b>STATE/ALL FUNDS</b>                | <b>2,221</b>       | <b>2,262</b>       | <b>1.8%</b> | <b>2,362</b>         | <b>4.4%</b> | <b>2,472</b>         | <b>4.7%</b> | <b>2,581</b>         | <b>4.4%</b> |
| Estate Tax                            | 1,068              | 1,094              | 2.4%        | 1,153                | 5.4%        | 1,214                | 5.3%        | 1,277                | 5.2%        |
| Real Estate Transfer Tax              | 1,135              | 1,148              | 1.1%        | 1,183                | 3.0%        | 1,219                | 3.0%        | 1,263                | 3.6%        |
| Employer Compensation Expense Program | 0                  | 2                  | n/a         | 8                    | 300.0%      | 21                   | 162.5%      | 23                   | 9.5%        |
| Pari-Mutuel Taxes                     | 15                 | 15                 | 0.0%        | 15                   | 0.0%        | 15                   | 0.0%        | 15                   | 0.0%        |
| All Other Taxes                       | 3                  | 3                  | 0.0%        | 3                    | 0.0%        | 3                    | 0.0%        | 3                    | 0.0%        |
| <b>GENERAL FUND<sup>1</sup></b>       | <b>1,086</b>       | <b>1,113</b>       | <b>2.5%</b> | <b>1,175</b>         | <b>5.6%</b> | <b>1,242</b>         | <b>5.7%</b> | <b>1,306</b>         | <b>5.2%</b> |
| Estate Tax                            | 1,068              | 1,094              | 2.4%        | 1,153                | 5.4%        | 1,214                | 5.3%        | 1,277                | 5.2%        |
| Employer Compensation Expense Program | 0                  | 1                  | n/a         | 4                    | 300.0%      | 10                   | 150.0%      | 11                   | 10.0%       |
| Pari-Mutuel Taxes                     | 15                 | 15                 | 0.0%        | 15                   | 0.0%        | 15                   | 0.0%        | 15                   | 0.0%        |
| All Other Taxes                       | 3                  | 3                  | 0.0%        | 3                    | 0.0%        | 3                    | 0.0%        | 3                    | 0.0%        |

<sup>1</sup>Excludes Transfers.

All Funds other tax receipts for FY 2020 are estimated to total nearly \$2.3 billion, an increase of \$41 million (1.8 percent) from FY 2019 results. This is primarily due to an estimated \$26 million (2.4 percent) increase in estate tax receipts resulting from relatively weak estimated growth in household net worth. Real estate transfer tax receipts are expected to increase by \$13 million (1.1 percent), consistent with estimated growth in housing starts and housing prices.

General Fund other tax receipts are estimated to be just over \$1.1 billion in FY 2020, an increase of \$27 million (2.5 percent) from FY 2019 results, reflecting the estimated increase in estate tax receipts noted above.

All Funds other tax receipts for FY 2021 are projected to total nearly \$2.4 billion, a \$100 million (4.4 percent) increase from FY 2020 estimates. Estate tax receipts are projected to increase by \$59 million (5.4 percent) in FY 2021, reflecting projected growth in household net worth. The \$35 million (3 percent) projected increase in real estate transfer tax receipts in FY 2021 reflects projected growth in housing starts and prices.

General Fund other tax receipts for FY 2021 are projected to be almost \$1.2 billion, an increase of \$62 million (5.6 percent) from FY 2020 estimates, resulting from the projected increase in estate tax receipts noted above.

All Funds other tax receipts for FY 2022 are projected to be nearly \$2.5 billion, a \$110 million (4.7 percent) increase from FY 2021 projections. Estate tax receipts are projected to increase by \$61 million (5.3 percent) in FY 2022, reflecting projected growth in household net worth. The \$36 million (three percent) projected increase in real estate transfer tax receipts in FY 2022 reflects projected growth in housing starts and prices.

General Fund other tax receipts for FY 2022 are projected to total \$1.2 billion, an increase of \$67 million (5.7 percent), resulting from the projected increase in estate tax receipts noted above.

All Funds other tax receipts are projected to be nearly \$2.6 billion in FY 2023, an increase of \$109 million (4.4 percent) from FY 2022 projections, which reflects projected trend growth in household net worth, housing starts, and housing prices.

General Fund other tax receipts are projected to be \$1.3 billion in FY 2023, an increase of \$64 million (5.2 percent).

## Miscellaneous Receipts

All Funds miscellaneous receipts include moneys received from HCRA financing sources, SUNY tuition and patient income, lottery receipts for education, assessments on regulated industries, Tribal-State compact revenue, Extraordinary Monetary Settlements and a variety of fees. As such, miscellaneous receipts are driven in part by year-to-year variations in health care surcharges and other HCRA resources, bond proceeds, tuition income revenue and other miscellaneous receipts.

| MISCELLANEOUS RECEIPTS<br>(millions of dollars) |               |               |              |               |               |               |              |               |              |
|---|---------------|---------------|--------------|---------------|---------------|---------------|--------------|---------------|--------------|
|   | FY 2019       | FY 2020       | FY 2021      |               | FY 2022       |               | FY 2023      |               |              |
|   | Results       | Updated       | Change       | Projected     | Change        | Projected     | Change       | Projected     | Change       |
| <b>ALL FUNDS</b>                                | <b>31,184</b> | <b>29,347</b> | <b>-5.9%</b> | <b>25,935</b> | <b>-11.6%</b> | <b>25,014</b> | <b>-3.6%</b> | <b>24,385</b> | <b>-2.5%</b> |
| General Fund                                    | 3,586         | 2,890         | -19.4%       | 2,049         | -29.1%        | 1,892         | -7.7%        | 1,869         | -1.2%        |
| Special Revenue Funds                           | 19,668        | 17,957        | -8.7%        | 16,330        | -9.1%         | 16,678        | 2.1%         | 16,157        | -3.1%        |
| Capital Projects Funds                          | 7,497         | 8,106         | 8.1%         | 7,162         | -11.6%        | 6,051         | -15.5%       | 5,967         | -1.4%        |
| Debt Service Funds                              | 433           | 394           | -9.0%        | 394           | 0.0%          | 393           | -0.3%        | 392           | -0.3%        |

All Funds miscellaneous receipts are projected to total \$29.3 billion in FY 2020, a decrease of 5.9 percent from FY 2019 results. This decrease is primarily due to the loss of one-time Extraordinary Monetary Settlements in the General Fund, which totaled over \$1.1 billion in FY 2019, paired with declines in bond-financed capital spending on a year-over-year basis. Bond-financed capital expenses are paid from the General Fund (or STIP) in the first instance and subsequently reimbursed with PIT or Sales Tax Revenue Bond proceeds.

All Funds miscellaneous receipts are projected to decline annually after FY 2020, reflecting the impact of Extraordinary Monetary Settlements received and a decrease in bond proceed reimbursements in later years, which corresponds to prior-year capital expenses.

**Federal Grants**

| FEDERAL GRANTS<br>(millions of dollars) |               |               |             |               |              |               |             |               |             |
|---|---------------|---------------|-------------|---------------|--------------|---------------|-------------|---------------|-------------|
|   | FY 2019       | FY 2020       | FY 2021     |               | FY 2022      |               | FY 2023     |               |             |
|   | Results       | Updated       | Change      | Projected     | Change       | Projected     | Change      | Projected     | Change      |
| <b>ALL FUNDS</b>                        | <b>61,344</b> | <b>66,324</b> | <b>8.1%</b> | <b>64,555</b> | <b>-2.7%</b> | <b>66,253</b> | <b>2.6%</b> | <b>68,815</b> | <b>3.9%</b> |
| General Fund                            | 0             | 0             | 0.0%        | 0             | 0.0%         | 0             | 0.0%        | 0             | 0.0%        |
| Special Revenue Funds                   | 58,920        | 64,021        | 8.7%        | 62,295        | -2.7%        | 63,994        | 2.7%        | 66,559        | 4.0%        |
| Capital Projects Funds                  | 2,350         | 2,229         | -5.1%       | 2,187         | -1.9%        | 2,187         | 0.0%        | 2,187         | 0.0%        |
| Debt Service Funds                      | 74            | 74            | 0.0%        | 73            | -1.4%        | 72            | -1.4%       | 69            | -4.2%       |

Aid from the Federal government helps to pay for a variety of programs including Medicaid, public assistance, mental hygiene, School Aid, public health, transportation, and other activities. Annual changes to Federal grants generally correspond to changes in federally-reimbursed spending. Accordingly, DOB typically projects Federal reimbursements will be received in the State fiscal year in which spending occurs, but due to the variable timing of Federal grant receipts, actual results often differ from projections.

All Funds Federal grants projections primarily reflect the continuation of growth in Federal Medicaid spending related to Federal health care transformation initiatives, partly offset by the projected phase-down of Federal disaster assistance aid. All Federal receipts are subject to Congressional authorization, appropriations and budget action.

Under the Trump Administration and the current Congress, many of the policies that drive Federal aid may be subject to change. At this time, it is not possible to assess the potential fiscal impact of future policies that may be proposed and adopted. If Federal funding to the State were reduced, this could have a materially adverse impact on the Financial Plan.

## ***Disbursements***

In FY 2020, disbursements from the State's General Fund, including transfers, are expected to total \$77.8 billion, and disbursements from State Operating Funds are expected to total \$102.2 billion. School Aid, Medicaid, pensions, debt service, and health benefits are significant drivers of annual spending growth, as further described in this section.

The multi-year disbursements projections consider various factors including statutorily-indexed rates, agency staffing levels, program caseloads, inflation, and funding formulas contained in State and Federal law. Factors that affect spending estimates vary by program. For example, public assistance spending is based primarily on anticipated caseloads that are estimated by analyzing historical trends and projected economic conditions. Projections also account for the timing of payments, since not all of the amounts appropriated are disbursed in the same fiscal year. Consistent with past years, the aggregate spending projections (i.e., the sum of all projected spending by individual agencies) in State Special Revenue Funds have been adjusted downward in all fiscal years, based on typical spending patterns and the observed variance between estimated and actual results over time. A corresponding downward adjustment is also made to miscellaneous receipts.

### Local Assistance Grants

Local assistance spending includes payments to local governments, school districts, health care providers, and other entities, as well as financial assistance to, or on behalf of, individuals, families and not-for-profit organizations. Local assistance spending in State Operating Funds is estimated at \$68.5 billion in FY 2020, approximately two-thirds of total State Operating Funds spending. Education and health care spending account for nearly three-quarters of State Operating Funds local assistance spending.

Certain major factors considered in preparing the spending projections for the State's major local assistance programs and activities are summarized below.

| FORECAST FOR SELECTED PROGRAM MEASURES AFFECTING OPERATING ACTIVITIES<br>(millions of dollars)  |                                 |                    |                      |                      |                      |
|---|---------------------------------|--------------------|----------------------|----------------------|----------------------|
|   | FY 2019<br>Results <sup>1</sup> | FY 2020<br>Updated | Forecast             |                      |                      |
|   |                                 |                    | FY 2021<br>Projected | FY 2022<br>Projected | FY 2023<br>Projected |
| <b>HEALTH CARE</b>  |                                 |                    |                      |                      |                      |
| Medicaid - Individuals Covered  | 6,243,498                       | 6,268,035          | 6,280,303            | 6,286,437            | 6,289,504            |
| Essential Plan - Individuals Covered  | 773,584                         | 778,944            | 784,341              | 789,775              | 795,247              |
| Child Health Plus - Individuals Covered   | 396,351                         | 411,651            | 419,391              | 423,423              | 425,175              |
| State Takeover of County/NYC Costs <sup>2</sup>   | <u>\$3,772</u>                  | <u>\$4,115</u>     | <u>\$4,467</u>       | <u>\$4,818</u>       | <u>\$5,179</u>       |
| CY 2005 Local Medicaid Cap  | \$2,855                         | \$3,015            | \$3,184              | \$3,353              | \$3,531              |
| FY 2013 Local Takeover Costs  | \$917                           | \$1,100            | \$1,283              | \$1,465              | \$1,648              |
| <b>EDUCATION</b>  |                                 |                    |                      |                      |                      |
| School Aid (School Year Basis Funding)  | \$26,843                        | \$27,856           | \$28,957             | \$30,159             | \$31,382             |
| <b>HIGHER EDUCATION</b>   |                                 |                    |                      |                      |                      |
| Public Higher Education Enrollment (FTEs)   | 558,135                         | 557,950            | 557,525              | 557,220              | 557,100              |
| Tuition Assistance Program (Recipients)   | 273,884                         | 274,148            | 274,148              | 274,148              | 274,148              |
| <b>PUBLIC ASSISTANCE</b>  |                                 |                    |                      |                      |                      |
| Family Assistance Program (Families)  | 206,170                         | 201,673            | 198,774              | 195,823              | 192,967              |
| Safety Net Program (Families)   | 120,580                         | 117,775            | 115,903              | 114,041              | 112,256              |
| Safety Net Program (Singles)  | 211,438                         | 212,716            | 215,224              | 217,332              | 219,622              |
| <b>MENTAL HYGIENE</b>   |                                 |                    |                      |                      |                      |
| OMH Community Beds  | 44,819                          | 47,040             | 48,321               | 49,038               | 50,069               |
| OPWDD Community Beds  | 43,193                          | 43,542             | 43,893               | 44,247               | 44,604               |
| OASAS Community Beds  | <u>13,425</u>                   | <u>13,739</u>      | <u>13,840</u>        | <u>13,974</u>        | <u>14,205</u>        |
| Total   | 101,437                         | 104,321            | 106,054              | 107,259              | 108,878              |
| <b>PRISON POPULATION</b>  |                                 |                    |                      |                      |                      |
|   | 47,400                          | 47,400             | 47,400               | 47,400               | 47,400               |
| <sup>1</sup> Reflects preliminary unaudited results.  |                                 |                    |                      |                      |                      |
| <sup>2</sup> Reflects the total State cost of taking over the local share of Medicaid growth, which was initially capped at approximately 3 percent annually, then phased-out completely as of calendar year 2015. A portion of the State takeover costs are funded from Master Settlement Agreement resources. |                                 |                    |                      |                      |                      |

## Education

### School Aid

School Aid supports elementary and secondary education for New York pupils enrolled in the 673 major school districts. State aid is provided to districts based on statutory aid formulas and through reimbursement of categorical expenses, such as prekindergarten programs, education of homeless children, and bilingual education. State funding for schools assists districts in meeting locally defined needs, supports the construction of school facilities, and finances school transportation for nearly three million students statewide.

#### School Year (July 1 -June 30)

School Aid is expected to total \$27.9 billion in School Year (SY) 2020, an annual increase of \$1.0 billion (3.8 percent), including a \$618 million Foundation Aid increase. A Community Schools set-aside of \$250 million within Foundation Aid (a \$50 million increase from the prior year) provides funds intended to facilitate the transformation of schools into community hubs. In addition, another \$345 million supports increased reimbursement in expense-based and categorical aid programs such as transportation, Boards of Cooperative Educational Services (BOCES), school construction, and other miscellaneous aid categories.

The Financial Plan provides \$50 million for new competitive grant programs, including a \$15 million investment to expand prekindergarten programs for three- and four-year-old students, targeted to high-need school districts, and \$10 million to expand the Empire State After-School Program, helping to keep young people safe and engaged during after-school hours. The State provides over \$800 million in recurring annual support for three- and four-year old prekindergarten programs, including \$340 million for the Statewide Universal Full-Day Prekindergarten (SUFPK) programs.

Since FY 2013, projections have assumed that year-over-year growth in School Aid disbursements would not exceed the annual percent growth in NYS personal income. However, from FY 2014 to FY 2019, the State annually authorized School Aid increases above the PIGI. The FY 2020 Enacted Budget amended the School Aid growth cap to equal the ten-year average of the State PIGI, beginning in FY 2021. The use of a School Aid growth cap based on a ten-year average is expected to reduce the volatility associated with a one-year average growth cap, limit the impact of the BEA's frequent revisions to NYS personal income growth estimates, and better align Executive School Aid proposals with the State's enacted School Aid increases.

| SCHOOL AID - SCHOOL YEAR BASIS (JULY 1 - JUNE 30) |         |         |        |         |        |         |        |         |        |
|---|---------|---------|--------|---------|--------|---------|--------|---------|--------|
| (millions of dollars)                             |         |         |        |         |        |         |        |         |        |
|   | SY 2019 | SY 2020 | Change | SY 2021 | Change | SY 2022 | Change | SY 2023 | Change |
| Total   | 26,843  | 27,856  | 1,013  | 28,957  | 1,101  | 30,159  | 1,202  | 31,382  | 1,223  |
|   |         |         | 3.8%   |         | 4.0%   |         | 4.2%   |         | 4.1%   |

## State Fiscal Year

The State finances School Aid from the General Fund, commercial gaming receipts and Lottery Fund receipts, including video lottery terminals (VLTs). Commercial gaming and Lottery Fund receipts are accounted for and disbursed from dedicated accounts. Because the State fiscal year begins on April 1 and the school year begins on July 1, the State typically pays approximately 70 percent of the annual school year commitment during the initial State fiscal year and the remaining 30 percent in the first three months of the following State fiscal year.

The table below summarizes the projected sources of School Aid spending on a State fiscal year basis.

| SCHOOL AID - STATE FISCAL YEAR BASIS<br>(millions of dollars) |               |               |             |               |             |               |             |               |             |
|---|---------------|---------------|-------------|---------------|-------------|---------------|-------------|---------------|-------------|
|   | FY 2019       | FY 2020       |             | FY 2021       |             | FY 2022       |             | FY 2023       |             |
|   | Results       | Updated       | Change      | Projected     | Change      | Projected     | Change      | Projected     | Change      |
| <b>TOTAL STATE OPERATING FUNDS</b>                            | <b>26,403</b> | <b>27,415</b> | <b>3.8%</b> | <b>28,494</b> | <b>3.9%</b> | <b>29,668</b> | <b>4.1%</b> | <b>30,885</b> | <b>4.1%</b> |
| General Fund Local Assistance                                 | 22,927        | 23,491        | 2.5%        | 24,838        | 5.7%        | 26,011        | 4.7%        | 27,234        | 4.7%        |
| Medicaid  | 153           | 78            | -49.0%      | 78            | 0.0%        | 78            | 0.0%        | 78            | 0.0%        |
| Lottery Aid   | 2,294         | 2,709         | 18.1%       | 2,457         | -9.3%       | 2,457         | 0.0%        | 2,457         | 0.0%        |
| VLT Lottery Aid   | 907           | 975           | 7.5%        | 966           | -0.9%       | 961           | -0.5%       | 961           | 0.0%        |
| Commercial Gaming   | 122           | 162           | 32.8%       | 155           | -4.3%       | 161           | 3.9%        | 155           | -3.7%       |

State fiscal year spending for School Aid is projected to total \$27.4 billion in FY 2020, a 3.8 percent increase over FY 2019. Over the multi-year Financial Plan, the share of School Aid spending projected to be financed by the General Fund is expected to increase as lottery, video lottery and commercial gaming revenues are expected to remain largely flat beginning in FY 2021. In addition to State aid, school districts currently receive more than \$3 billion annually in Federal aid.

State aid payments for School Aid are supplemented by commercial gaming revenues shared with the State by commercial gaming facilities. These receipts are expected to decline slightly by \$7 million in FY 2021, increase by \$6 million in FY 2022, and decline by \$6 million in FY 2023. Pursuant to State Gaming Commission approval, four casinos were awarded licenses and are now operational. In April 2019, the Monticello Casino and Raceway ceased its VLT operations. The Financial Plan assumes a significant amount of gaming activity previously at Monticello will shift to nearby Resorts World Catskills Casino. This closure and anticipated shift in gaming activity are expected to have a limited net impact on the State's projected combined VLT and casino revenue resources in FY 2020 and thereafter.

If casino revenue resources do not materialize at the level expected, or as timely as expected, then the additional School Aid projected to be funded from casino revenue resources must be paid from the General Fund.

## Other Education Funding

The State also provides funding and support for various other education-related programs. These include: special education services; programs administered by the Office of Prekindergarten through Grade 12 Education; cultural education; higher and professional education programs; and adult career and continuing education services.

| OTHER EDUCATION FUNDING<br>(millions of dollars) |                    |                    |              |                      |             |                      |             |                      |             |
|--|--------------------|--------------------|--------------|----------------------|-------------|----------------------|-------------|----------------------|-------------|
|  | FY 2019<br>Results | FY 2020<br>Updated | Change       | FY 2021<br>Projected | Change      | FY 2022<br>Projected | Change      | FY 2023<br>Projected | Change      |
| <b>TOTAL STATE OPERATING FUNDS</b>               | <b>2,143</b>       | <b>2,402</b>       | <b>12.1%</b> | <b>2,405</b>         | <b>0.1%</b> | <b>2,473</b>         | <b>2.8%</b> | <b>2,569</b>         | <b>3.9%</b> |
| Special Education                                | 1,291              | 1,351              | 4.6%         | 1,418                | 5.0%        | 1,484                | 4.7%        | 1,551                | 4.5%        |
| All Other Education                              | 852                | 1,051              | 23.4%        | 987                  | -6.1%       | 989                  | 0.2%        | 1,018                | 2.9%        |

The State helps fund special education services for approximately 500,000 students with disabilities, from ages 3 to 21. Major programs under the Office of Prekindergarten through Grade 12 address specialized student needs or reimburse school districts for education-related services, including the school breakfast and lunch programs, after-school programs and other educational grant programs. Cultural education includes aid for operating expenses of the major cultural institutions, State Archives, State Library, and State Museum, as well as support for the Office of Educational Television and Public Broadcasting. Higher and professional education programs monitor the quality and availability of post-secondary education programs, and license and regulate over 50 professions. Adult career and continuing education services focus on the education and employment needs of the State's adult citizens, ensuring that such individuals have access to a one-stop source for all their employment needs, and are made aware of the full range of services available in other agencies.

The increase in Special Education spending in FY 2020 and thereafter is primarily attributable to increased State reimbursement to special education providers for minimum wage costs and projected enrollment and cost growth in preschool and summer school special education programs.

The projected increase in All Other Education spending in FY 2020 is primarily attributable to the timing of FY 2019 payments for various programs such as nonpublic school payments, increased support for nonpublic and charter school programs, and one-time savings from FY 2019 underspending across multiple programs. The decrease in FY 2021 primarily reflects the addition of one-time aid and grants in FY 2020. The projected increase in FY 2023 is largely due to continued growth in charter school supplemental tuition, facilities aid payments for charter schools in NYC, and payments to nonpublic schools.

***School Tax Relief Program***

The STAR program provides school tax relief to taxpayers by exempting the first \$30,000 of every eligible homeowner's property value from the local school tax levy. Lower-income senior citizens will receive a \$68,700 exemption in FY 2020. The DTF oversees local property assessment administration and is responsible for establishing STAR property tax exemption amounts.

The three program components are: the basic school property tax exemption for homeowners with incomes under \$250,000 or a personal income tax credit for homeowners with incomes under \$500,000 (applies to homeowners who have moved or purchased a home after the 2015-2016 school year levy date, were transitioned to the property tax exemption due to an income above \$250,000, or voluntarily opted to receive the credit); the enhanced school property tax exemption or personal income tax credit for senior citizen homeowners with incomes under \$86,300; and a credit for income-eligible resident NYC personal income taxpayers.

The NYC PIT rate reduction was converted into a PIT tax credit starting with the 2017 tax year. As of FY 2019, NYC STAR payments are no longer a component of State Operating Funds spending. This change has no impact on the value of the STAR benefit received by taxpayers.

Spending on STAR property tax exemptions reflects reimbursements made to school districts to offset the reduction in the amount of property tax revenue collected from homeowners. Since FY 2017, the STAR exemption program has been gradually transitioned from a spending program to an advance refundable PIT credit program. As a result, first-time homebuyers and homeowners who move receive a refundable PIT credit in lieu of a property tax exemption. This change initially had no impact on the value of the STAR benefit received by homeowners. Going forward, exemption homeowners will not see an increase in their STAR benefit (details below).

The FY 2020 Enacted Budget encourages further transition to the advance credit by restricting the exemption program to homeowners with incomes below \$250,000 and holding a homeowner's Basic and Enhanced exemption benefit to a maximum of their FY 2019 levels. These changes are not applicable to STAR credit benefits. The value of the STAR benefit for homeowners enrolled in the exemption program will not be impacted by these actions if they transition to the credit program. The majority of the spending decline projected in FYs 2020 through 2023 can be attributed to these actions. By shifting taxpayers to the credit program, the State is able to more efficiently administer the program while strengthening its ability to prevent abuse.

### SCHOOL TAX RELIEF (STAR) - REVENUE REDUCTION RESULTING FROM STAR ACTIONS

(millions of dollars)

|                                    | FY 2019      | FY 2020      |               | FY 2021      |              | FY 2022      |              | FY 2023      |              |
|------------------------------------|--------------|--------------|---------------|--------------|--------------|--------------|--------------|--------------|--------------|
|                                    | Results      | Updated      | Change        | Projected    | Change       | Projected    | Change       | Projected    | Change       |
| <b>TOTAL STATE OPERATING FUNDS</b> | <b>2,423</b> | <b>2,176</b> | <b>-10.2%</b> | <b>2,073</b> | <b>-4.7%</b> | <b>1,979</b> | <b>-4.5%</b> | <b>1,858</b> | <b>-6.1%</b> |
| Gross Program Costs                | 3,361        | 3,416        | 1.6%          | 3,489        | 2.1%         | 3,569        | 2.3%         | 3,627        | 1.6%         |
| Personal Income Tax Credit         | (938)        | (1,240)      | -32.2%        | (1,416)      | -14.2%       | (1,590)      | -12.3%       | (1,769)      | -11.3%       |
| Basic Exemption                    | 1,525        | 1,366        | -10.4%        | 1,306        | -4.4%        | 1,246        | -4.6%        | 1,170        | -6.1%        |
| Gross Program Costs                | 1,785        | 1,858        | 4.1%          | 1,901        | 2.3%         | 1,942        | 2.2%         | 1,972        | 1.5%         |
| Personal Income Tax Credit         | (260)        | (492)        | -89.2%        | (595)        | -20.9%       | (696)        | -17.0%       | (802)        | -15.2%       |
| Enhanced (Senior) Exemption        | 898          | 810          | -9.8%         | 767          | -5.3%        | 733          | -4.4%        | 688          | -6.1%        |
| Gross Program Costs                | 950          | 918          | -3.4%         | 932          | 1.5%         | 954          | 2.4%         | 965          | 1.2%         |
| Personal Income Tax Credit         | (52)         | (108)        | -107.7%       | (165)        | -52.8%       | (221)        | -33.9%       | (277)        | -25.3%       |
| New York City PIT                  | 0            | 0            | 0.0%          | 0            | 0.0%         | 0            | 0.0%         | 0            | 0.0%         |
| Gross Program Costs                | 626          | 640          | 2.2%          | 656          | 2.5%         | 673          | 2.6%         | 689          | 2.4%         |
| Personal Income Tax Credit         | (626)        | (640)        | -2.2%         | (656)        | -2.5%        | (673)        | -2.6%        | (689)        | -2.4%        |

### Higher Education

Local assistance for higher education spending includes funding for CUNY, SUNY, and HESC.

| HIGHER EDUCATION<br>(millions of dollars) |                    |                    |              |                      |              |                      |             |                      |              |
|---|--------------------|--------------------|--------------|----------------------|--------------|----------------------|-------------|----------------------|--------------|
|   | FY 2019<br>Results | FY 2020<br>Updated | Change       | FY 2021<br>Projected | Change       | FY 2022<br>Projected | Change      | FY 2023<br>Projected | Change       |
| <b>TOTAL STATE OPERATING FUNDS</b>        | <b>2,980</b>       | <b>2,976</b>       | <b>-0.1%</b> | <b>2,945</b>         | <b>-1.0%</b> | <b>2,989</b>         | <b>1.5%</b> | <b>3,024</b>         | <b>1.2%</b>  |
| <b>City University</b>                    | <b>1,508</b>       | <b>1,537</b>       | <b>1.9%</b>  | <b>1,577</b>         | <b>2.6%</b>  | <b>1,611</b>         | <b>2.2%</b> | <b>1,645</b>         | <b>2.1%</b>  |
| Senior Colleges                           | 1,249              | 1,287              | 3.0%         | 1,323                | 2.8%         | 1,357                | 2.6%        | 1,392                | 2.6%         |
| Community College                         | 259                | 250                | -3.5%        | 254                  | 1.6%         | 254                  | 0.0%        | 253                  | -0.4%        |
| <b>Higher Education Services</b>          | <b>984</b>         | <b>956</b>         | <b>-2.8%</b> | <b>881</b>           | <b>-7.8%</b> | <b>891</b>           | <b>1.1%</b> | <b>893</b>           | <b>0.2%</b>  |
| Tuition Assistance Program                | 816                | 784                | -3.9%        | 742                  | -5.4%        | 751                  | 1.2%        | 753                  | 0.3%         |
| Scholarships/Awards                       | 159                | 160                | 0.6%         | 127                  | -20.6%       | 128                  | 0.8%        | 128                  | 0.0%         |
| Aid for Part-Time Study                   | 9                  | 12                 | 33.3%        | 12                   | 0.0%         | 12                   | 0.0%        | 12                   | 0.0%         |
| <b>State University</b>                   | <b>488</b>         | <b>483</b>         | <b>-1.0%</b> | <b>487</b>           | <b>0.8%</b>  | <b>487</b>           | <b>0.0%</b> | <b>486</b>           | <b>-0.2%</b> |
| Community College                         | 482                | 479                | -0.6%        | 483                  | 0.8%         | 483                  | 0.0%        | 482                  | -0.2%        |
| Other/Cornell                             | 6                  | 4                  | -33.3%       | 4                    | 0.0%         | 4                    | 0.0%        | 4                    | 0.0%         |

SUNY and CUNY operate 47 four-year colleges and graduate schools with a total enrollment of more than 410,000 full- and part-time students. SUNY and CUNY also operate 37 community colleges, serving approximately 309,000 students. The State provides funding for a significant portion of SUNY and CUNY operations. In addition to the spending reflected in the table above, the State provides SUNY more than \$1 billion annually via a General Fund transfer and another \$2 billion via direct payment of fringe benefits for SUNY employees. The State also pays \$1.2 billion in debt service for bond-financed capital projects at SUNY and CUNY.

HESC is New York State’s student financial aid agency. It oversees numerous State-funded financial aid programs including the Excelsior Scholarship, TAP, Aid for Part-Time Study program, and 26 other scholarship and loan forgiveness programs. State funded tuition assistance provides financial aid to approximately 400,000 students and will allow approximately 55 percent of full-time SUNY and CUNY in-state students to attend college tuition-free when it is fully phased in.

The Financial Plan includes funding for the DREAM Act which provides undocumented students access to the Excelsior Scholarship, TAP, as well as other state-administered scholarships. The Financial Plan also includes funding for the third and final phase of the Excelsior Scholarship, increasing the family income eligibility threshold to \$125,000, and provides new funding to implement a Family Empowerment Pilot Program at SUNY and CUNY community colleges. The Family Empowerment Pilot Program enables single parents to receive financial and academic supports, including on-campus childcare aligned with the nationally recognized Accelerated Study in Associate Program (ASAP).

Higher education spending is projected to decrease by \$4 million, or 0.1 percent, from FY 2019 to FY 2020, and by \$31 million, or 1 percent, from FY 2020 to FY 2021. This decrease reflects accounting changes for tuition assistance payments from HESC to State-operated SUNY campuses, whereby these payments are reflected as a HESC transfer instead of a disbursement. Projected spending growth in later years is largely due to employee fringe benefit growth for CUNY Senior Colleges.

## Health Care

Local assistance for health care-related spending includes Medicaid, statewide public health programs and a variety of mental hygiene programs. DOH works with local health departments and social services departments, including those located in NYC, to coordinate and administer statewide health insurance programs and activities. The majority of government-financed health care programs are included under DOH, but a number of programs are also supported through multi-agency efforts.

DOH is also engaged in a multi-year initiative to implement the DSRIP program through an approved Federal waiver amendment to reinvest \$8 billion in Federal savings generated by the MRT reforms. The DSRIP program will promote community-level collaborations and focus on system reform, with the goal of achieving a 25 percent reduction in avoidable hospital use over five years. The Financial Plan reflects spending related to the DSRIP program (nearly \$8 billion through FY 2020), with the remaining funds expected to be disbursed in FY 2021. A portion of DSRIP funding flows through the SUNY hospital system and other State-operated health care facilities.

### Medicaid

Medicaid is a means-tested program that finances health care services for low-income individuals and long-term care services for the elderly and disabled, primarily through payments to health care providers. The Medicaid program is financed jointly by the State, Federal government, and local governments. Eligible services include inpatient hospital care, outpatient hospital services, clinics, nursing homes, managed care, prescription drugs, home care and services provided in a variety of community-based settings (including mental health, substance abuse treatment, developmental disabilities services, school-based services and foster care services).

In FY 2012, legislation was enacted to limit the year-to-year growth in DOH State funded Medicaid spending to the ten-year rolling average of the medical component of the CPI. The statutory provisions of the Global Cap also allow for flexibility in adjusting Medicaid projections to meet unanticipated costs resulting from a disaster. Certain authorizations exist which allow the Governor to take actions to reduce Medicaid spending in order to maintain spending within the Global Cap limit.

The State has, at times, taken actions to manage the timing of Medicaid payments to ensure compliance with the Global Cap. Between FY 2015 and FY 2018, DOH managed the timing of payments across State fiscal years. In FY 2019, DOH deferred, for three business days, the final cycle payment to Medicaid Managed Care Organizations, as well as other payments. The FY 2019 deferral had a State-share value of \$1.7 billion and was paid utilizing cash on hand in April 2019, consistent with contractual obligations and had no impact on provider services. Absent the deferral, Medicaid spending under the Global Cap would have exceeded the statutorily indexed rate for FY 2019. This higher spending in FY 2019 appears to reflect growth in managed care enrollment and costs above projections, as well as certain savings actions and offsets that were not processed by year-end. The Financial Plan assumes Medicaid spending in FY 2020 will comply

with the Global Cap, however spending to date continues to exceed projections. As such, DOB and DOH are working to develop options to reduce spending within the Global Cap and/or continue to manage the timing of payments. Options to reduce spending include the execution of the statutory powers granted to the Commissioner of Health to limit spending, which include across the board rate reductions to health care providers and plans. Efforts to maintain Medicaid spending levels within the Global Cap may have implications on the State’s financial position. If spending levels continue to exceed the Global Cap and/or further payment deferrals are made, there could be an impact to State finances. Additional information on Medicaid cash management, budgetary risks and uncertainties can be found in the “Other Matters Affecting the Financial Plan” section herein.

The Financial Plan reflects the continuation of the Global Cap through FY 2023, and the projections assume that statutory authority will be extended in subsequent years. Allowable growth under the cap for medical services is 3.3 percent in FY 2019. Reflecting updated projections for the medical CPI growth, DOB currently forecasts allowable cap growth at 3 percent for FYs 2020 and 2021, and 2.9 percent for FYs 2022 and 2023.

| MEDICAID GLOBAL CAP FORECAST<br>(millions of dollars) |               |               |               |               |               |
|---|---------------|---------------|---------------|---------------|---------------|
|   | FY 2019       | FY 2020       | FY 2021       | FY 2022       | FY 2023       |
| <b>Global Medicaid Cap<sup>1</sup></b>                | <b>18,865</b> | <b>19,433</b> | <b>20,006</b> | <b>20,594</b> | <b>21,200</b> |
| Annual \$ Change                                      |               | 568           | 573           | 588           | 606           |
| Annual % Change                                       |               | 3.0%          | 3.0%          | 2.9%          | 2.9%          |

<sup>1</sup> Under the Global Cap, forecasted Medicaid services growth is indexed to the 10-year average of the medical component of the CPI.

The indexed provisions of the Global Cap apply to a majority of the State share of Medicaid spending budgeted and expended principally through DOH. The statutory Global Cap does not include State costs associated with the takeover of local Medicaid growth and the multi-year assumption of local Medicaid administration costs, increased FFP pursuant to the ACA (effective in January 2014), and statewide minimum wage increases. State share Medicaid spending also appears in the Financial Plan estimates for other State agencies and programs, including the mental hygiene agencies, child welfare programs, education aid and corrections.

| <b>TOTAL STATE-SHARE MEDICAID DISBURSEMENTS<sup>1</sup></b><br>(millions of dollars) |                |                |                  |                  |                  |
|--|----------------|----------------|------------------|------------------|------------------|
|  | <b>FY 2019</b> | <b>FY 2020</b> | <b>FY 2021</b>   | <b>FY 2022</b>   | <b>FY 2023</b>   |
|  | <b>Results</b> | <b>Updated</b> | <b>Projected</b> | <b>Projected</b> | <b>Projected</b> |
| Department of Health Medicaid  | <u>20,293</u>  | <u>21,643</u>  | <u>22,598</u>    | <u>23,427</u>    | <u>24,292</u>    |
| Local Assistance   | 20,476         | 21,686         | 22,700           | 23,527           | 24,393           |
| State Operations   | 261            | 272            | 269              | 271              | 270              |
| MSA Payments (Share of Local Growth) <sup>2</sup>                                    | (444)          | (315)          | (371)            | (371)            | (371)            |
| Other State Agency Medicaid Spending   | <u>3,010</u>   | <u>2,738</u>   | <u>3,233</u>     | <u>3,190</u>     | <u>3,398</u>     |
| Mental Hygiene   | 2,785          | 2,577          | 3,061            | 3,016            | 3,224            |
| Foster Care  | 72             | 81             | 92               | 96               | 96               |
| Education  | 153            | 78             | 78               | 78               | 78               |
| Corrections  | 0              | 2              | 2                | 0                | 0                |
| <b>Total State Share Medicaid (All Agencies)</b>                                     | <b>23,303</b>  | <b>24,381</b>  | <b>25,831</b>    | <b>26,617</b>    | <b>27,690</b>    |
| Annual \$ Change   |                | 1,078          | 1,450            | 786              | 1,073            |
| Annual % Change  |                | 4.6%           | 5.9%             | 3.0%             | 4.0%             |
| <b>Essential Plan<sup>3</sup></b>  | <b>77</b>      | <b>84</b>      | <b>78</b>        | <b>76</b>        | <b>71</b>        |
| Local Assistance   | 0              | 0              | 0                | 0                | 0                |
| State Operations   | 77             | 84             | 78               | 76               | 71               |

<sup>1</sup> DOH spending in the Financial Plan includes certain items that are excluded from the indexed provisions of the Medicaid Global Cap. This includes administrative costs, such as the takeover of local administrative responsibilities; the decision of Monroe County to participate in the Medicaid local cap program, rather than continuing the sales tax intercept option; increased Federal Financial Participation that became effective in January 2014; and a share of minimum wage increases.

<sup>2</sup> MSA payments will be deposited directly to a Medicaid Escrow Fund to cover a portion of the State share for Medicaid.

<sup>3</sup> The EP is not a Medicaid program; however, State-funded resources for the EP are managed under the Medicaid Global Cap.

The State share of DOH Medicaid spending is financed by a combination of the General Fund, HCRA resources, indigent care support, provider assessment revenue, and tobacco settlement proceeds. The following table provides information on financing sources for State Medicaid spending.

# State Financial Plan Multi-Year Projections

Annual Information  
Statement Update

| DEPARTMENT OF HEALTH MEDICAID<br>(millions of dollars)         |                    |                    |               |                      |              |                      |             |                      |             |
|--|--------------------|--------------------|---------------|----------------------|--------------|----------------------|-------------|----------------------|-------------|
|  | FY 2019<br>Results | FY 2020<br>Updated | Change        | FY 2021<br>Projected | Change       | FY 2022<br>Projected | Change      | FY 2023<br>Projected | Change      |
| <b>STATE OPERATING FUNDS</b>                                   | <b>23,380</b>      | <b>24,465</b>      | <b>4.6%</b>   | <b>25,909</b>        | <b>5.9%</b>  | <b>26,693</b>        | <b>3.0%</b> | <b>27,761</b>        | <b>4.0%</b> |
| <b>Department of Health Medicaid</b>                           | <b>20,370</b>      | <b>21,727</b>      | <b>6.7%</b>   | <b>22,676</b>        | <b>4.4%</b>  | <b>23,503</b>        | <b>3.6%</b> | <b>24,363</b>        | <b>3.7%</b> |
| General Fund - DOH Medicaid Local                              | 14,340             | 15,751             | 9.8%          | 16,760               | 6.4%         | 17,606               | 5.0%        | 18,389               | 4.4%        |
| DOH Medicaid   | 11,511             | 11,801             | 2.5%          | 12,718               | 7.8%         | 13,024               | 2.4%        | 13,553               | 4.1%        |
| Non-DOH Medicaid <sup>1</sup>                                  | 1,653              | 2,034              | 23.0%         | 1,923                | -5.5%        | 2,201                | 14.5%       | 2,201                | 0.0%        |
| Minimum Wage   | 703                | 1,131              | 60.9%         | 1,207                | 6.7%         | 1,287                | 6.6%        | 1,358                | 5.5%        |
| Local Takeover Cost <sup>2</sup>                               | 917                | 1,100              | 20.0%         | 1,283                | 16.6%        | 1,465                | 14.2%       | 1,648                | 12.5%       |
| MSA Payments (Share of Local Growth) <sup>3</sup>              | (444)              | (315)              | 29.1%         | (371)                | -17.8%       | (371)                | 0.0%        | (371)                | 0.0%        |
| General Fund - DOH Medicaid State Ops                          | 261                | 272                | 4.2%          | 269                  | -1.1%        | 271                  | 0.7%        | 270                  | -0.4%       |
| General Fund - Essential Plan                                  | 77                 | 84                 | 9.1%          | 78                   | -7.1%        | 76                   | -2.6%       | 71                   | -6.6%       |
| Local Assistance   | 0                  | 0                  | 0.0%          | 0                    | 0.0%         | 0                    | 0.0%        | 0                    | 0.0%        |
| State Operations   | 77                 | 84                 | 9.1%          | 78                   | -7.1%        | 76                   | -2.6%       | 71                   | -6.6%       |
| Other State Funds - DOH Medicaid Local                         | 5,692              | 5,620              | -1.3%         | 5,569                | -0.9%        | 5,550                | -0.3%       | 5,633                | 1.5%        |
| HCRA Financing   | 4,029              | 3,881              | -3.7%         | 3,800                | -2.1%        | 3,750                | -1.3%       | 3,801                | 1.4%        |
| Indigent Care Support  | 777                | 892                | 14.8%         | 892                  | 0.0%         | 892                  | 0.0%        | 892                  | 0.0%        |
| Provider Assessment Revenue                                    | 886                | 845                | -4.6%         | 875                  | 3.6%         | 906                  | 3.5%        | 938                  | 3.5%        |
| Medical Indemnity Fund   | 0                  | 2                  | 0.0%          | 2                    | 0.0%         | 2                    | 0.0%        | 2                    | 0.0%        |
| Other State Agency Medicaid Spending                           | 3,010              | 2,738              | -9.0%         | 3,233                | 18.1%        | 3,190                | -1.3%       | 3,398                | 6.5%        |
| <b>USE OF MSA PAYMENTS (Share of Local Growth)<sup>3</sup></b> | <b>444</b>         | <b>315</b>         | <b>-29.1%</b> | <b>371</b>           | <b>17.8%</b> | <b>371</b>           | <b>0.0%</b> | <b>371</b>           | <b>0.0%</b> |
| <b>LOCAL SHARE OF MEDICAID<sup>4</sup></b>                     | <b>8,516</b>       | <b>7,328</b>       | <b>-14.0%</b> | <b>7,036</b>         | <b>-4.0%</b> | <b>7,204</b>         | <b>2.4%</b> | <b>7,212</b>         | <b>0.1%</b> |
| <b>FEDERAL SHARE OF MEDICAID</b>                               | <b>44,190</b>      | <b>46,603</b>      | <b>5.5%</b>   | <b>46,862</b>        | <b>0.6%</b>  | <b>48,476</b>        | <b>3.4%</b> | <b>50,940</b>        | <b>5.1%</b> |
| DOH Medicaid   | 40,183             | 42,449             | 5.6%          | 42,656               | 0.5%         | 44,261               | 3.8%        | 46,716               | 5.5%        |
| Essential Plan   | 4,007              | 4,154              | 3.7%          | 4,206                | 1.3%         | 4,215                | 0.2%        | 4,224                | 0.2%        |
| <b>ALL FUNDING SOURCES</b>                                     | <b>76,530</b>      | <b>78,711</b>      | <b>2.8%</b>   | <b>80,178</b>        | <b>1.9%</b>  | <b>82,744</b>        | <b>3.2%</b> | <b>86,284</b>        | <b>4.3%</b> |

<sup>1</sup> The DOH Medicaid budget includes resources to fund a portion of Medicaid-related Mental Hygiene program costs under the Global Cap.

<sup>2</sup> Beginning in FY 2013, the State began phasing (3-2-1-0) in takeover of local government share of growth. As of County Year (CY) 2015 the State pays the full share of Medicaid program growth on behalf of local governments.

<sup>3</sup> MSA payments will be deposited directly to a Medicaid Escrow Fund to cover a portion of the State's share of local Medicaid growth.

<sup>4</sup> The Local Share of Medicaid is paid by the Local Social Service Districts (counties), and is not included in the State's All Governmental Funds disbursement totals. Fluctuation in the local share of Medicaid is related to certain supplemental payments made by local districts. Local Medicaid services payments are capped at CY 2015 levels.

The Financial Plan includes \$440 million in annual savings from the Medicaid Global Cap. To achieve savings within the Global Cap, DOH will continue to implement various MRT actions to improve efficiency and effective delivery of the statewide Medicaid program. These actions include reducing Pharmacy Benefit Manager (PBM) costs by narrowing the gap between Managed Care Organization payments to pharmacies and the costs to the Medicaid program; consolidating and establishing uniform reimbursement for Fiscal Intermediaries providing support in the consumer-directed Personal Care Program; transforming the nursing home patient acuity data collection process to provide improved rate adequacy; and increasing managed care audit recoveries. These savings are realized through the Mental Hygiene Global Cap Adjustment, which allows a portion of Office for People With Developmental Disabilities (OPWDD) and Office of Mental Health (OMH) Medicaid costs to be paid under the Global Cap.

In FY 2018, bonds secured by annual payments from tobacco manufacturers under the MSA were retired, with no remaining debt service requirements to be paid on these bonds. DOB expects payments under the MSA of approximately \$315 million in FY 2020 and additional payments to be available in subsequent years. Existing statutes direct these payments be used to help defray costs of the State's takeover of Medicaid costs for counties and NYC. The State takeover, in which local Medicaid costs are capped permanently at 2015 calendar year levels, is expected to cost the State \$917 million in FY 2019 and \$1.1 billion in FY 2020. Consistent with State law, DOB expects MSA payments to be deposited directly to a Medicaid Payment Escrow Fund to offset the non-Federal share of annual Medicaid growth, formerly borne by local governments, which the State now pays on behalf of local governments. The deposit mechanism has no impact on overall Medicaid spending funded with State resources but does reduce reported State-supported Medicaid spending accounted for in State Operating Funds. The Financial Plan assumes that the MSA payments will lower annual General Fund Medicaid disbursements. The table below displays the adjusted funding shares.

| FUNDING SOURCES FOR STATE MEDICAID CONTRIBUTIONS<br>(millions of dollars) |                      |                      |                      |                      |                      |
|---|----------------------|----------------------|----------------------|----------------------|----------------------|
|   | FY 2019<br>Results   | FY 2020<br>Updated   | FY 2021<br>Projected | FY 2022<br>Projected | FY 2023<br>Projected |
| <b>State Share Support</b>  | <b><u>23,824</u></b> | <b><u>24,780</u></b> | <b><u>26,280</u></b> | <b><u>27,064</u></b> | <b><u>28,132</u></b> |
| State Funds Medicaid Disbursements  | 23,380               | 24,465               | 25,909               | 26,693               | 27,761               |
| MSA Payments (Local Growth)   | 444                  | 315                  | 371                  | 371                  | 371                  |

The Financial Plan maintains additional General Fund support for costs associated with the regionally-based, multi-year increase in the statewide minimum wage, including the impact of legislation (Chapter 56 of the Laws of 2016) which ensures that rates for the total compensation for home health care workers in NYC, and Westchester, Nassau, and Suffolk counties will be increased commensurate with the schedule of statutory minimum wage increases.<sup>25</sup> These minimum wage initiatives are projected to increase annual Medicaid spending above statutory Global Cap limits by \$1.1 billion in FY 2020, \$1.2 billion in FY 2021, \$1.3 billion in FY 2022, and \$1.4 billion in FY 2023.

<sup>25</sup> Home health care workers in NYC and certain counties receive supplemental benefits in addition to their base wage (\$4.09 for NYC; \$3.22 for Westchester, Nassau, and Suffolk counties). These benefits include paid leave, differentials, premiums for certain shifts, education and fringe benefits. The supplemental benefits typically can be satisfied by increasing the base cash wage by a corresponding amount. As a result, wages for home health care workers in these regions exceed minimum wage levels. The legislation exempts the supplemental wages portion of total compensation from the minimum wage calculation to ensure home health care workers in these counties receive incremental growth in wage compensation commensurate with the new minimum wage schedule. The cost of this legislation in FY 2019 totaled \$703 million.

Fluctuation in enrollment, costs of provider health care services, and health care utilization levels are among the factors that drive higher Medicaid spending within the Global Cap. The number of Medicaid recipients is expected to reach about 6.3 million by the end of FY 2020, a slight increase from FY 2019. This increase is partly driven by an increase in elderly enrollees in the Medicaid program.

Rising costs within the Medicaid Global Cap are expected to be offset through the Medicaid Integrity and Efficiency Initiative, which was authorized in the FY 2017 Enacted Budget. Local service districts who voluntarily elect to participate in this initiative, work with DOH to formulate a plan to achieve new audit recoveries, efficiencies and other cost-avoidance measures.

## Local Medicaid Cap

The Local Medicaid Cap was designed to relieve pressure on county property taxes and the NYC budget by capping local costs and having the State absorb all local program growth above a fixed statutory inflation rate. Beginning in January 2006, counties' Medicaid cost contributions were capped based on 2005 expenditures that were indexed at a growth rate of 3.5 percent in 2006, 3.25 percent in 2007, and 3 percent per year thereafter. In FY 2013, the State committed to phasing out all growth in the local share of Medicaid costs over a three-year period. The takeover of local Medicaid costs by the State saves local districts nearly \$4.1 billion in FY 2020 including approximately \$2.1 billion for counties outside NYC and \$2.0 billion for NYC.

| LOCAL GOVERNMENT SAVINGS<br>STATE TAKEOVER OF LOCAL MEDICAID COSTS (2005 CAP AND GROWTH TAKEOVER)<br>FY 2019 to FY 2023<br>(in dollars) |                      |                      |                      |                      |                      |
|---|----------------------|----------------------|----------------------|----------------------|----------------------|
| County  | FY 2019              | FY 2020              | FY 2021              | FY 2022              | FY 2023              |
| Albany  | 39,548,120           | 42,689,168           | 45,924,447           | 49,145,707           | 52,460,384           |
| Allegany  | 6,277,130            | 6,772,552            | 7,282,837            | 7,790,910            | 8,313,717            |
| Broome  | 42,565,827           | 45,031,526           | 47,571,195           | 50,099,859           | 52,701,854           |
| Cattaraugus   | 14,185,669           | 15,132,371           | 16,107,474           | 17,078,352           | 18,077,385           |
| Cayuga  | 14,678,793           | 15,561,190           | 16,470,059           | 17,374,989           | 18,306,163           |
| Chautauqua  | 28,704,716           | 30,536,154           | 32,422,534           | 34,300,740           | 36,233,414           |
| Chemung   | 15,404,408           | 16,488,992           | 17,606,113           | 18,718,393           | 19,862,930           |
| Chenango  | 8,096,080            | 8,645,524            | 9,211,451            | 9,774,926            | 10,354,742           |
| Clinton   | 12,218,371           | 13,123,058           | 14,054,886           | 14,982,677           | 15,937,373           |
| Columbia  | 12,132,997           | 12,839,564           | 13,567,329           | 14,291,940           | 15,037,564           |
| Cortland  | 8,247,736            | 8,805,834            | 9,380,674            | 9,953,023            | 10,541,971           |
| Delaware  | 8,378,337            | 8,898,054            | 9,433,363            | 9,966,352            | 10,514,798           |
| Dutchess  | 53,497,242           | 56,414,674           | 59,419,628           | 62,411,561           | 65,490,261           |
| Erie  | 166,050,848          | 177,505,131          | 189,303,042          | 201,049,829          | 213,137,272          |
| Essex   | 5,258,899            | 5,624,785            | 6,001,647            | 6,376,876            | 6,762,988            |
| Franklin  | 8,036,911            | 8,587,732            | 9,155,077            | 9,719,964            | 10,301,233           |
| Fulton  | 9,949,620            | 10,673,940           | 11,419,990           | 12,162,806           | 12,927,165           |
| Genesee   | 8,474,616            | 9,025,263            | 9,592,429            | 10,157,138           | 10,738,223           |
| Greene  | 8,985,845            | 9,557,304            | 10,145,907           | 10,731,959           | 11,335,007           |
| Hamilton  | 647,678              | 687,021              | 727,545              | 767,892              | 809,410              |
| Herkimer  | 11,486,629           | 12,250,594           | 13,037,477           | 13,820,950           | 14,627,145           |
| Jefferson   | 17,154,322           | 18,285,842           | 19,451,308           | 20,611,724           | 21,805,792           |
| Lewis   | 3,968,424            | 4,243,589            | 4,527,009            | 4,809,201            | 5,099,576            |
| Livingston  | 8,989,187            | 9,545,038            | 10,117,564           | 10,687,610           | 11,274,187           |
| Madison   | 9,968,264            | 10,611,590           | 11,274,217           | 11,933,972           | 12,612,860           |
| Monroe  | 152,181,600          | 162,292,163          | 172,706,043          | 183,074,797          | 193,744,244          |
| Montgomery  | 12,537,694           | 13,283,037           | 14,050,740           | 14,815,117           | 15,601,660           |
| Nassau  | 222,591,440          | 236,493,602          | 250,812,829          | 265,070,006          | 279,740,641          |
| Niagara   | 36,982,139           | 39,497,776           | 42,088,881           | 44,668,758           | 47,323,452           |
| Oneida  | 46,957,380           | 50,086,271           | 53,309,028           | 56,517,821           | 59,819,668           |
| Onondaga  | 94,951,763           | 100,968,739          | 107,166,225          | 113,336,855          | 119,686,433          |
| Ontario   | 15,319,097           | 16,280,759           | 17,271,271           | 18,257,491           | 19,272,311           |
| Orange  | 85,598,504           | 90,379,187           | 95,303,291           | 100,206,057          | 105,251,004          |
| Orleans   | 7,594,776            | 8,078,898            | 8,577,544            | 9,074,029            | 9,584,912            |
| Oswego  | 24,030,993           | 25,520,345           | 27,054,376           | 28,581,761           | 30,153,439           |
| Otsego  | 7,973,046            | 8,536,571            | 9,117,002            | 9,694,918            | 10,289,593           |
| Putnam  | 10,785,855           | 11,406,609           | 12,045,986           | 12,682,592           | 13,337,660           |
| Rensselaer  | 22,813,236           | 24,542,662           | 26,323,971           | 28,097,561           | 29,922,585           |
| Rockland  | 79,384,633           | 83,821,671           | 88,391,821           | 92,942,167           | 97,624,473           |
| St. Lawrence  | 16,956,868           | 18,202,037           | 19,484,562           | 20,761,529           | 22,075,528           |
| Saratoga  | 25,409,699           | 26,933,877           | 28,503,780           | 30,066,880           | 31,675,310           |
| Schenectady   | 35,341,258           | 37,450,843           | 39,623,716           | 41,787,173           | 44,013,370           |
| Schoharie   | 4,843,628            | 5,166,051            | 5,498,147            | 5,828,803            | 6,169,049            |
| Schuyler  | 2,832,837            | 3,033,781            | 3,240,753            | 3,446,828            | 3,658,879            |
| Seneca  | 5,276,713            | 5,619,596            | 5,972,765            | 6,324,404            | 6,686,240            |
| Steuben   | 16,174,003           | 17,261,543           | 18,381,710           | 19,497,022           | 20,644,679           |
| Suffolk   | 268,565,163          | 284,306,151          | 300,519,369          | 316,662,330          | 333,273,436          |
| Sullivan  | 20,806,498           | 22,057,621           | 23,346,278           | 24,629,350           | 25,949,631           |
| Tioga   | 5,877,229            | 6,304,446            | 6,744,480            | 7,182,606            | 7,633,439            |
| Tompkins  | 10,423,041           | 11,104,669           | 11,806,747           | 12,505,782           | 13,225,089           |
| Ulster  | 39,345,227           | 41,646,568           | 44,016,950           | 46,377,060           | 48,805,613           |
| Warren  | 9,282,954            | 9,939,189            | 10,615,110           | 11,288,103           | 11,980,612           |
| Washington  | 11,253,992           | 11,939,872           | 12,646,329           | 13,349,724           | 14,073,518           |
| Wayne   | 17,868,781           | 18,840,889           | 19,842,160           | 20,839,092           | 21,864,935           |
| Westchester   | 164,246,675          | 175,865,126          | 187,832,130          | 199,747,277          | 212,007,964          |
| Wyoming   | 5,204,438            | 5,528,109            | 5,861,491            | 6,193,427            | 6,534,990            |
| Yates   | 3,494,996            | 3,731,585            | 3,975,272            | 4,217,903            | 4,467,571            |
| <b>Rest of State</b>  | <b>2,005,812,827</b> | <b>2,133,656,735</b> | <b>2,265,335,960</b> | <b>2,396,444,576</b> | <b>2,531,355,341</b> |
| <b>New York City</b>  | <b>1,766,806,519</b> | <b>1,981,151,384</b> | <b>2,201,926,595</b> | <b>2,421,745,114</b> | <b>2,647,938,370</b> |
| <b>Statewide</b>  | <b>3,772,619,345</b> | <b>4,114,808,119</b> | <b>4,467,262,556</b> | <b>4,818,189,690</b> | <b>5,179,293,711</b> |

## Health Care Transformation Fund (HCTF)

In September 2017, Fidelis Care (a nonprofit insurer associated with the Catholic Diocese of New York) agreed to sell substantially all its assets to Centene Corporation (under Sections 510 and 511-a of the Not-for-Profit Corporation Law “N-PCL”), a for-profit health insurer based in St. Louis, Missouri, in order to enter New York’s health insurance marketplace. Consistent with previous transactions of similar nature in New York, the transaction was subject to regulatory approval by DOH, DFS and OAG. The transaction included an agreement that the companies would contribute an estimated \$2 billion in both direct payments and taxes over five years.

The funds are expected to be used over the next five years to offset State costs for health care transformation activities, including enhancing access to affordable quality health care and health care related services for the poor, disabled, disadvantaged, elderly and/or underserved people of the State, and/or to assist populations with any unmet health care related needs including, but not limited to, those associated with the social determinants of health.

Following the completion of all regulatory approvals, the initial \$1 billion direct payment from Fidelis Care was deposited into the HCTF<sup>26</sup> in July 2018. The HCTF does not include increased insurance tax receipts from Centene or higher Medicaid provider rates paid to Centene, which are reflected in the General Fund.

| HEALTH CARE TRANSFORMATION FUND<br>PURSUANT TO PART FFF OF CHAPTER 59 OF THE LAWS OF 2018<br>(millions of dollars) |                    |                    |                      |                      |                      |
|--|--------------------|--------------------|----------------------|----------------------|----------------------|
|  | FY 2019<br>Results | FY 2020<br>Updated | FY 2021<br>Projected | FY 2022<br>Projected | FY 2023<br>Projected |
| <b>Opening Balance</b>   | 0                  | 525                | 314                  | 0                    | 0                    |
| <b>Receipts</b>  | <b>1,080</b>       | <b>468</b>         | <b>118</b>           | <b>118</b>           | <b>68</b>            |
| Fidelis Payment  | 1,000              | 400                | 50                   | 50                   | 0                    |
| Centene Payment  | 68                 | 68                 | 68                   | 68                   | 68                   |
| STIP Interest  | 12                 | 0                  | 0                    | 0                    | 0                    |
| <b>Planned Uses</b>  | <b>(555)</b>       | <b>(679)</b>       | <b>(432)</b>         | <b>(118)</b>         | <b>(68)</b>          |
| Housing Rental Subsidies   | (250)              | (441)              | (296)                | (118)                | (68)                 |
| State-Only Medicaid Payments   | (150)              | (148)              | (136)                | 0                    | 0                    |
| Capital Projects   | (155)              | (90)               | 0                    | 0                    | 0                    |
| <b>Closing Balance</b>   | <b>525</b>         | <b>314</b>         | <b>0</b>             | <b>0</b>             | <b>0</b>             |

DOB expects to transfer HCTF funds to the General Fund to offset State costs for eligible health care transformation activities, including capital investments, debt restructuring activities, housing and other social purposes.

<sup>26</sup> The HCTF was created pursuant to Part FFF of Chapter 59 of the Laws of 2018 to account for receipts such as those associated with the Fidelis-Centene sale. Moneys in HCTF shall be available for transfer to any other fund of the State as directed by the Director of the Budget, to support health care delivery.

**Essential Plan**

The EP is a health insurance program which receives Federal subsidies authorized through the ACA. The FY 2015 Enacted Budget authorized the State to participate in the EP, which includes health insurance coverage for certain legally residing immigrants previously receiving State-only Medicaid coverage. Individuals who meet the EP eligibility standards are enrolled through the New York State of Health (NYSOH) insurance exchange, with the cost of insurance premiums subsidized by the State and Federal governments. The Exchange – NYSOH – serves as a centralized marketplace to shop for, compare, and enroll in a health plan. More than 770,000 New Yorkers have enrolled since the EP launched in January 2016.

| ESSENTIAL PLAN<br>(millions of dollars) |                    |                    |             |                      |             |                      |             |                      |             |
|---|--------------------|--------------------|-------------|----------------------|-------------|----------------------|-------------|----------------------|-------------|
|   | FY 2019<br>Results | FY 2020<br>Updated | Change      | FY 2021<br>Projected | Change      | FY 2022<br>Projected | Change      | FY 2023<br>Projected | Change      |
| <b>TOTAL ALL FUNDS SPENDING</b>         | <b>4,084</b>       | <b>4,238</b>       | <b>3.8%</b> | <b>4,284</b>         | <b>1.1%</b> | <b>4,291</b>         | <b>0.2%</b> | <b>4,295</b>         | <b>0.1%</b> |
| State Operating Funds                   | 77                 | 84                 | 9.1%        | 78                   | -7.1%       | 76                   | -2.6%       | 71                   | -6.6%       |
| Local Assistance                        | 0                  | 0                  | 0.0%        | 0                    | 0.0%        | 0                    | 0.0%        | 0                    | 0.0%        |
| State Operations                        | 77                 | 84                 | 9.1%        | 78                   | -7.1%       | 76                   | -2.6%       | 71                   | -6.6%       |
| Federal Operating Funds                 | 4,007              | 4,154              | 3.7%        | 4,206                | 1.3%        | 4,215                | 0.2%        | 4,224                | 0.2%        |

The multi-year Financial Plan reflects a mix of factors, including stabilizing enrollment trends and growth in the Federal marketplace premium index for base program expenses. This change in the premium index generates a higher Federal reimbursement rate, eliminating EP program costs for the State and allowing for the local assistance program to be fully federally financed. State savings associated with the EP local assistance program are managed within the total available resources of the Global Cap.

In FY 2018, the Trump Administration took executive action to withhold Cost Sharing Reduction (CSR) payments, threatening low-cost health insurance coverage for income-eligible recipients when purchasing a Qualified Health Plan (QHP) or EP coverage through the NYSOH, New York’s official health plan marketplace. The Federal withholding of CSR payments amounts to 25 percent of the Federal funding for the EP. However, recent actions by the Trump Administration in response to litigation brought by the State will allow the State to recoup some of the withheld EP funding through changes to the reimbursement methodology. Additionally, the Trump Administration has proposed to alter the Federal reimbursement formula which would decrease the amount of Federal funding for the EP included in the Financial Plan.

## Public Health/Aging Programs

Public Health includes the Child Health Plus (CHP) program that finances health insurance coverage for children of low-income families, up to the age of 19; General Public Health Work (GPHW) program that reimburses local health departments for the cost of providing certain public health services; Elderly Pharmaceutical Insurance Coverage (EPIC) program that provides prescription drug insurance to seniors; and Early Intervention (EI) program that pays for services to infants and toddlers under the age of three with disabilities or developmental delays. Many public health programs, such as EI and GPHW programs, are run by county health departments that are reimbursed by the State for a share of program costs. State spending projections do not include the county share of public health costs. In addition, a significant portion of HCRA spending is included under the Public Health budget.

The Office for the Aging (SOFA) promotes and administers programs and services for New Yorkers 60 years of age and older. SOFA primarily oversees community-based services (including in-home services and nutrition assistance) provided through a network of county Area Agencies on Aging (AAA) and local providers.

| PUBLIC HEALTH AND AGING<br>(millions of dollars) |                    |                    |        |                      |        |                      |        |                      |        |
|--|--------------------|--------------------|--------|----------------------|--------|----------------------|--------|----------------------|--------|
|  | FY 2019<br>Results | FY 2020<br>Updated | Change | FY 2021<br>Projected | Change | FY 2022<br>Projected | Change | FY 2023<br>Projected | Change |
| <b>TOTAL STATE OPERATING FUNDS</b>               | 1,712              | 1,721              | 0.5%   | 1,892                | 9.9%   | 2,008                | 6.1%   | 2,028                | 1.0%   |
| <b>Public Health</b>                             | 1,582              | 1,576              | -0.4%  | 1,745                | 10.7%  | 1,856                | 6.4%   | 1,871                | 0.8%   |
| Child Health Plus                                | 399                | 416                | 4.3%   | 609                  | 46.4%  | 716                  | 17.6%  | 732                  | 2.2%   |
| General Public Health Work                       | 155                | 179                | 15.5%  | 163                  | -8.9%  | 167                  | 2.5%   | 167                  | 0.0%   |
| EPIC   | 123                | 117                | -4.9%  | 118                  | 0.9%   | 118                  | 0.0%   | 118                  | 0.0%   |
| Early Intervention                               | 173                | 173                | 0.0%   | 165                  | -4.6%  | 165                  | 0.0%   | 165                  | 0.0%   |
| HCRA Program                                     | 365                | 371                | 1.6%   | 384                  | 3.5%   | 384                  | 0.0%   | 384                  | 0.0%   |
| All Other  | 367                | 320                | -12.8% | 306                  | -4.4%  | 306                  | 0.0%   | 305                  | -0.3%  |
| <b>Aging</b>                                     | 130                | 145                | 11.5%  | 147                  | 1.4%   | 152                  | 3.4%   | 157                  | 3.3%   |

The Public Health budget maintains average annual growth over the multi-year Financial Plan of 4.4 percent and reflects increased support to local governments for services administered on behalf of the State, partly offset by program restructuring and administrative efficiencies. Increased CHP spending reflects enrollment that continues to increase at a strong pace. A one-time claims correction increased State costs by \$50 million in FY 2019. The increase in FY 2020 reflects the October 2019 phase-down of enhanced Federal support currently provided through the ACA. Growth in FY 2021 reflects the full annual impact of the expiration of enhanced Federal support and increased enrollment.

In addition to on-going program support, the Financial Plan includes \$6.8 million to help reduce the risk of child exposure to lead paint by lowering the acceptable blood lead level from 15 micrograms per deciliter to 5 micrograms per deciliter, and support increased local enforcement and prevention costs through the GPHW program. Additionally, the Budget supports a 5 percent rate increase for EI services provided by licensed physical therapists, occupational therapists, and speech-language pathologists to improve access to care and expand service delivery for infants and toddlers with disabilities and their families. To offset the aforementioned statewide program costs and new investments, the Financial Plan modifies reimbursement of certain public health funding for NYC. The rate realignment of the NYC GPHW program will generate savings of \$27 million in FY 2020 and \$54 million annually thereafter. Additional Public Health savings of \$16 million will be generated by shifting the Traumatic Brain Injury Program, Off-Track Betting retiree's health insurance, and Nursing Home Transition and Diversion waiver under the Global Cap.

The Financial Plan includes SOFA savings realized by eliminating the planned 2.9 percent FY 2020 increase in the human services Cost-of-Living Adjustment (COLA), resulting in \$5 million in annual savings for FY 2020 through FY 2023. These savings are offset by a \$15 million investment in the Expanded In-Home Services for the Elderly Program (EISEP) program to address locally-identified capacity needs in SOFA support services to maintain the elderly in their communities, support family and friends in their caregiving roles, and delay future Medicaid costs by intervening earlier with less intensive services.

## HCRA Financial Plan

HCRA was established in 1996 to help fund a portion of State health care activities. Extensions and modifications to HCRA have financed new health care programs, such as CHP. HCRA has also provided additional funding for the health care industry, including investments in worker recruitment and retention, and the Doctors Across New York program. HCRA authorization is extended through FY 2020, pursuant to legislation included in the FY 2018 Enacted Budget.

HCRA receipts include surcharges and assessments on hospital revenues, a “covered lives” assessment paid by insurance carriers, and a portion of cigarette tax revenues. In total, HCRA resources are used to fund roughly 25 percent of the State share of Medicaid, as well as CHP, EPIC, Physician Excess Medical Malpractice Insurance, and Indigent Care payments to hospitals serving a disproportionate share of individuals without health insurance.

| HCRA FINANCIAL PLAN<br>(millions of dollars)  |                    |                    |                      |                      |                      |
|---|--------------------|--------------------|----------------------|----------------------|----------------------|
|   | FY 2019<br>Results | FY 2020<br>Updated | FY 2021<br>Projected | FY 2022<br>Projected | FY 2023<br>Projected |
| <b>OPENING BALANCE</b>  | 15                 | 0                  | 0                    | 0                    | 0                    |
| <b>TOTAL RECEIPTS</b>   | <b>5,960</b>       | <b>5,997</b>       | <b>6,053</b>         | <b>6,093</b>         | <b>6,139</b>         |
| Surcharges  | 3,624              | 3,647              | 3,785                | 3,859                | 3,936                |
| Covered Lives Assessment  | 1,018              | 1,110              | 1,045                | 1,045                | 1,045                |
| Cigarette Tax Revenue   | 780                | 731                | 685                  | 651                  | 620                  |
| Hospital Assessments  | 438                | 424                | 424                  | 424                  | 424                  |
| Excise Tax on Vapor Products  | 0                  | 10                 | 39                   | 39                   | 39                   |
| NYC Cigarette Tax Transfer  | 28                 | 32                 | 32                   | 32                   | 32                   |
| EPIC Receipts/ICR Audit Fees  | 72                 | 43                 | 43                   | 43                   | 43                   |
| <b>TOTAL DISBURSEMENTS AND TRANSFERS</b>  | <b>5,975</b>       | <b>5,997</b>       | <b>6,053</b>         | <b>6,093</b>         | <b>6,139</b>         |
| Medicaid Assistance Account   | <u>3,985</u>       | <u>3,881</u>       | <u>3,800</u>         | <u>3,750</u>         | <u>3,801</u>         |
| Medicaid Costs  | 3,788              | 3,684              | 3,603                | 3,553                | 3,604                |
| Workforce Recruitment & Retention   | 197                | 197                | 197                  | 197                  | 197                  |
| Hospital Indigent Care  | 777                | 892                | 892                  | 892                  | 892                  |
| HCRA Program Account  | 379                | 379                | 392                  | 392                  | 392                  |
| Child Health Plus   | 409                | 428                | 624                  | 733                  | 747                  |
| Elderly Pharmaceutical Insurance Coverage   | 137                | 128                | 130                  | 129                  | 129                  |
| Qualified Health Plan Administration <sup>1</sup>   | 44                 | 53                 | 51                   | 50                   | 49                   |
| SHIN-NY/APCD  | 40                 | 40                 | 0                    | 0                    | 0                    |
| All Other   | 204                | 196                | 164                  | 147                  | 129                  |
| <b>ANNUAL OPERATING SURPLUS/(DEFICIT)</b>   | <b>(15)</b>        | <b>0</b>           | <b>0</b>             | <b>0</b>             | <b>0</b>             |
| <b>CLOSING BALANCE</b>  | <b>0</b>           | <b>0</b>           | <b>0</b>             | <b>0</b>             | <b>0</b>             |
| <sup>1</sup> FY 2019 QHP spending of \$44 million was financed through the Medicaid Assistance Account. |                    |                    |                      |                      |                      |

Total HCRA receipts are forecast to grow modestly over the multi-year period. Growth surcharge collections expanded coverage through the ACA, and a new 20 percent excise tax on vapor products. Projected increases in surcharges are partly offset by declines in estimated covered lives assessments and cigarette tax collections, attributable to declining taxable consumption.

Total HCRA disbursements are sized to equal projected receipts. The Financial Plan reflects continued FY 2020 HCRA funding for a number of programs and initiatives. Specifically, the continuation of the Statewide Health Information Network for New York (SHIN-NY)/All-Payer Claims Databases (APCD) infrastructure development initiative, estimated at \$40 million annually, which improves the informational and data capabilities associated with claiming records; \$892 million for Hospital Indigent Care, which assists providers in paying for uncompensated services provided; and continuation of the EPIC program, which assists income-eligible seniors with their out-of-pocket Medicare Part D drug plan costs. Over the multi-year Financial Plan period, the most substantial area of spending growth is within the CHP program, based on the expiration of the enhanced Federal resources provided through the ACA and strong year-over-year enrollment growth, estimated outyear spending growth is \$196 million in FY 2021, \$109 million in FY 2022 and \$14 million in FY 2023.

HCRA is expected to remain in balance over the projection period. Under the current HCRA appropriation structure, spending reductions will occur if resources are insufficient to meet spending levels. Any such spending reductions could affect General Fund Medicaid funding or HCRA programs. Conversely, any unanticipated balances or excess resources in HCRA are expected to fund Medicaid costs that would otherwise be paid from the General Fund.

### Mental Hygiene

Mental Hygiene comprises the OPWDD, OMH, Office of Alcoholism and Substance Abuse Services (OASAS), Developmental Disabilities Planning Council (DDPC), and Justice Center for the Protection of People with Special Needs (Justice Center). Services are administered to adults with serious mental illness; children with serious emotional disturbances; individuals with developmental disabilities and their families; persons with chemical dependencies; and individuals with compulsive gambling problems.

These agencies provide services directly to their clients through State-operated facilities, and indirectly through community service providers. The costs associated with providing these services are supported by reimbursement from Medicaid, Medicare, third-party insurance, and State funding. Patient care revenues are pledged first to the payment of debt service on outstanding mental hygiene bonds, issued to finance infrastructure improvements at State mental hygiene facilities. Remaining revenue supports State operating costs.

| <b>MENTAL HYGIENE</b><br>(millions of dollars) |                |                |              |                |              |                |               |                |              |
|--|----------------|----------------|--------------|----------------|--------------|----------------|---------------|----------------|--------------|
|  | FY 2019        | FY 2020        |              | FY 2021        |              | FY 2022        |               | FY 2023        |              |
|  | Results        | Updated        | Change       | Projected      | Change       | Projected      | Change        | Projected      | Change       |
| <b>TOTAL STATE OPERATING FUNDS</b>             | <b>2,150</b>   | <b>1,989</b>   | <b>-7.5%</b> | <b>2,480</b>   | <b>24.7%</b> | <b>2,474</b>   | <b>-0.2%</b>  | <b>2,731</b>   | <b>10.4%</b> |
| <b>People with Developmental Disabilities</b>  | <b>2,171</b>   | <b>2,280</b>   | <b>5.0%</b>  | <b>2,580</b>   | <b>13.2%</b> | <b>2,769</b>   | <b>7.3%</b>   | <b>2,940</b>   | <b>6.2%</b>  |
| Residential Services                           | 1,325          | 1,371          | 3.5%         | 1,504          | 9.7%         | 1,614          | 7.3%          | 1,714          | 6.2%         |
| Day Programs                                   | 662            | 685            | 3.5%         | 751            | 9.6%         | 806            | 7.3%          | 856            | 6.2%         |
| Clinic   | 16             | 16             | 0.0%         | 18             | 12.5%        | 19             | 5.6%          | 20             | 5.3%         |
| All Other Services (Net of Offsets)            | 168            | 208            | 23.8%        | 307            | 47.6%        | 330            | 7.5%          | 350            | 6.1%         |
| <b>Mental Health</b>                           | <b>1,282</b>   | <b>1,372</b>   | <b>7.0%</b>  | <b>1,444</b>   | <b>5.2%</b>  | <b>1,512</b>   | <b>4.7%</b>   | <b>1,579</b>   | <b>4.4%</b>  |
| Adult Local Services                           | 1,058          | 1,133          | 7.1%         | 1,196          | 5.6%         | 1,248          | 4.3%          | 1,309          | 4.9%         |
| Children Local Services                        | 224            | 239            | 6.7%         | 248            | 3.8%         | 264            | 6.5%          | 270            | 2.3%         |
| <b>Alcohol and Substance Abuse</b>             | <b>349</b>     | <b>370</b>     | <b>6.0%</b>  | <b>378</b>     | <b>2.2%</b>  | <b>393</b>     | <b>4.0%</b>   | <b>412</b>     | <b>4.8%</b>  |
| Residential                                    | 103            | 110            | 6.8%         | 112            | 1.8%         | 117            | 4.5%          | 125            | 6.8%         |
| Other Treatment                                | 159            | 167            | 5.0%         | 172            | 3.0%         | 179            | 4.1%          | 187            | 4.5%         |
| Prevention                                     | 53             | 56             | 5.7%         | 57             | 1.8%         | 59             | 3.5%          | 62             | 5.1%         |
| Recovery                                       | 34             | 37             | 8.8%         | 37             | 0.0%         | 38             | 2.7%          | 38             | 0.0%         |
| <b>Justice Center</b>                          | <b>1</b>       | <b>1</b>       | <b>0.0%</b>  | <b>1</b>       | <b>0.0%</b>  | <b>1</b>       | <b>0.0%</b>   | <b>1</b>       | <b>0.0%</b>  |
| <b>SUBTOTAL BEFORE ADJUSTMENTS</b>             | <b>3,803</b>   | <b>4,023</b>   | <b>5.8%</b>  | <b>4,403</b>   | <b>9.4%</b>  | <b>4,675</b>   | <b>6.2%</b>   | <b>4,932</b>   | <b>5.5%</b>  |
| Total DOH Medicaid Adjustments <sup>1</sup>    | (1,653)        | (2,034)        | -23.0%       | (1,923)        | 5.5%         | (2,201)        | -14.5%        | (2,201)        | 0.0%         |
| <b>OPWDD Medicaid</b>                          | <b>(1,653)</b> | <b>(1,814)</b> | <b>-9.7%</b> | <b>(1,703)</b> | <b>6.1%</b>  | <b>(1,981)</b> | <b>-16.3%</b> | <b>(1,981)</b> | <b>0.0%</b>  |
| <b>OMH Medicaid</b>                            | <b>0</b>       | <b>(220)</b>   | <b>0.0%</b>  | <b>(220)</b>   | <b>0.0%</b>  | <b>(220)</b>   | <b>0.0%</b>   | <b>(220)</b>   | <b>0.0%</b>  |

<sup>1</sup> Adjustments reflect OPWDD and OMH programmatic spending from resources available under the Medicaid Global Cap. There are no budgetary reductions or impacts to mental hygiene program spending.

Local assistance spending for mental hygiene is projected to grow by an average rate of 6.7 percent over the Financial Plan period. The main factors driving growth are: enhancements in community mental health services; enhancements in community-based employment and residential opportunities for individuals with disabilities; and new or increased funding for not-for-profit providers for growth in employee wages related to minimum wage increases.

The Financial Plan includes an approximately \$220 million, or 5.8 percent, increase in local assistance funding for the mental hygiene agencies. Roughly \$63 million will be used to support the incremental pay standards and related fringe benefit increases associated with the transition to a \$15 per hour minimum wage. Other increases include investments to leverage up to \$120 million in additional OPWDD funding, which will allow for the development of new certified housing supports in the community, support more independent living, provide more day program and employment options, and increase respite availability. The Financial Plan also includes additional OMH funding to support enhanced funding to existing residential programs.

The Budget funds a 4 percent raise over the next two years for direct care workers, and a 2 percent pay raise for clinical workers serving the mental hygiene community. Both are aimed at assisting not-for-profits in the recruitment and retention of employees. These investments, when fully annualized, will increase State share support for workers by \$107 million (\$188 million on an All Funds basis). Offsetting these cost increases is the deferral of the statutory COLA for mental hygiene agencies through FY 2021.

The Financial Plan also reflects increased support for OASAS for prevention, treatment and recovery programs targeted toward chemical dependency, residential service opportunities, and public awareness activities.

Mental hygiene activities funded under the Medicaid Global Cap will increase by \$440 million in FY 2020. This has no impact on mental hygiene service delivery or operations.

## Social Services

### Office of Temporary and Disability Assistance (OTDA)

OTDA local assistance programs provide cash benefits and supportive services to low-income families. The State's three main programs include Family Assistance, Safety Net Assistance and SSI. The Family Assistance program, financed by the Federal government, provides time-limited cash assistance to eligible families. The Safety Net Assistance program, financed by the State and local districts, provides cash assistance for single adults, childless couples, and families that have exhausted their five-year limit on Family Assistance imposed by Federal law. The State SSI Supplementation program provides a supplement to the Federal SSI benefit for the elderly, visually handicapped, and disabled persons.

| TEMPORARY AND DISABILITY ASSISTANCE<br>(millions of dollars) |                    |                    |              |                      |             |                      |             |                      |             |
|--|--------------------|--------------------|--------------|----------------------|-------------|----------------------|-------------|----------------------|-------------|
|  | FY 2019<br>Results | FY 2020<br>Updated | Change       | FY 2021<br>Projected | Change      | FY 2022<br>Projected | Change      | FY 2023<br>Projected | Change      |
| <b>TOTAL STATE OPERATING FUNDS</b>                           | <b>1,139</b>       | <b>1,340</b>       | <b>17.6%</b> | <b>1,351</b>         | <b>0.8%</b> | <b>1,355</b>         | <b>0.3%</b> | <b>1,358</b>         | <b>0.2%</b> |
| SSI  | 644                | 656                | 1.9%         | 667                  | 1.7%        | 667                  | 0.0%        | 667                  | 0.0%        |
| Public Assistance Benefits                                   | 381                | 535                | 40.4%        | 541                  | 1.1%        | 541                  | 0.0%        | 541                  | 0.0%        |
| Public Assistance Initiatives                                | 13                 | 30                 | 130.8%       | 24                   | -20.0%      | 24                   | 0.0%        | 24                   | 0.0%        |
| All Other  | 101                | 119                | 17.8%        | 119                  | 0.0%        | 123                  | 3.4%        | 126                  | 2.4%        |

DOB's caseload models project a total of 532,164 public assistance recipients in FY 2020. Approximately 201,673 families are expected to receive benefits through the Family Assistance program in FY 2020, a decrease of 2.2 percent from FY 2019. The Safety Net caseload for families is projected at 117,755 in FY 2020, a decrease of 2.3 percent from FY 2019. The caseload for single adults/childless couples supported through the Safety Net program is projected at 212,716 in FY 2020, an increase of 0.6 percent from FY 2019.

SSI spending is projected to increase slightly over the course of the multi-year Financial Plan as caseload is expected to level off. Public assistance benefits will increase due to a variety of factors, including the expansion of NYC HIV/AIDS Services Administration (HASA) benefits to public assistance recipients living in NYC, increased costs associated with an increase in Safety Net caseload for singles, and a one-time change in the timing of payments in FY 2019. Other spending growth includes increased spending on homeless services and prevention, and the Response to Human Trafficking program. The Enacted Budget Financial Plan restructured financing for the Family Assistance program, moving 10 percent of costs previously financed by Federal TANF to the City of New York to align with the funding structure for the Emergency Assistance for Families program.

**Office of Children and Family Services (OCFS)**

OCFS provides funding for foster care, adoption, child protective services, preventive services, delinquency prevention, and child care. It oversees the State’s system of family support and child welfare services administered by local social services districts and community-based organizations. Specifically, child welfare services, which are financed jointly by the Federal government, the State, and local districts, are structured to encourage local governments to invest in preventive services for reducing out-of-home placement of children. In addition, the Child Care Block Grant, which is also financed by a combination of Federal, State and local sources, supports child care subsidies for public assistance and low-income families.

| CHILDREN AND FAMILY SERVICES<br>(millions of dollars) |              |              |              |              |             |              |             |              |             |
|---|--------------|--------------|--------------|--------------|-------------|--------------|-------------|--------------|-------------|
|   | FY 2019      | FY 2020      |              | FY 2021      |             | FY 2022      |             | FY 2023      |             |
|   | Results      | Updated      | Change       | Projected    | Change      | Projected    | Change      | Projected    | Change      |
| <b>TOTAL STATE OPERATING FUNDS</b>                    | <b>1,659</b> | <b>1,531</b> | <b>-7.7%</b> | <b>1,607</b> | <b>5.0%</b> | <b>1,661</b> | <b>3.4%</b> | <b>1,661</b> | <b>0.0%</b> |
| Child Welfare Service                                 | 434          | 491          | 13.1%        | 501          | 2.0%        | 501          | 0.0%        | 501          | 0.0%        |
| Foster Care Block Grant                               | 384          | 384          | 0.0%         | 388          | 1.0%        | 398          | 2.6%        | 398          | 0.0%        |
| Child Care  | 345          | 170          | -50.7%       | 245          | 44.1%       | 264          | 7.8%        | 264          | 0.0%        |
| Adoption  | 137          | 148          | 8.0%         | 149          | 0.7%        | 150          | 0.7%        | 150          | 0.0%        |
| Youth Programs  | 114          | 105          | -7.9%        | 92           | -12.4%      | 92           | 0.0%        | 92           | 0.0%        |
| Medicaid  | 72           | 81           | 12.5%        | 93           | 14.8%       | 97           | 4.3%        | 97           | 0.0%        |
| Adult Protective/Domestic Violence                    | 45           | 48           | 6.7%         | 51           | 6.3%        | 54           | 5.9%        | 54           | 0.0%        |
| Committees on Special Education                       | 29           | 24           | -17.2%       | 26           | 8.3%        | 28           | 7.7%        | 29           | 3.6%        |
| All Other   | 99           | 80           | -19.2%       | 62           | -22.5%      | 77           | 24.2%       | 76           | -1.3%       |

FY 2020 OCFS State Operating Funds spending is projected to decrease from FY 2019 due to several factors including use of TANF resources to offset State child care and Advantage After-School costs, reclassifying the Pay For Success program from OCFS to the Department of Labor, and the planned deferral of the Human Services COLA in FY 2020. Growth in the outyears is primarily attributable to a decrease in TANF dollars supporting child care, which is offset by increased General Fund support for the program.

## Transportation

In FY 2020, the State expects to provide over \$5.8 billion in operating aid to mass transit systems, including over \$2.3 billion from the direct remittance of certain aid to the MTA without an appropriation (not included in the table below). This direct aid is funded mainly from various dedicated taxes and fees. The MTA, the nation's largest transit and commuter rail system, receives the majority of the mass transit aid, totaling \$5.3 billion in FY 2020.

The MTA receives additional, exclusive operating support from the PMT, authorized in May 2009 to collect regional taxes and fees imposed within the MCTD. Pursuant to legislation enacted in December 2011, the MTA payroll tax was eliminated for all elementary and secondary schools and small business operators within the MCTD. The General Fund provides additional annual support to the MTA, subject to appropriation, to partially offset this revenue loss. The MTA will receive nearly \$1.9 billion from on-budget and off-budget PMT resources in FY 2020.

| TRANSPORTATION<br>(millions of dollars) |              |              |              |              |             |              |             |              |             |
|---|--------------|--------------|--------------|--------------|-------------|--------------|-------------|--------------|-------------|
|   | FY 2019      | FY 2020      |              | FY 2021      |             | FY 2022      |             | FY 2023      |             |
|   | Results      | Updated      | Change       | Projected    | Change      | Projected    | Change      | Projected    | Change      |
| <b>STATE OPERATING FUNDS SUPPORT</b>    | <b>3,938</b> | <b>3,549</b> | <b>-9.9%</b> | <b>3,849</b> | <b>8.5%</b> | <b>4,047</b> | <b>5.1%</b> | <b>4,296</b> | <b>6.2%</b> |
| Mass Transit Operating Aid:             | <u>2,321</u> | <u>2,507</u> | <u>8.0%</u>  | <u>2,643</u> | <u>5.4%</u> | <u>2,710</u> | <u>2.5%</u> | <u>2,807</u> | <u>3.6%</u> |
| Metro Mass Transit Aid                  | 2,185        | 2,351        | 7.6%         | 2,480        | 5.5%        | 2,547        | 2.7%        | 2,644        | 3.8%        |
| Public Transit Aid                      | 92           | 112          | 21.7%        | 119          | 6.3%        | 119          | 0.0%        | 119          | 0.0%        |
| 18-b General Fund Aid                   | 19           | 19           | 0.0%         | 19           | 0.0%        | 19           | 0.0%        | 19           | 0.0%        |
| School Fare                             | 25           | 25           | 0.0%         | 25           | 0.0%        | 25           | 0.0%        | 25           | 0.0%        |
| Mobility Tax                            | 379          | 244          | -35.6%       | 244          | 0.0%        | 244          | 0.0%        | 244          | 0.0%        |
| MTA Aid Trust                           | 293          | 31           | -89.4%       | 0            | -100.0%     | 0            | 0.0%        | 0            | 0.0%        |
| MTA Dedicated Sales Tax                 | 0            | 0            | 0.0%         | 150          | 0.0%        | 152          | 1.3%        | 153          | 0.7%        |
| Dedicated Mass Transit                  | 685          | 695          | 1.5%         | 746          | 7.3%        | 875          | 17.3%       | 1,026        | 17.3%       |
| AMTAP                                   | 260          | 72           | -72.3%       | 66           | -8.3%       | 66           | 0.0%        | 66           | 0.0%        |
| All Other                               | 0            | 0            | 0.0%         | 0            | 0.0%        | 0            | 0.0%        | 0            | 0.0%        |

Projected operating aid to the MTA and other transit systems reflects the current receipts forecast and timing associated with the availability of resources. The Financial Plan includes revised spending estimates for transit assistance in each year that reflect the most recent revenue forecast assumptions.

The FY 2020 Enacted Budget included legislation directing various supplemental fees and taxes levied on driver licenses, motor vehicle registrations, taxis, and passenger car rentals, to be remitted directly to the MTA without legislative appropriation. This eliminates the pass-through of these fees and taxes and will ensure more timely receipt by the MTA, consistent with treatment of PMT collections. Beginning in FY 2020, the Financial Plan will no longer include these new supplemental fees and taxes or associated local assistance payments. The MTA will receive nearly \$300 million from these resources in FY 2020.

The Enacted Budget also includes MTA reforms and new dedicated funding streams to the MTA consisting of:

- A Central Business District Tolling program, which imposes an additional toll on vehicles that travel into Manhattan south of and including 60<sup>th</sup> Street. This tolling program is projected to provide \$15 billion dedicated to MTA capital needs.
- An additional 0.25 percent real estate transfer tax imposed in NYC on commercial property conveyances \$2 million and above and residential property conveyances \$3 million and above, and a new progressive mansion tax on residential properties valued at \$2 million and above in NYC with a top rate of 2.9 percent on the sale of residential properties valued at \$25 million or above. These taxes will be used to support up to and estimated \$5 billion in financing for MTA projects.
- Sales tax revenue from requiring online marketplace providers to collect sales tax on all sales facilitated through their platforms in addition to the Tax Department's implementation and enforcement of regulations associated with the U.S. Supreme Court Wayfair ruling. The combined provisions are estimated to support up to \$5 billion in additional financing for the MTA.

Revenues from these dedicated sources will be deposited into an MTA capital lockbox dedicated solely to financing necessary investments in the MTA's 2020-24 capital program and any successor programs, including improvements to the subway system. These funds cannot be used for any non-capital expense.

## Local Government Assistance

Direct aid to local governments includes the Aid and Incentives for Municipalities (AIM) program, which was created in FY 2006 to consolidate various unrestricted local aid funding streams; miscellaneous financial assistance for certain counties, cities, towns, and villages; and efficiency-based incentive grants to local governments.

| LOCAL GOVERNMENT ASSISTANCE - AIM PROGRAM<br>(millions of dollars) |            |            |              |            |             |            |             |            |             |
|--|------------|------------|--------------|------------|-------------|------------|-------------|------------|-------------|
|  | FY 2019    | FY 2020    | FY 2021      |            | FY 2022     |            | FY 2023     |            |             |
|  | Results    | Updated    | Change       | Projected  | Change      | Projected  | Change      | Projected  |             |
| <b>TOTAL STATE OPERATING FUNDS</b>                                 | <b>722</b> | <b>671</b> | <b>-7.1%</b> | <b>704</b> | <b>4.9%</b> | <b>704</b> | <b>0.0%</b> | <b>704</b> | <b>0.0%</b> |
| Big Four Cities  | 429        | 429        | 0.0%         | 429        | 0.0%        | 429        | 0.0%        | 429        | 0.0%        |
| Other Cities   | 218        | 218        | 0.0%         | 218        | 0.0%        | 218        | 0.0%        | 218        | 0.0%        |
| Towns and Villages   | 68         | 9          | -86.8%       | 9          | 0.0%        | 9          | 0.0%        | 9          | 0.0%        |
| Restructuring/Efficiency   | 7          | 15         | 114.3%       | 48         | 220.0%      | 48         | 0.0%        | 48         | 0.0%        |

The Enacted Budget replaces AIM for towns and villages, for which AIM was less than 2 percent of total expenditures, with additional local sales tax revenue in an equal amount, resulting in no loss of revenue to towns and villages. The additional local sales tax revenue is due to elimination of the Internet tax advantage and the elimination of the Energy Service Company (ESCO) exemption.

State Operating Funds spending for the various efficiency and restructuring grants within the AIM program is projected to increase from FY 2020 to FY 2021 due to potential awards from the Financial Restructuring Board for Local Governments.

### ***Agency Operations***

Agency operating costs consist of Personal Service (PS), Non-Personal Service (NPS), and General State Charges (GSCs). PS includes the salaries of State employees of the Executive, Legislative, and Judicial branches, as well as salaries of temporary/seasonal employees. NPS includes real estate rentals, utilities, contractual payments (e.g., consultants, IT, and professional business services), supplies and materials, equipment, and telephone service. GSCs, which are discussed separately, reflect the cost of fringe benefits (e.g., pensions and health insurance) provided to State employees and retirees of the Executive, Legislative and Judicial branches, and certain fixed costs paid by the State, such as taxes on public lands and litigations. Certain agency operating costs of Department of Transportation (DOT) and Department of Motor Vehicles (DMV) (adjusted for the reclassification discussed above) are included in Capital Projects Funds and are not reflected in State Operating Funds. The PS estimates reflect current negotiated collective bargaining agreements.

Approximately 94 percent of the State workforce is unionized. The largest unions include Civil Service Employees Association (CSEA), which represents office support staff and administrative personnel, machine operators, skilled trade workers, and therapeutic and custodial care staff; Public Employees Federation (PEF), which represents professional and technical personnel (attorneys, nurses, accountants, engineers, social workers, and institution teachers); United University Professions (UUP), which represents faculty and nonteaching professional staff within the State University system; and New York State Correctional Officers and Police Benevolent Association (NYSCOPBA), which represents security personnel (correction officers, safety and security officers).

The following table presents certain variables used in preparing the spending projections for agency operations.

| FORECAST OF SELECTED PROGRAM MEASURES AFFECTING PERSONAL SERVICE AND FRINGE BENEFITS   |                    |                    |                      |                      |                      |
|--|--------------------|--------------------|----------------------|----------------------|----------------------|
|  | FY 2019<br>Results | FY 2020<br>Updated | Forecast             |                      |                      |
|  |                    |                    | FY 2021<br>Projected | FY 2022<br>Projected | FY 2023<br>Projected |
| Negotiated Base Salary Increases <sup>1</sup>  |                    |                    |                      |                      |                      |
| NYSCOPBA/NYSTPBA /NYSPIA   | 2%                 | 2%                 | 2%                   | 2%                   | 2%                   |
| GSEU <sup>2</sup>  | 2%                 | 2%                 | 2%                   | 2%                   | 2%                   |
| UUP  | 2%                 | 2%                 | 2%                   | 2%                   | TBD                  |
| CSEA/DC-37 (Rent Regulation Unit)/MC   | 2%                 | 2%                 | 2%                   | TBD                  | TBD                  |
| PEF  | 2%                 | TBD                | TBD                  | TBD                  | TBD                  |
| Council 82/PBANYS  | TBD                | TBD                | TBD                  | TBD                  | TBD                  |
| State Workforce <sup>3</sup>   | 117,967            | 119,491            | TBD                  | TBD                  | TBD                  |
| ERS Contribution Rate  |                    |                    |                      |                      |                      |
| Before Amortization <sup>4</sup>   | 15.5%              | 15.2%              | 15.8%                | 17.5%                | 18.8%                |
| After Amortization <sup>5</sup>  | 19.2%              | 18.9%              | 19.3%                | 20.7%                | 21.4%                |
| PFRS Contribution Rate   |                    |                    |                      |                      |                      |
| Before Amortization <sup>4</sup>   | 24.1%              | 23.9%              | 25.0%                | 26.7%                | 28.1%                |
| After Amortization <sup>5</sup>  | 26.9%              | 26.6%              | 27.6%                | 29.1%                | 30.1%                |
| Employee/Retiree Health Insurance Growth Rates   | 5.8%               | 2.8%               | 7.9%                 | 7.5%                 | 7.5%                 |
| PS/Fringe as % of Receipts (All Funds Basis)   | 13.7%              | 13.3%              | 14.0%                | 14.2%                | 14.2%                |
| <sup>1</sup> Reflects current collective bargaining agreements with settled unions. Does not reflect potential impact of future settlements.<br><sup>2</sup> Pending member ratification.<br><sup>3</sup> Reflects workforce that is subject to direct Executive control.<br><sup>4</sup> Before amortization contribution rate reflects normal and administrative costs, contributions for the Group Life Insurance Plan (GLIP), and Chapter 41 of 2016 veterans' pension credit legislation.<br><sup>5</sup> After amortization contribution rate additionally includes new amortization, if any, and payments on prior amortizations. |                    |                    |                      |                      |                      |

Operating costs for PS/NPS are projected to increase over the Financial Plan period, from \$19.1 billion in FY 2019 to \$20.7 billion in FY 2023. Most Executive agencies are expected to hold spending at FY 2019 levels, with some exceptions as described below. The increases in the outyears of the Financial Plan are driven mainly by juvenile justice reform, salary increases per labor agreements, growth in SUNY operating costs, including labor costs pursuant to the settled UUP contract, and an additional administrative payroll in FY 2021.

| STATE OPERATING FUNDS - PERSONAL SERVICE / NON-PERSONAL SERVICE COSTS |                    |                    |                      |                      |                      |
|---|--------------------|--------------------|----------------------|----------------------|----------------------|
| (millions of dollars)   |                    |                    |                      |                      |                      |
|   | FY 2019<br>Results | FY 2020<br>Updated | FY 2021<br>Projected | FY 2022<br>Projected | FY 2023<br>Projected |
| <b>SUBJECT TO DIRECT EXECUTIVE CONTROL<sup>1</sup></b>                | <b>10,232</b>      | <b>10,695</b>      | <b>10,845</b>        | <b>10,919</b>        | <b>11,073</b>        |
| Mental Hygiene  | 2,795              | 2,828              | 2,880                | 2,930                | 2,979                |
| Corrections and Community Supervision                                 | 2,599              | 2,857              | 2,751                | 2,792                | 2,870                |
| State Police  | 717                | 790                | 810                  | 807                  | 827                  |
| Department of Health  | 728                | 805                | 801                  | 798                  | 790                  |
| Information Technology Services                                       | 545                | 540                | 551                  | 557                  | 568                  |
| Tax and Finance   | 312                | 340                | 351                  | 340                  | 339                  |
| Children and Family Services  | 261                | 262                | 381                  | 384                  | 384                  |
| Transportation  | 301                | 342                | 337                  | 342                  | 342                  |
| Environmental Conservation  | 211                | 202                | 215                  | 210                  | 210                  |
| All Other   | 1,763              | 1,729              | 1,768                | 1,759                | 1,764                |
| <b>UNIVERSITY SYSTEMS</b>   | <b>6,097</b>       | <b>6,311</b>       | <b>6,565</b>         | <b>6,654</b>         | <b>6,859</b>         |
| State University  | 6,001              | 6,214              | 6,468                | 6,555                | 6,760                |
| City University   | 96                 | 97                 | 97                   | 99                   | 99                   |
| <b>INDEPENDENT AGENCIES</b>   | <b>336</b>         | <b>339</b>         | <b>347</b>           | <b>339</b>           | <b>339</b>           |
| Law   | 187                | 182                | 187                  | 182                  | 182                  |
| Audit & Control (OSC)   | 149                | 157                | 160                  | 157                  | 157                  |
| <b>TOTAL, EXCLUDING JUDICIARY AND LEGISLATURE</b>                     | <b>16,665</b>      | <b>17,345</b>      | <b>17,757</b>        | <b>17,912</b>        | <b>18,271</b>        |
| <b>Judiciary</b>  | <b>2,169</b>       | <b>2,166</b>       | <b>2,223</b>         | <b>2,166</b>         | <b>2,166</b>         |
| <b>Legislature</b>  | <b>223</b>         | <b>243</b>         | <b>249</b>           | <b>256</b>           | <b>256</b>           |
| <b>Statewide Total</b>  | <b>19,057</b>      | <b>19,754</b>      | <b>20,229</b>        | <b>20,334</b>        | <b>20,693</b>        |
| Personal Service  | 13,687             | 14,261             | 14,683               | 14,684               | 14,973               |
| Non-Personal Service  | 5,370              | 5,493              | 5,546                | 5,650                | 5,720                |

<sup>1</sup> FY 2020 estimates include \$185 million in retroactive salary payments for NYSCOPBA, PBA and NYSPIA labor agreements.

FY 2020 spending for agency operations includes 2 percent general salary increases associated with collective bargaining agreements with various unions. The cost of annual salary increases is expected to be absorbed by most agencies with management plan savings and efficiencies, consistent with the administration's policy to maintain flat Executive agency operations. Limited exceptions include:

- **Corrections and Community Supervision.** Higher spending in FY 2020 is attributable to the cost of a collective bargaining agreement reached in FY 2019, which includes the payment of three years of retroactive salary payments.
- **State Police.** Increased spending is due to the cost of a collective bargaining agreements reached in FY 2019, which includes a retroactive payment for FY 2019.
- **Department of Health.** Growth is attributable to the cost increases of QHPs supported under the NYSOH program, offset by funding provided under Medicaid Global Cap local assistance. Additionally, growth in FY 2020 is attributable to the use of nonrecurring Federal credits applied against Medicaid non-personal service spending in FY 2019.
- **Transportation.** Increases reflect a larger amount of operating costs related to bus, truck and rail inspection, as well as snow and ice removal, which have been reclassified from the DHBTf to the General Fund beginning in FY 2019.
- **Children and Family Services.** Higher spending in the outyears is mainly driven by additional funding to support raising the age of criminal responsibility from 16 to 18 by October 1, 2019. A modification to the youth facility billings process will partly offset the increase in FY 2020.
- **Mental Hygiene.** Increased spending includes the continued delivery in State-operated program settings and the cost of a collective bargaining agreement reached in FY 2019, which includes the payment of three years of retroactive salary payments.

**Workforce**

In FY 2020, \$14.3 billion, or 14 percent, of the State Operating Funds budget is dedicated to supporting roughly 97,600 Full-Time Equivalent (FTE) employees under direct Executive control; individuals employed by SUNY and CUNY (46,464) and Independent Agencies (18,051); employees paid on a non-annual salaried basis; and overtime pay. Roughly 60 percent of Executive agency spending related to the workforce occurs in the mental hygiene agencies and Department of Corrections and Community Supervision (DOCCS).

| <b>STATE OPERATING FUNDS</b>  |                |                |
|---|----------------|----------------|
| <b>FY 2020 FTEs<sup>1</sup> AND PERSONAL SERVICE SPENDING BY AGENCY</b>   |                |                |
| <b>(millions of dollars)</b>  |                |                |
|   | <b>Dollars</b> | <b>FTEs</b>    |
| <b>SUBJECT TO DIRECT EXECUTIVE CONTROL</b>  | <b>7,867</b>   | <b>97,574</b>  |
| Mental Hygiene  | 2,351          | 32,399         |
| Corrections and Community Supervision   | 2,355          | 26,858         |
| State Police  | 730            | 5,666          |
| Department of Health  | 292            | 4,078          |
| Information Technology Services   | 292            | 3,481          |
| Tax and Finance   | 277            | 4,085          |
| Children and Family Services  | 172            | 2,360          |
| Environmental Conservation  | 166            | 2,235          |
| Transportation  | 162            | 2,591          |
| Financial Services  | 154            | 1,391          |
| All Other   | 916            | 12,430         |
| <b>UNIVERSITY SYSTEMS</b>   | <b>4,241</b>   | <b>46,464</b>  |
| State University  | 4,192          | 46,090         |
| City University <sup>2</sup>  | 49             | 374            |
| <b>INDEPENDENT AGENCIES</b>   | <b>2,153</b>   | <b>18,051</b>  |
| Law   | 129            | 1,533          |
| Audit & Control (OSC)   | 126            | 1,524          |
| Judiciary   | 1,710          | 14,991         |
| Legislature <sup>3</sup>  | 188            | 3              |
| <b>Statewide Total</b>  | <b>14,261</b>  | <b>162,089</b> |
| <p><sup>1</sup> FTEs represent the number of annual-salaried full-time filled positions (e.g., one FTE may represent a single employee serving at 100 percent full-time, or a combination of employees serving at less than full-time that, when combined, equal a full-time position). The reported FTEs do not include non-annual salaried positions, such as positions filled on an hourly, per-diem or seasonal basis.</p> <p><sup>2</sup> CUNY employees are funded primarily through an agency trust fund that supports an additional 13,258 FTEs, which are excluded from this table.</p> <p><sup>3</sup> Legislative employees who are nonannual salaried are excluded from this table.</p> |                |                |

### General State Charges

The State provides a variety of fringe benefits to current and former employees, including health insurance, pensions, workers' compensation coverage, unemployment insurance, survivors' benefits, and dental and vision benefits (some of which are provided through union-specific Employee Benefit Funds). GSCs also pays the Social Security payroll tax and certain statewide fixed costs, including taxes on State-owned lands, Payments in Lieu of Taxes (PILOT) and judgments and settlements awarded in the Court of Claims. Many of these payments are mandated by law or collective bargaining agreements.

Employee fringe benefits paid through GSCs are financed from the General Fund in the first instance, and then partially reimbursed by revenue collected from agency fringe benefit assessments.

GSC spending is projected to increase at an average annual rate of 6.5 percent over the multi-year Financial Plan period. In FY 2020, growth in the health insurance program of \$119 million (2.8 percent) reflects medical inflation offset by savings from the new prescription drug contract and collectively negotiated benefit design changes. The projected increase in Social Security (3.8 percent) and employee benefit funds (7.3 percent) reflect the implementation of recent collective bargaining agreements that increase general salaries. Workers' compensation costs are projected to increase by \$113 million due to underlying growth in the average weekly wage used for benefit calculations and medical costs (\$64 million), and a reduction in available reserve funds to offset costs (\$49 million).

Overall pension costs are projected to remain relatively stable due to improved investment returns and ongoing savings from Tier 5 and Tier 6 pension reforms. These costs are offset by \$54 million in interest savings achieved by paying the majority of the State pension bill in May 2019, rather than on a monthly basis as previously assumed. Over the multi-year Financial Plan period, outyear pension costs reflect expected investment performance, projected salary base growth, and assumptions about future normal and administrative costs. Pension costs also reflect repayment of prior-year amortization, costs for Chapter 41 of 2016 (veteran's pension credit legislation), and other adjustments.

| GENERAL STATE CHARGES<br>(millions of dollars) |                    |                    |             |                      |             |                      |             |                      |             |
|--|--------------------|--------------------|-------------|----------------------|-------------|----------------------|-------------|----------------------|-------------|
|  | FY 2019<br>Results | FY 2020<br>Updated | Change      | FY 2021<br>Projected | Change      | FY 2022<br>Projected | Change      | FY 2023<br>Projected | Change      |
| <b>TOTAL STATE OPERATING FUNDS</b>             | <b>8,204</b>       | <b>8,767</b>       | <b>6.9%</b> | <b>9,371</b>         | <b>6.9%</b> | <b>9,951</b>         | <b>6.2%</b> | <b>10,540</b>        | <b>5.9%</b> |
| <b>Fringe Benefits</b>                         | <b>7,799</b>       | <b>8,340</b>       | <b>6.9%</b> | <b>8,924</b>         | <b>7.0%</b> | <b>9,498</b>         | <b>6.4%</b> | <b>10,087</b>        | <b>6.2%</b> |
| Health Insurance                               | 4,193              | 4,312              | 2.8%        | 4,651                | 7.9%        | 5,001                | 7.5%        | 5,378                | 7.5%        |
| Pensions                                       | 2,431              | 2,472              | 1.7%        | 2,636                | 6.6%        | 2,830                | 7.4%        | 2,965                | 4.8%        |
| Social Security                                | 1,036              | 1,075              | 3.8%        | 1,108                | 3.1%        | 1,099                | -0.8%       | 1,110                | 1.0%        |
| Workers' Compensation                          | 464                | 577                | 24.4%       | 679                  | 17.7%       | 736                  | 8.4%        | 797                  | 8.3%        |
| Employee Benefits                              | 96                 | 103                | 7.3%        | 108                  | 4.9%        | 111                  | 2.8%        | 115                  | 3.6%        |
| Dental Insurance                               | 59                 | 61                 | 3.4%        | 63                   | 3.3%        | 65                   | 3.2%        | 66                   | 1.5%        |
| Unemployment Insurance                         | 12                 | 12                 | 0.0%        | 12                   | 0.0%        | 12                   | 0.0%        | 12                   | 0.0%        |
| All Other/Non-State Escrow                     | (492)              | (272)              | 44.7%       | (333)                | -22.4%      | (356)                | -6.9%       | (356)                | 0.0%        |
| <b>Fixed Costs</b>                             | <b>405</b>         | <b>427</b>         | <b>5.4%</b> | <b>447</b>           | <b>4.7%</b> | <b>453</b>           | <b>1.3%</b> | <b>453</b>           | <b>0.0%</b> |
| Public Land Taxes/PILOTS                       | 271                | 269                | -0.7%       | 275                  | 2.2%        | 281                  | 2.2%        | 281                  | 0.0%        |
| Litigation                                     | 134                | 158                | 17.9%       | 172                  | 8.9%        | 172                  | 0.0%        | 172                  | 0.0%        |

**Transfers to Other Funds (General Fund Basis)**

General Fund transfers help finance debt service for bonds that do not have dedicated revenues, SUNY operating costs, certain capital initiatives, and a range of other activities.

| <b>GENERAL FUND TRANSFERS TO OTHER FUNDS</b><br>(millions of dollars) |                |                |                  |                  |                  |
|---|----------------|----------------|------------------|------------------|------------------|
|   | <b>FY 2019</b> | <b>FY 2020</b> | <b>FY 2021</b>   | <b>FY 2022</b>   | <b>FY 2023</b>   |
|   | <b>Results</b> | <b>Updated</b> | <b>Projected</b> | <b>Projected</b> | <b>Projected</b> |
| <b>TOTAL TRANSFERS TO OTHER FUNDS</b>                                 | <b>4,558</b>   | <b>6,114</b>   | <b>6,584</b>     | <b>6,524</b>     | <b>6,968</b>     |
| State Share of Mental Hygiene Medicaid                                | (29)           | 0              | 0                | 0                | 0                |
| <b>Debt Service</b>   | <b>786</b>     | <b>550</b>     | <b>738</b>       | <b>637</b>       | <b>612</b>       |
| <b>SUNY University Operations</b>                                     | <b>1,020</b>   | <b>1,185</b>   | <b>1,259</b>     | <b>1,255</b>     | <b>1,255</b>     |
| <b>Capital Projects</b>   | <b>1,888</b>   | <b>3,191</b>   | <b>3,305</b>     | <b>3,168</b>     | <b>3,486</b>     |
| Extraordinary Monetary Settlements:                                   | 769            | 1,316          | 858              | 867              | 793              |
| Dedicated Infrastructure Investment Fund                              | 878            | 1,420          | 1,113            | 751              | 531              |
| FY 2018 Temporary Loan to Capital Projects Fund <sup>1</sup>          | (500)          | 0              | 0                | 0                | 0                |
| Transfer to DIIF for Javits Expansion                                 | 382            | 320            | 134              | 0                | 0                |
| Bond Proceeds Receipts for Javits Expansion                           | 0              | (500)          | (500)            | 0                | 0                |
| Transfer to Capital Projects Fund - Clean Water Grants                | 0              | 0              | 25               | 50               | 175              |
| Mass Transit Capital  | 3              | 6              | 6                | 3                | 0                |
| Statewide Health Care Capital   | 6              | 70             | 80               | 63               | 87               |
| Dedicated Highway and Bridge Trust Fund                               | 169            | 398            | 477              | 320              | 436              |
| Environmental Protection Fund   | 28             | 28             | 28               | 28               | 96               |
| All Other Capital   | 922            | 1,449          | 1,942            | 1,953            | 2,161            |
| <b>ALL OTHER TRANSFERS</b>  | <b>893</b>     | <b>1,188</b>   | <b>1,282</b>     | <b>1,464</b>     | <b>1,615</b>     |
| Department of Transportation (MTA Payroll Tax)                        | 244            | 244            | 244              | 244              | 244              |
| SUNY - Medicaid Reimbursement   | 241            | 243            | 243              | 243              | 243              |
| MTA Dedicated Sales Tax   | 0              | 113            | 150              | 152              | 153              |
| Judiciary Funds   | 117            | 112            | 113              | 113              | 113              |
| Dedicated Mass Transportation Trust Fund                              | 67             | 65             | 116              | 256              | 408              |
| Banking Services  | 37             | 49             | 49               | 49               | 49               |
| Business Services Center  | 6              | 28             | 30               | 30               | 30               |
| Indigent Legal Services   | 27             | 28             | 28               | 75               | 75               |
| General Service   | 22             | 10             | 10               | 3                | 0                |
| Mass Transportation Operating Assistance                              | 26             | 21             | 21               | 21               | 21               |
| Correctional Industries   | 21             | 21             | 21               | 21               | 21               |
| Public Transportation Systems   | 17             | 16             | 16               | 16               | 16               |
| Health Income Fund  | 11             | 16             | 16               | 16               | 16               |
| Centralized Technology Services                                       | 14             | 11             | 11               | 11               | 11               |
| Spinal Cord Injury Fund   | 9              | 9              | 9                | 9                | 9                |
| Medical Cannabis Fund   | 7              | 5              | 7                | 7                | 7                |
| All Other   | 27             | 197            | 198              | 198              | 199              |

<sup>1</sup> Reflects the final repayment of Extraordinary Monetary Settlementment fund balances that were used to pay for capital projects in the first instance.

General Fund transfers to other funds are expected to total \$6.1 billion in FY 2020, a \$1.6 billion increase from FY 2019. The change is mainly due to capital projects transfers that are expected to increase by \$1.3 billion in FY 2020. The capital increase reflects higher transfers of monetary settlements (\$547 million); bond proceed reimbursements executed in FY 2019; and bond restructuring savings related to transportation that ended in FY 2019.

A portion of the capital and operating expenses of DOT and DMV is funded from the DHBTF, which receives various dedicated tax and fee revenues, including statutory allocations of PBT, motor fuel tax, and HUT. The General Fund subsidizes DHBTF expenses, as expenses routinely exceed revenue deposits and bond proceeds.

**Debt Service**

The State pays debt service on all outstanding State-supported bonds. These include General Obligation bonds for which the State is constitutionally obligated to pay debt service, as well as certain bonds issued by State public authorities, such as Empire State Development Corporation (ESD), DASNY, and the New York State Thruway Authority (NYSTA). Depending on the credit structure, debt service is financed by transfers from the General Fund, dedicated taxes and fees, and other resources such as patient income revenues.

| DEBT SERVICE SPENDING PROJECTIONS<br>(millions of dollars) |                    |                    |               |                      |              |                      |             |                      |             |
|--|--------------------|--------------------|---------------|----------------------|--------------|----------------------|-------------|----------------------|-------------|
|  | FY 2019<br>Results | FY 2020<br>Updated | Change        | FY 2021<br>Projected | Change       | FY 2022<br>Projected | Change      | FY 2023<br>Projected | Change      |
| General Fund   | 786                | 550                | -30.0%        | 738                  | 34.2%        | 637                  | -13.7%      | 612                  | -3.9%       |
| Other State Support  | 5,913              | 4,620              | -21.9%        | 6,135                | 32.8%        | 6,488                | 5.8%        | 6,717                | 3.5%        |
| <b>State Operating/All Funds Total</b>                     | <b>6,699</b>       | <b>5,170</b>       | <b>-22.8%</b> | <b>6,873</b>         | <b>32.9%</b> | <b>7,125</b>         | <b>3.7%</b> | <b>7,329</b>         | <b>2.9%</b> |

Total State Operating/All Funds debt service is projected to be \$5.2 billion in FY 2020, of which \$550 million is paid from the General Fund via transfers, and \$4.6 billion is paid from other State funds supported by dedicated tax receipts. The General Fund finances debt service payments on General Obligation and service contract bonds. Debt service for the State's revenue bonds is paid directly from other dedicated State funds, subject to appropriation, including PIT and Sales Tax bonds, DHBTB bonds, and mental health facilities bonds.

The Financial Plan estimates for debt service spending have been revised to reflect several factors, including the adjustment of debt issuances to align with projected bond-financed capital spending. Debt service spending estimates also reflect the prepayment of \$1.5 billion in FY 2019 in debt service costs due in FY 2020, as well as a planned prepayment of \$200 million in FY 2020 for debt service costs due in FY 2021.

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***GAAP-Basis Results for  
Prior Fiscal Years***

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**GAAP-Basis Results for Prior Fiscal Years**

The Comptroller prepares Basic Financial Statements and Other Supplementary Information, including a management discussion and analysis, on a GAAP basis for governments as promulgated by the GASB. The Basic Financial Statements and Other Supplementary Information are released in July each year. These statements are audited by independent certified public accountants. The State issued the Basic Financial Statements for FY 2019 on July 29, 2019. The Comptroller also prepares and issues a Comprehensive Annual Financial Report (CAFR), which, in addition to the components referred to above, also includes an introductory section and a statistical section. The CAFR for the fiscal year ended March 31, 2019 was issued on September 27, 2019.

The following tables summarize recent governmental funds results on a GAAP basis.

| <b>COMPARISON OF ACTUAL GAAP-BASIS OPERATING RESULTS<br/>SURPLUS/(DEFICIT)<br/>(millions of dollars)</b> |                         |                                      |                                   |                                       |                                       |   |
|--|-------------------------|--------------------------------------|-----------------------------------|---------------------------------------|---------------------------------------|---|
| <b>Fiscal Year Ended</b>   | <b>General<br/>Fund</b> | <b>Special<br/>Revenue<br/>Funds</b> | <b>Debt<br/>Service<br/>Funds</b> | <b>Capital<br/>Projects<br/>Funds</b> | <b>All<br/>Governmental<br/>Funds</b> | <b>Accumulated<br/>General Fund<br/>Surplus/(Deficit)</b> |
| March 31, 2019   | (1,291)                 | 1,873                                | 594                               | (1,079)                               | 97                                    | 3,381   |
| March 31, 2018   | 2,386                   | 1,095                                | (877)                             | (86)                                  | 2,518                                 | 4,672   |
| March 31, 2017   | (2,788)                 | 188                                  | (599)                             | (153)                                 | (3,352)                               | 2,286   |

| <b>SUMMARY OF NET POSITION<br/>(millions of dollars)</b> |                                    |                                     |   |
|--|------------------------------------|-------------------------------------|---|
| <b>Fiscal Year Ended</b>                                 | <b>Governmental<br/>Activities</b> | <b>Business-Type<br/>Activities</b> | <b>Total<br/>Primary<br/>Government</b> |
| March 31, 2019*  | (4,127)                            | (8,334)                             | (12,461)                                |
| March 31, 2018   | 28,608                             | 69                                  | 28,677                                  |
| March 31, 2017   | 28,580                             | 332                                 | 28,912                                  |

\*FY 2019 values reflect the implementation of GASB Statement 75, Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions, which established accounting and financial reporting for OPEB plans including the immediate recognition of the full actuarial accrued liability upon adoption and SUNY's adoption of GASB Statement 81, Irrevocable Split-Interest Agreements. The restatements of net position in governmental activities and business-type activities for these GASB Statement implementations were (\$31,928) and (\$8,558), respectively.

The CAFR for the fiscal year ended March 31, 2019 and CAFRs related to prior fiscal years can be obtained from the Office of the State Comptroller, 110 State Street, Albany, NY 12236 or at the Office of the State Comptroller's website at [www.osc.state.ny.us](http://www.osc.state.ny.us). The Basic Financial Statements can also be accessed through the Municipal Securities Rulemaking Board's Electronic Municipal Market Access ("EMMA") system website at [www.emma.msrb.org](http://www.emma.msrb.org).

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# *Authorities and Localities*

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### ***Public Authorities***

For the purposes of this section, “authorities” refer to public benefit corporations or public authorities, created pursuant to State law, which are reported in the State’s CAFR. Authorities are not subject to the constitutional restrictions on the incurrence of debt that apply to the State itself and they may issue bonds and notes within the amounts and restrictions set forth in legislative authorization. Certain of these authorities issue bonds under two of the three primary State credits - PIT Revenue Bonds and Sales Tax Revenue Bonds. The State’s access to the public credit markets through bond issuances constituting State-supported or State-related debt issuances by certain of its authorities could be impaired and the market price of the outstanding debt issued on its behalf may be materially and adversely affected if any of these authorities were to default on their respective State-supported or State-related debt issuances.

The State has numerous public authorities with various responsibilities, including those which finance, construct and/or operate revenue-producing public facilities. These entities generally pay their own operating expenses and debt service costs on their notes, bonds or other legislatively authorized financing structures from revenues generated by the projects they finance or operate, such as tolls charged for the use of highways, bridges or tunnels; charges for public power, electric and gas utility services; tuition and fees; rentals charged for housing units; and charges for occupancy at medical care facilities. Since the State has no actual or contingent liability for the payment of this type of public authority indebtedness, it is not classified as either State-supported debt or State-related debt. Some public authorities, however, receive monies from State appropriations to pay for the operating costs of certain programs.

There are statutory arrangements that, under certain circumstances, authorize State local assistance payments that have been appropriated in a given year and are otherwise payable to localities to be made instead to the issuing public authorities in order to secure the payment of debt service on their revenue bonds and notes. However, in honoring such statutory arrangement for the redirection of local assistance payments, the State has no constitutional or statutory obligation to provide assistance to localities beyond amounts that have been appropriated therefor in any given year.

As of December 31, 2018, (with respect to Job Development Authority or “JDA” as of March 31, 2019) each of the 16 authorities listed in the following table had outstanding debt of \$100 million or more, and the aggregate outstanding debt, including refunding bonds, was approximately \$193 billion, only a portion of which constitutes State-supported or State-related debt. Note that the outstanding debt information contained in the following table is the most current information provided by OSC from data submitted by the 16 authorities in the following table at the time of this AIS Update.

| <b>OUTSTANDING DEBT OF CERTAIN AUTHORITIES<sup>(1)</sup></b> |                                    |                                  |                |
|--|------------------------------------|----------------------------------|----------------|
| <b>AS OF DECEMBER 31, 2018<sup>(2)</sup></b>                 |                                    |                                  |                |
| <b>(millions of dollars)</b>                                 |                                    |                                  |                |
| <b>Authority</b>   | <b>State-<br/>Related<br/>Debt</b> | <b>Authority<br/>and Conduit</b> | <b>Total</b>   |
| Dormitory Authority  | 34,734                             | 20,418                           | 55,152         |
| Metropolitan Transportation Authority                        | 0                                  | 30,914                           | 30,914         |
| Port Authority of NY & NJ                                    | 0                                  | 25,136                           | 25,136         |
| Housing Finance Agency                                       | 154                                | 17,582                           | 17,736         |
| UDC/ESD  | 12,679                             | 1,080                            | 13,759         |
| Job Development Authority <sup>(2)</sup>                     | 0                                  | 11,532                           | 11,532         |
| Triborough Bridge and Tunnel Authority                       | 0                                  | 8,461                            | 8,461          |
| Thruway Authority  | 2,773                              | 5,447                            | 8,220          |
| Long Island Power Authority <sup>(3)</sup>                   | 0                                  | 7,711                            | 7,711          |
| Environmental Facilities Corporation                         | 32                                 | 6,091                            | 6,123          |
| State of New York Mortgage Agency                            | 0                                  | 2,782                            | 2,782          |
| Energy Research and Development Authority                    | 0                                  | 1,887                            | 1,887          |
| Power Authority  | 0                                  | 1,285                            | 1,285          |
| Local Government Assistance Corporation                      | 1,195                              | 0                                | 1,195          |
| Battery Park City Authority                                  | 0                                  | 928                              | 928            |
| Municipal Bond Bank Agency                                   | 139                                | 172                              | 311            |
| <b>TOTAL OUTSTANDING</b>                                     | <b>51,706</b>                      | <b>141,426</b>                   | <b>193,132</b> |

Source: Compiled by the Office of the State Comptroller from data submitted by the Public Authorities. Debt classifications by DOB.

<sup>(1)</sup> Includes only authorities with \$100 million or more in outstanding debt which are reported as component units or joint ventures of the State in the Comprehensive Annual Financial Report (CAFR). Includes short-term and long-term debt. Reflects par amounts outstanding for bonds and financing arrangements or gross proceeds outstanding in the case of capital appreciation bonds. Amounts do not reflect accretion of capital appreciation bonds or premiums received.

<sup>(2)</sup> All Job Development Authority (JDA) debt outstanding reported as of March 31, 2019. This includes \$11.5 billion in conduit debt issued by JDA's blended component units consisting of \$6.1 billion issued by New York Liberty Development Corporation (\$1.2 billion of which is also included in the amount reported for Port Authority of NY and NJ), \$742 million issued by the Brooklyn Arena Local Development Corporation and \$4.7 billion issued by the New York Transportation Development Corporation.

<sup>(3)</sup> Includes \$4.14 billion of Utility Debt Securitization Authority (UDSA) bonds. Chapter 173 of the Laws of 2013 established UDSA for the sole purpose of retiring certain outstanding indebtedness of the Long Island Power Authority (LIPA) through the issuance of restructuring bonds. UDSA is reported as a blended component unit of LIPA in LIPA's audited financial statements.

## ***Localities***

While the fiscal condition of New York City and other local governments in the State is reliant, in part, on State aid to balance their annual budgets and meet their cash requirements, the State is not legally responsible for their financial condition and viability. Indeed, the provision of State aid to localities, while one of the largest disbursement categories in the State budget, is not constitutionally obligated to be maintained at current levels or to be continued in future fiscal years and the State Legislature may amend or repeal statutes relating to the formulas for and the apportionment of State aid to localities.

## The City of New York

The fiscal demands on the State may be affected by the fiscal condition of New York City, which relies in part on State aid to balance its budget and meet its cash requirements. It is also possible that the State's finances may be affected by the ability of New York City, and its related issuers, to market securities successfully in the public credit markets. The official financial disclosure of the City of New York and its related issuers is available by contacting Jason Goh, Investor Relations, (212) 788-5864, or contacting the City Office of Management and Budget, 255 Greenwich Street, 8th Floor, New York, NY 10007. The official financial disclosures of the City of New York and its related issuers can also be accessed through the EMMA system website at [www.emma.msrb.org](http://www.emma.msrb.org). The State assumes no liability or responsibility for any financial information reported by the City of New York. The following table summarizes the debt of New York City and its related issuers.

| DEBT OF NEW YORK CITY AND RELATED ENTITIES <sup>(1)</sup> |                                |                                      |  |                               |   |                                     |        |
|---|--------------------------------|--------------------------------------|--|-------------------------------|---|-------------------------------------|--------|
| AS OF JUNE 30 OF EACH YEAR                                |                                |                                      |  |                               |   |                                     |        |
| (millions of dollars)                                     |                                |                                      |  |                               |   |                                     |        |
| Year  | General<br>Obligation<br>Bonds | Obligations<br>of TFA <sup>(1)</sup> | Obligations<br>of STAR<br>Corp. <sup>(2)</sup> | Obligations<br>of TSASC, Inc. | Hudson Yards<br>Infrastructure<br>Corporation | Other <sup>(3)</sup><br>Obligations | Total  |
| 2009  | 39,991                         | 16,913                               | 2,253  | 1,274                         | 2,033   | 2,442                               | 64,906 |
| 2010  | 41,555                         | 20,094                               | 2,178  | 1,265                         | 2,000   | 2,444                               | 69,536 |
| 2011  | 41,785                         | 23,820                               | 2,117  | 1,260                         | 2,000   | 2,590                               | 73,572 |
| 2012  | 42,286                         | 26,268                               | 2,054  | 1,253                         | 3,000   | 2,493                               | 77,354 |
| 2013  | 41,592                         | 29,202                               | 1,985  | 1,245                         | 3,000   | 2,394                               | 79,418 |
| 2014  | 41,665                         | 31,038                               | 1,975  | 1,228                         | 3,000   | 2,334                               | 81,240 |
| 2015  | 40,460                         | 33,850                               | 2,035  | 1,222                         | 3,000   | 2,222                               | 82,789 |
| 2016  | 38,073                         | 37,358                               | 1,961  | 1,145                         | 3,000   | 2,102                               | 83,639 |
| 2017  | 37,891                         | 40,696                               | 1,884  | 1,089                         | 2,751   | 2,034                               | 86,345 |
| 2018  | 38,628                         | 43,355                               | 1,805  | 1,071                         | 2,724   | 2,085                               | 89,668 |

Source: Office of the State Comptroller, The City of New York Comprehensive Annual Financial Report.

(1) Includes amounts for Building Aid Revenue Bonds (BARBS), the debt service on which will be funded solely from future State Building Aid payments that are subject to appropriation by the State and have been assigned by the City of New York to the Transitional Finance Authority (TFA).

(2) A portion of the proceeds of the Sales Tax Asset Receivable Corporation (STAR) Bonds were used to retire outstanding Municipal Assistance Corporation bonds. The debt service on STARC bonds will be funded from annual revenues to be provided by the State, subject to annual appropriation. These revenues have been assigned to the STARC by the Mayor of the City of New York.

(3) Includes bonds issued by the Fiscal Year 2005 Securitization Corporation, the New York City Educational Construction Fund, the Industrial Development Agency and, beginning in 2010, the New York City Tax Lien Collateralized Bonds. Also included are bonds issued by the Dormitory Authority of the State of New York for education, health, and court capital projects and other long-term leases which will be repaid from revenues of the City or revenues that would otherwise be available to the City if not needed for debt service.

The staffs of the Financial Control Board for the City of New York (FCB), the Office of the State Deputy Comptroller (OSDC), the City Comptroller and the Independent Budget Office issue periodic reports on the City's financial plans. Copies of the most recent reports are available by contacting: FCB, 123 William Street, 23rd Floor, New York, NY 10038, Attention: Executive Director, <http://www.fcb.state.ny.us/>; OSDC, 59 Maiden Lane, 29th Floor, New York, NY 10038, Attention: Deputy Comptroller, <http://www.osc.state.ny.us/osdc/>; City Comptroller, Municipal Building, 6th Floor, One Centre Street, New York, NY 10007-2341, Attention: Deputy Comptroller for Budget, <https://comptroller.nyc.gov/>; and IBO, 110 William Street, 14th Floor, New York, NY 10038, Attention: Director, <http://www.ibo.nyc.ny.us/>.

### ***Other Localities***

Certain localities other than New York City have experienced financial problems and have requested and received additional State assistance during the last several State fiscal years. While a relatively infrequent practice, deficit financing by local governments has become more common in recent years. State legislation enacted post-2004 includes 27 special acts authorizing bond issuances to finance local government operating deficits. Included in this figure are special acts that extended the period of time related to prior authorizations and modifications to issuance amounts previously authorized. When a local government is authorized to issue bonds to finance operating deficits, the local government is subject to certain additional fiscal oversight during the time the bonds are outstanding as required by the State's Local Finance Law, including an annual budget review by OSC.

In addition to deficit financing authorizations, the State has periodically enacted legislation to create oversight boards in order to address deteriorating fiscal conditions within particular localities. The Cities of Buffalo and Troy, and the Counties of Erie and Nassau are subject to varying levels of review and oversight by entities created by such legislation. The City of Newburgh operates under special State legislation that provides for fiscal oversight by the State Comptroller and the City of Yonkers must adhere to a Special Local Finance and Budget Act. The impact on the State of any possible requests in the future for additional oversight or financial assistance cannot be determined at this time and therefore is not included in the Financial Plan projections.

Legislation enacted in 2013 created the Financial Restructuring Board for Local Governments (the "Restructuring Board"). The Restructuring Board consists of ten members, including the State Director of the Budget, who is the Chair, the Attorney General, the State Comptroller, the Secretary of State and six members appointed by the Governor. The Restructuring Board, upon the request of a "fiscally eligible municipality", is authorized to perform a number of functions including reviewing the municipality's operations and finances, making recommendations on reforming and restructuring the municipality's operations, proposing that the municipality agree to fiscal accountability measures, and making available certain grants and loans. To date, the Restructuring Board is currently reviewing or has completed reviews for twenty-six municipalities. The Restructuring Board is also authorized, upon the joint request of a fiscally eligible municipality and a public employee organization, to resolve labor impasses between municipal employers and employee organizations for police, fire and certain other employees in lieu of binding arbitration before a public arbitration panel.

OSC implemented its Fiscal Stress Monitoring System (the "Monitoring System") in 2013. The Monitoring System utilizes a number of fiscal and environmental indicators with the goal of providing an early warning to local communities about stress conditions in New York's local governments and school districts. Fiscal indicators consider measures of budgetary solvency while environmental indicators consider measures such as population, poverty, and tax base trends. Individual entities are then scored according to their performance on these indicators. An entity's score on the fiscal components will determine whether or not it is classified in one of three levels of stress: significant, moderate or susceptible. Entities that do not meet established scoring thresholds are classified as "No Designation".

A total of 37 local governments (10 counties, 8 cities, 9 towns and 10 villages) and 26 school districts have been placed in a stress category by OSC based on financial data for their fiscal years ending in 2017. The vast majority of entities scored by OSC (97 percent) are classified in the "No Designation" category.

Like the State, local governments must respond to changing political, economic and financial influences over which they have little or no control, but which can adversely affect their financial condition. For example, the State or Federal government may reduce (or, in some cases, eliminate) funding of local programs, thus requiring local governments to pay these expenditures using their own resources. Similarly, past cash flow problems for the State have resulted in delays in State aid payments to localities. In some cases, these delays have necessitated short-term borrowing at the local level.

Other factors that have had, or could have, an impact on the fiscal condition of local governments and school districts include: the loss of temporary Federal stimulus funding; recent State aid trends; constitutional and statutory limitations on the imposition by local governments and school districts of property, sales and other taxes; and for some communities, the significant upfront costs for rebuilding and clean-up in the wake of a natural disaster. Localities may also face unanticipated problems resulting from certain pending litigation, judicial decisions and long-range economic trends. Other large-scale potential problems, such as declining urban populations, declines in the real property tax base, increasing pension, health care and other fixed costs, or the loss of skilled manufacturing jobs, may also adversely affect localities and necessitate requests for State assistance.

Ultimately, localities as well as local public authorities may suffer serious financial difficulties that could jeopardize local access to public credit markets, which may adversely affect the marketability of notes and bonds issued by localities within the State.

The following table summarizes the debt of New York City and its related issuers, and other New York State localities, from 1980 to 2017.

| DEBT OF NEW YORK LOCALITIES <sup>(1)</sup><br>(millions of dollars) |   |       |                                      |                      |                                    |                      |
|---|---|-------|--------------------------------------|----------------------|------------------------------------|----------------------|
| Locality<br>Fiscal Year<br>Ending                                   | Combined<br>New York City Debt <sup>(2)</sup> |       | Other Localities Debt <sup>(3)</sup> |                      | Total Locality Debt <sup>(3)</sup> |                      |
|   | Bonds   | Notes | Bonds <sup>(4)</sup>                 | Notes <sup>(4)</sup> | Bonds <sup>(3)(4)</sup>            | Notes <sup>(4)</sup> |
| 1980  | 12,995  | 0     | 6,835                                | 1,793                | 19,830                             | 1,793                |
| 1990  | 20,027  | 0     | 10,253                               | 3,082                | 30,280                             | 3,082                |
| 2000  | 39,244  | 515   | 19,093                               | 4,470                | 58,337                             | 4,985                |
| 2010  | 69,536  | 0     | 36,110                               | 7,369                | 105,646                            | 7,369                |
| 2013  | 79,418  | 0     | 36,483                               | 7,447                | 115,901                            | 7,447                |
| 2014  | 81,240  | 0     | 36,290                               | 7,236                | 117,530                            | 7,236                |
| 2015  | 82,789  | 0     | 34,346                               | 6,981                | 117,135                            | 6,981                |
| 2016  | 83,639  | 0     | 35,006                               | 6,952                | 118,645                            | 6,952                |
| 2017  | 86,345  | 0     | 34,788                               | 5,617                | 121,133                            | 5,617                |

Source: Office of the State Comptroller; The City of New York Comprehensive Annual Financial Report.

NOTE: For localities other than New York City, the amounts shown for fiscal years ending in 1990 may include debt that has been defeased through the issuance of refunding bonds.

<sup>(1)</sup> Because the State calculates locality debt differently for certain localities (including New York City), the figures above may vary from those reported by such localities. In addition, this table excludes indebtedness of certain local authorities and obligations issued in relation to State lease-purchase arrangements.

<sup>(2)</sup> Includes bonds issued by New York City and its related issuers, the Transitional Finance Authority, STAR Corporation, TSASC, Inc., the Hudson Yards Infrastructure Corporation, and Treasury obligations (as shown in the table "Debt of New York City and Related Entities" in the section of this document entitled "Authorities and Localities - The City of New York"). Also included are the bonds of the Fiscal Year 2005 Securitization Corporation, the Industrial Development Agency, the Municipal Assistance Corporation, the Samurai Funding Corporation, the New York City Educational Construction Fund, and the Dormitory Authority of the State of New York for education, health and court capital projects, and other long-term leases which will be repaid from revenues of the City or revenues which would otherwise be available to the City if not needed for debt service and, beginning in 2010, the New York City Tax Lien Collateralized Bonds.

<sup>(3)</sup> Includes bonds issued by the localities and certain debt guaranteed by the localities and excludes capital lease obligations (for localities other than New York City), assets held in sinking funds and certain amounts available at the start of a fiscal year for redemption of debt. Starting in 2001, debt for other localities includes installment purchase contracts.

<sup>(4)</sup> Amounts reflect those set forth on Annual Update Documents provided to OSC by New York State localities. Does not include the indebtedness of certain localities that did not file Annual Update Documents (financial reports) with the State Comptroller.

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# *State Retirement System*

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THE INFORMATION THAT FOLLOWS UNDER THIS HEADING HAS BEEN PREPARED SOLELY BY THE OFFICE OF THE STATE COMPTROLLER, AND DOB HAS NOT UNDERTAKEN ANY INDEPENDENT VERIFICATION OF SUCH INFORMATION.

## **General**

This section summarizes key information regarding the New York State and Local Retirement System (“NYSLRS” or the “System”) and the Common Retirement Fund (“CRF”). The System was established as a means to pay benefits to the System’s participants. The CRF comprises a pooled investment vehicle designed to protect and enhance the long-term value of the System’s assets.

Greater detail, including the independent auditor’s report for the fiscal year ending March 31, 2019, is included in NYSLRS’ Comprehensive Annual Financial Report (“NYSLRS’ CAFR”) for the fiscal year ended March 31, 2019 and is available on the OSC website at the following address: [https://www.osc.state.ny.us/retire/about\\_us/financial\\_statements\\_index.php](https://www.osc.state.ny.us/retire/about_us/financial_statements_index.php). Additionally, available at the OSC website are the System’s asset listing for the fiscal year ended March 31, 2019 and audited financial statements with the independent auditor’s report for the fiscal year ended March 31, 2019.

The Annual Reports to the Comptroller on Actuarial Assumptions from the Retirement System’s Actuary - the contents of which explain the methodology used to determine employer contribution rates to the System - issued from 2007 through 2019 are available at the OSC website at [https://www.osc.state.ny.us/retire/about\\_us/financial\\_statements\\_index.php](https://www.osc.state.ny.us/retire/about_us/financial_statements_index.php). Benefit plan booklets describing how each of the System’s tiers works can be accessed at <https://www.osc.state.ny.us/retire/publications/>.

The State Comptroller is the administrative head of NYSLRS, which has the powers and privileges of a corporation and comprises the New York State and Local Employees’ Retirement System (“ERS”) and the New York State and Local Police and Fire Retirement System (“PFRS”). The State Comptroller promulgates rules and regulations for the administration and transaction of the business of the System. Pursuant to the State’s Retirement and Social Security Law and Insurance Law, NYSLRS is subject to the supervision of the Superintendent of DFS.

The State Comptroller is also the trustee and custodian of the CRF, a trust created pursuant to the Retirement and Social Security Law to hold the System’s assets, and, as such, is responsible for investing the assets of the System. Consistent with statutory limitations affecting categories of investment, the State Comptroller, as trustee of the CRF, establishes a target asset allocation and approves policies and procedures to guide and direct the investment activities of the Division of Pension Investment and Cash Management of the Office of the State Comptroller (“Division”). Division employees, outside advisors, consultants and legal counsel provide the State Comptroller with advice and oversight of investment decisions. Outside advisors and internal investment staff are part of the chain of approval that must recommend all investment decisions before final action by the State Comptroller. The Investment Advisory Committee and the Real Estate Advisory Committee, both made up of outside advisors, assist the State Comptroller in his investment duties. The Investment Advisory Committee advises the State Comptroller on investment policies relating to the CRF, reviews the portfolio of the CRF and makes such recommendations as the Committee

deems necessary. The Real Estate Advisory Committee reviews and must approve mortgage and real estate investments for consideration by the State Comptroller.

The System engages an independent auditor to conduct an audit of the System's annual financial statements. Furthermore, an Actuarial Advisory Committee meets annually to review the actuarial assumptions and the results of the actuarial valuation of the System. The Actuarial Advisory Committee is composed of current or retired senior actuaries from major insurance companies or pension plans. The System also engages the services of an outside actuarial consultant to perform a statutorily required quinquennial review. At least once every five years, NYSLRS is also examined by DFS. The Comptroller has established within the Retirement System, the Pension Integrity Bureau, the purpose of which is to identify and prevent errors, fraud and abuse. The State Comptroller has also established an Office of Internal Audit to provide the Comptroller with independent and objective assurance and consulting services for the programs and operations of the Office of the State Comptroller, including programs and operations of NYSLRS. The Comptroller's Advisory Audit Committee, established in compliance with DFS regulations, meets three times per year to review the System's audited financial statements and the NYSLRS' CAFR, and to discuss a variety of financial and investment-related activities. Pursuant to DFS regulations, a fiduciary review of the System for the three-year period ended March 31, 2015 was submitted on June 16, 2016. The fiduciary review of the System for the three-year period ended March 31, 2018 is currently underway.

## ***The System***

The System provides pension benefits to public employees of the State and its localities (except employees of New York City, and public school teachers and administrators, who are covered by separate public retirement systems). State employees made up about 34 percent of the System's membership as of March 31, 2019. There were 3,020 public employers participating in the System, including the State, all cities and counties (except New York City), most towns, villages and school districts (with respect to non-teaching employees), and many public authorities.

As of March 31, 2019, 658,176 persons were members of the System and 481,795 pensioners or beneficiaries were receiving pension benefits. Article 5, section 7 of the State Constitution considers membership in any State pension or retirement system to be "a contractual relationship, the benefits of which shall not be diminished or impaired."

## ***Comparison of Benefits by Tier***

The System's members are categorized into six tiers depending on date of membership. As of March 31, 2019, approximately 54 percent of ERS members were in Tiers 3 and 4 and approximately 63 percent of PFRS members were in Tier 2. Tier 5 was enacted in 2009 and included significant changes to the benefit structure for ERS members who joined on or after January 1, 2010 and PFRS members who joined on or after January 9, 2010. Tier 6 was enacted in 2012 and included further changes to the benefit structure for ERS and PFRS members who joined on or after April 1, 2012.

Benefits paid to members vary depending on tier. Tiers vary with respect to vesting, employee contributions, retirement age, reductions for early retirement, and calculation and limitation of “final average salary” – generally the average of an employee’s three consecutive highest years’ salary (for Tier 6 members, final average salary is determined by taking the average of an employee’s five consecutive highest years’ salary). ERS members in Tiers 3 and 4 can begin receiving full retirement benefits at age 62, or at age 55 with at least 30 years of service. The amount of the benefit is based on years of service, age at retirement and the final average salary earned. The majority of PFRS members are in special plans that permit them to retire after 20 or 25 years regardless of age. Charts comparing the key benefits provided to members of ERS and PFRS in most of the tiers of the System can be accessed at:

ERS Chart: [http://www.osc.state.ny.us/retire/employers/tier-6/ers\\_comparison.php](http://www.osc.state.ny.us/retire/employers/tier-6/ers_comparison.php)

PFRS Chart: [http://www.osc.state.ny.us/retire/employers/tier-6/pfrs\\_comparison.php](http://www.osc.state.ny.us/retire/employers/tier-6/pfrs_comparison.php)

### ***Contributions and Funding***

Contributions to the System are provided by employers and employees. Employers contribute on the basis of the plan or plans they provide for members. All ERS members joining from mid-1976 through 2009 were required to contribute 3 percent of their salaries. A statutory change in 2000, however, limited the contributions to the first 10 years of membership, but did not authorize refunds where contributions had already exceeded 10 years. All ERS members joining after 2009 and prior to April 1, 2012, and all PFRS members joining after January 9, 2010 and prior to April 1, 2012, are members of Tier 5. All Tier 5 ERS members and 88 percent of the Tier 5 PFRS members are required to contribute 3 percent of their salaries for their career. Members joining on or after April 1, 2012 are in Tier 6, and are required to pay contributions throughout their career on a stepped basis relative to each respective member’s wages.<sup>27</sup> Members in Tier 6 of both ERS and PFRS earning \$45,000 or less are required to contribute 3 percent of their gross annual wages; members earning between \$45,001 and \$55,000 are required to contribute 3.5 percent; members earning between \$55,001 and \$75,000 are required to contribute 4.5 percent; members earning between \$75,001 and \$100,000 are required to contribute 5.75 percent; and, those earning in excess of \$100,000 are required to contribute 6 percent of their gross annual salary.

In order to protect employers from potentially volatile contributions tied directly to the value of the System’s assets held by the CRF, the System utilizes a multi-year smoothing procedure. One of the factors used by the System’s Actuary to calculate employer contribution requirements is the assumed investment rate of return, which is currently 6.8 percent.<sup>28</sup>

<sup>27</sup> Less than 1 percent of the 10,942 PFRS Tier 6 members are non-contributory.

<sup>28</sup> During 2015, the Retirement System’s Actuary conducted the statutorily required quinquennial actuarial experience study of economic and demographic assumptions. The assumed investment rate of return is an influential factor in calculating employer contribution rates. In addition, the Chief Investment Officer conducted an asset allocation study. The resulting asset allocation and long-term asset allocation policy informed the Actuary’s recommendation regarding the revision of the investment rate of return (discount rate). In September 2015, the Comptroller announced the assumed rate of return for NYSLRS would be lowered from 7.5 percent to 7 percent. The 7 percent rate of return has been used to determine employer contribution rates in FYs 2017 through 2020. In August 2019, the Comptroller announced the assumed rate of return for NYSLRS would again be lowered from 7.0 percent to 6.8 percent. The 6.8 percent rate of return has been used to determine employer contribution rates in FY 2021.

The current actuarial smoothing method recognizes unexpected annual gains and losses (returns above or below the assumed investment rate of return) over a 5-year period.

The amount of future annual employer contribution rates will depend, in part, on the value of the assets held by the CRF as of each April 1, as well as on the present value of the anticipated benefits to be paid by the System as of each April 1. Contribution rates for FY 2021 were released in August 2019. The average ERS rate in FY 2021 will remain at 14.6 percent of salary; the same as in FY 2020, while the average PFRS rate increased by 0.9 percent from 23.5 percent of salary in FY 2020 to 24.4 percent of salary in FY 2021. Information regarding average rates for FY 2021 may be found in the 2019 Annual Report to the Comptroller on Actuarial Assumptions which is accessible at:

[https://www.osc.state.ny.us/retire/about\\_us/financial\\_statements\\_index.php](https://www.osc.state.ny.us/retire/about_us/financial_statements_index.php).

Legislation enacted in 2010 authorized the State and participating employers to amortize a portion of their annual pension costs during periods when actuarial contribution rates exceed thresholds established by the statute. The legislation provided employers with an optional mechanism intended to reduce the budgetary volatility of employer contributions. Amortized amounts must be paid by the State and participating employers in equal annual installments over a ten-year period, and employers may prepay these amounts at any time without penalty. Employers are required to pay interest on the amortized amounts at a rate determined annually by the State Comptroller that is comparable to taxable fixed income investments of a comparable duration. The interest rate on the amount an employer chooses to amortize in a particular rate year is fixed for the duration of the ten-year repayment period. Should the employer choose to amortize in the next rate year, the interest rate on that amortization will be the rate set for that year. For amounts amortized in FY 2011, FY 2012, FY 2013, FY 2014, FY 2015, FY 2016, FY 2017, FY 2018, FY 2019 and FY 2020, the interest rates are 5 percent, 3.75 percent, 3 percent, 3.67 percent, 3.15 percent, 3.21 percent, 2.33 percent, 2.84 percent, 3.64 percent and 2.55 percent respectively. The first payment is due in the fiscal year following the decision to amortize pension costs. When contribution rates fall below legally specified levels and all outstanding amortizations have been paid, employers that elected to amortize will be required to pay additional monies into reserve funds, specific to each employer, which will be used to offset their contributions in the future. These reserve funds will be invested separately from pension assets. Over time, OSC expects that this will reduce the budgetary volatility of employer contributions. As of March 31, 2019, the amortized amount receivable, including accrued interest, for the 2011 amortization is \$52.3 million from the State and \$7.2 million from 20 participating employers; the amortized amount receivable, including accrued interest, for the 2012 amortization is \$191.7 million from the State and \$57.8 million from 96 participating employers; the amortized amount receivable, including accrued interest, for the 2013 amortization is \$340.1 million from the State and \$135.3 million from 119 participating employers; the amortized amount receivable, including accrued interest, for the 2014 amortization is \$512.1 million for the State and \$95.9 million from 88 participating employers; the amortized amount receivable including accrued interest, for the 2015 amortization is \$455.3 million from the State and \$84.4 million from 76 participating employers; the amortized amount receivable, including accrued interest for the 2016 amortization, is \$261.5 million from the State and \$47.3 million from 51 participating employers; the amortized amount receivable, including accrued interest for the 2017 amortization, is \$5.0 million from 9 participating employers; the State did not amortize in 2017; the amortized amount receivable, including accrued interest for the 2018 amortization, is

\$4.0 million from 4 participating employers; the State did not amortize in 2018; and the amortized amount receivable, including accrued interest for the 2019 amortization, is \$4.2 million from 1 participating employer; the State did not amortize in 2019.

The FY 2014 Enacted Budget included an alternate contribution program (the “Alternate Contribution Stabilization Program”) that provides certain participating employers with a one-time election to amortize slightly more of their required contributions than would have been available for amortization under the 2010 legislation. In addition, the maximum payment period was increased from ten years to twelve years. The election is available to counties, cities, towns, villages, BOCES, school districts and the four public health care centers operated in the counties of Nassau, Westchester and Erie. The State is not eligible to participate in the Alternate Contribution Stabilization Program. There are 41 employers that are currently enrolled in the program. Employers are not required to amortize every year. As of March 31, 2019, the amortized amount receivable, including interest, from 24 participating employers for the 2014 amortization is \$142.8 million. The amortized amount receivable, including interest, from 26 participating employers for the 2015 amortization is \$135.2 million. The amortized amount receivable, including interest, from 23 participating employers for the 2016 amortization is \$105.3 million. The amortized amount receivable, including interest, from 19 participating employers for the 2017 amortization is \$79.4 million. The amortized amount receivable, including interest, from 13 participating employers for the 2018 amortization is \$69.8 million. The amortized amount receivable, including interest, from 11 participating employers for the 2019 amortization is \$25.1 million.

For those eligible employers electing to participate in the Alternate Contribution Stabilization Program, the graded contribution rate for fiscal years ending 2014 and 2015 is 12 percent of salary for ERS and 20 percent of salary for PFRS. Thereafter, the graded contribution rate will increase one half of one percent per year towards the actuarially required rate. The FY 2019 amounts are 14.0 percent for ERS and 22.0 percent for PFRS. Electing employers may amortize the difference between the graded rate and the actuarially required rate over a twelve-year period at an interpolated twelve-year U.S. Treasury Security rate (3.76 percent for FY 2014, 3.50 percent for FY 2015, 3.31 percent for FY 2016, 2.63 percent for FY 2017, 3.31 percent for FY 2018, 3.99 percent for FY 2019, and 2.87 percent for FY 2020). As with the original Contribution Stabilization Program, when contribution rates fall below legally specified levels and all outstanding amortizations have been paid, employers that elect to amortize under the alternate program will be required to pay additional monies into reserve funds, specific to each employer, which will be used to offset their contributions in the future.

Legislation enacted in June 2017 modified the calculation of an employer’s graded rate to be the product of the System’s graded rate with the ratio of the employer’s average contribution rate to the System’s average contribution rate, not to exceed the System’s graded rate.

The total State payment (including Judiciary) due to NYSLRS for FY 2019 was approximately \$2.327 billion. The State opted not to amortize under the Contribution Stabilization Program and paid the bill in full as of March 1, 2019.

The estimated total State payment (including Judiciary) due to NYSLRS for FY 2020 is approximately \$2.342 billion. Multiple prepayments (including interest credit) have reduced this amount to \$25 million.

The FY 2017 Enacted Budget authorized the State, as an amortizing employer, to prepay to NYSLRS the total amount of principal due for its annual amortization installment or installments for a given fiscal year prior to the expiration of a ten-year amortization period.

### ***Pension Assets and Liabilities***

The System's assets are held by the CRF for the exclusive benefit of members, retirees and beneficiaries. Investments for the System are made by the State Comptroller as trustee of the CRF. The System reports that the net position restricted for pension benefits as of March 31, 2019 was \$215.2 billion (including \$5.0 billion in receivables, which consist of employer contributions, amortized amounts, member contributions, member loans, accrued interest and dividends, investment sales and other miscellaneous receivables), an increase of \$3.1 billion or 1.5 percent from the FY 2018 level of \$212.1 billion. The increase in net position restricted for pension benefits from FY 2018 to FY 2019 reflects, in large part, equity market performance.<sup>29</sup> The System's audited Financial Statement reports a time-weighted investment rate of return of 5.23 percent (gross rate of return before the deduction of certain fees) for FY 2019.

Consistent with statutory limitations affecting categories of investment, the State Comptroller, as trustee of the CRF, establishes a target asset allocation and approves policies and procedures to guide and direct the investment activities of the Division of Pension Investment and Cash Management. The purpose of this asset allocation strategy is to identify the optimal diversified mix of assets to meet the requirements of pension payment obligations to members. In the fiscal year ended March 31, 2015, an asset liability analysis was completed and a long-term policy allocation was adopted. The current long-term policy allocation seeks a mix that includes 50 percent public equities (36 percent domestic and 14 percent international); 18 percent bonds, cash and mortgages; 4 percent inflation indexed bonds and 28 percent alternative investments (10 percent private equity, 10 percent real estate, 2 percent absolute return or hedge funds, 3 percent opportunistic and 3 percent real assets). Since the implementation of the long-term policy allocation will take several years, transition targets have been established to aid in the asset rebalancing process.<sup>30</sup>

The System reports that the present value of anticipated benefits for current members, retirees, and beneficiaries increased to \$260.3 billion (including \$133.3 billion for retirees and beneficiaries) as of April 1, 2019, up from \$251.4 billion as of April 1, 2018. The funding method used by the System anticipates that the plan net position, plus future actuarially determined contributions, will be sufficient to pay for the anticipated benefits of current members, retirees and beneficiaries. The

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<sup>29</sup> On August 12, 2019, the State Comptroller released a statement indicating that the value of the System's invested assets posted a 3.38 percent time-weighted rate of return (gross rate of return before the deduction of certain fees) for the three-month period ended June 30, 2019. This report reflects unaudited data for assets invested for the System. The value of invested assets changes daily.

<sup>30</sup> More detail on the CRF's asset allocation as of March 31, 2019, long-term policy and transition target allocation can be found on page 96 of the NYSLRS' CAFR for the fiscal year ending March 31, 2019.

valuation used by the Retirement Systems Actuary was based on audited net position restricted for pension benefits as of March 31, 2019. Actuarially determined contributions are calculated using actuarial assets and the present value of anticipated benefits. Actuarial assets differed from plan net position on April 1, 2019 in that the determination of actuarial assets utilized a smoothing method that recognized 20 percent of the unexpected loss for FY 2019, 40 percent of the unexpected gain for FY 2018, 60 percent of the unexpected gain for FY 2017, and 80 percent of the unexpected loss for FY 2016. The asset valuation method smooths gains and losses based on the market value of all investments. Actuarial assets increased from \$206.7 billion on April 1, 2018 to \$213.0 billion on April 1, 2019.

In June 2012, GASB approved two related Statements that change the accounting and financial reporting of pensions by state and local governments and pension plans. These statements impact neither the System's actuarial funding method nor the calculation of rates.

Statement No. 67, Financial Reporting for Pension Plans, addresses financial reporting for state and local government pension plans, and replaced the requirements of Statement No. 25, Financial Reporting for Defined Benefit Pension Plans and Note Disclosures for Defined Contribution Plans, for most public employee pension plans and Statement No. 50, Pension Disclosures. Statement No. 67 mandates more extensive note disclosure and required supplementary information. The implementation of Statement No. 67 will have no impact on the System's Statement of Fiduciary Net Position, which measures the System's net position, restricted for pension benefits or Statement of Changes in Fiduciary Net Position. The System adopted Statement No. 67 in the March 31, 2015 Financial Statements.

The ratio of fiduciary net position to the total pension liability for ERS, as of March 31, 2019, calculated by the System's Actuary, was 96.3 percent. The ratio of the fiduciary net position to the total pension liability for PFRS, as of March 31, 2019, calculated by the System's Actuary, was 95.1 percent.<sup>31</sup>

Statement No. 68, Accounting and Financial Reporting for Pensions, replaced the requirements of Statement No. 27, Accounting for Pensions by State and Local Government Employers, and Statement No. 50, Pension Disclosures. Statement No. 68 establishes new accounting and financial reporting requirements for governments that provide their employees with pensions. Statement No. 68 requires employers participating in the plans to report expanded information concerning pensions in their financial statements, as well as their proportionate share of the Net Pension Liability effective for fiscal years beginning after June 15, 2014. The Net Pension Liability is a measure of the amount by which the Total Pension Liability exceeds a pension system's Fiduciary Net Position. Employers now have to recognize their proportionate share of the collective Net Pension Liability in their financial statements, as well as pension expense and deferred inflows and outflows.

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<sup>31</sup> The System previously disclosed a funded ratio in accordance with GASB Statements 25 and 27, which, as discussed herein, have been amended by GASB Statements 67 and 68. The GASB Statements 67 and 68 amendments had the effect, among other things, of no longer requiring the disclosure of a funded ratio. GASB now requires the disclosure of the ratio of the fiduciary net position to the total pension liability. This ratio is not called a funded ratio and is not directly comparable to the funded ratio disclosed in prior years.

As noted above, Statement No. 68 impacts neither the actuarial funding method nor the calculation of rates. The System provided employers with the information required to comply with Statement No. 68 in August 2019, based on the System's measurement date of March 31, 2019. The Net Pension liability is allocated to participating employers and reported pursuant to both Statements 67 and 68.

Detailed "Schedules of Employer Allocation" and "Schedules of Pension Amounts by Employer" can be found on the OSC website at the following link:

<https://www.osc.state.ny.us/retire/about-us/financial-statements-index.php>.

The GASB 68 "Schedules of Employer Allocation" and "Schedules of Pension Amounts by Employer" as of March 31, 2019 have been posted to the OSC website.

The tables that follow show net assets, benefits paid and the actuarially determined contributions that have been made over the last ten years. See also "State Retirement System — Contributions and Funding" above.

| CONTRIBUTIONS AND BENEFITS<br>NEW YORK STATE AND LOCAL RETIREMENT SYSTEM <sup>(1)</sup><br>(millions of dollars) |  |                                      |                         |           |  |
|--|--|--------------------------------------|-------------------------|-----------|--|
| Fiscal Year<br>Ended   | Contributions Recorded                           |                                      |                         |           | Total<br>Benefits<br>Paid <sup>(3)</sup> |
|  | All Participating<br>Employers <sup>(1)(2)</sup> | Local<br>Employers <sup>(1)(2)</sup> | State <sup>(1)(2)</sup> | Employees |  |
| March 31   |  |                                      |                         |           |  |
| 2010   | 2,344  | 1,447                                | 897                     | 284       | 7,719                                    |
| 2011   | 4,165  | 2,406                                | 1,759                   | 286       | 8,520                                    |
| 2012   | 4,585  | 2,799                                | 1,786                   | 273       | 8,938                                    |
| 2013   | 5,336  | 3,386                                | 1,950                   | 269       | 9,521                                    |
| 2014   | 6,064  | 3,691                                | 2,373                   | 281       | 9,978                                    |
| 2015   | 5,797  | 3,534                                | 2,263                   | 285       | 10,514                                   |
| 2016   | 5,140  | 3,182                                | 1,958                   | 307       | 11,060                                   |
| 2017   | 4,787  | 2,973                                | 1,814                   | 329       | 11,508                                   |
| 2018   | 4,823  | 3,021                                | 1,802                   | 349       | 12,129                                   |
| 2019   | 4,744  | 2,973                                | 1,771                   | 387       | 12,834                                   |

Sources: State and Local Retirement System.

<sup>(1)</sup> Contributions recorded include the full amount of unpaid amortized contributions.

<sup>(2)</sup> The actuarially determined contribution (ADC) include the employers' normal costs, the Group Life Insurance Plan amounts, and other supplemental amounts.

<sup>(3)</sup> Includes payments from Group Life Insurance Plan, which funds the first \$50,000 of any death benefit paid.

| NET POSITION RESTRICTED FOR PENSION BENEFITS OF THE<br>NEW YORK STATE AND LOCAL RETIREMENT SYSTEM <sup>(1)</sup><br>(millions of dollars) |            |                                    |
|---|------------|------------------------------------|
| Fiscal Year Ended   |            | Percent<br>Increase/<br>(Decrease) |
| March 31  | Net Assets | From Prior Year                    |
| 2010  | 134,252    | 21.0%                              |
| 2011  | 149,549    | 11.4%                              |
| 2012  | 153,394    | 2.6%                               |
| 2013  | 164,222    | 7.1%                               |
| 2014  | 181,275    | 10.4%                              |
| 2015  | 189,412    | 4.5%                               |
| 2016  | 183,640    | -3.0%                              |
| 2017  | 197,602    | 7.6%                               |
| 2018  | 212,077    | 7.3%                               |
| 2019  | 215,169    | 1.5%                               |

Sources: State and Local Retirement System.

<sup>(1)</sup> Includes relatively small amounts held under Group Life Insurance Plan. Includes some employer contribution receivables. Fiscal year ending March 31, 2019 includes approximately \$5.0 billion of receivables.

## ***Additional Information Regarding the System***

The NYSLRS CAFR contains in-depth and audited information about the System. Among other things, the NYSLRS CAFR contains information about the number of members and retirees, salaries of members, valuation of assets, changes in fiduciary net position and information related to contributions to the System. The 2019 NYSLRS CAFR is available on the OSC website at the following web address:

[http://www.osc.state.ny.us/retire/about\\_us/financial\\_statements\\_index.php](http://www.osc.state.ny.us/retire/about_us/financial_statements_index.php)

- 1) Information on the number of members and retirees, including the change in the number of members and retirees and beneficiaries since 2009 can be found on page 27 of the NYSLRS CAFR at the link noted above. More information on this topic is available in the “Statistical” section of the NYSLRS CAFR.
- 2) A combined basic statement of changes in fiduciary net position can be found on page 41 of the NYSLRS CAFR at the link noted above.
- 3) Schedule of Changes in the Employers’ Net Pension Liability and Related Ratios (unaudited) can be found on pages 70-71 at the link noted above.
- 4) Information on contributions can be found on pages 143-151 of the NYSLRS CAFR at the link noted above.
- 5) A table with the market value of assets, actuarial value of assets and actuarial accrued liability of the CRF since 2008 can be found on page 152 of the NYSLRS CAFR at the link noted above.
- 6) Information related to the salaries of members can be found on pages 181-185 of the NYSLRS CAFR at the link noted above.

# *Litigation*

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## ***Litigation***

THE INFORMATION THAT FOLLOWS UNDER THIS HEADING HAS BEEN FURNISHED BY THE STATE OFFICE OF THE ATTORNEY GENERAL AND DOB HAS NOT UNDERTAKEN ANY INDEPENDENT VERIFICATION OF SUCH INFORMATION.

### ***Real Property Claims***

Over the years, there have been a number of cases in which Native American tribes have asserted possessory interests in real property or sought monetary damages as a result of claims that certain transfers of property from the tribes or their predecessors-in-interest in the 18th and 19th centuries were illegal. Of these cases, only one remains active.

In *Canadian St. Regis Band of Mohawk Indians, et al. v. State of New York, et al. (NDNY)*, plaintiffs seek ejectment and monetary damages for their claim that approximately 15,000 acres in Franklin and St. Lawrence Counties were illegally transferred from their predecessors-in-interest. The defendants' motion for judgment on the pleadings, relying on prior decisions in other cases rejecting such land claims, was granted in great part through decisions on July 8, 2013 and July 23, 2013, holding that all claims are dismissed except for claims over the area known as the Hogansburg Triangle and a right of way claim against Niagara Mohawk Power Corporation.

On May 21, 2013, the State, Franklin and St. Lawrence Counties, and the tribe signed an agreement resolving a gaming exclusivity dispute, which agreement provides that the parties will work towards a mutually agreeable resolution of the tribe's land claim. The land claim has been stayed by the Second Circuit through at least February 12, 2020 to allow for settlement negotiations. The district court has extended the stay until October 16, 2019, with a status report due on that date.

On May 28, 2014, the State, the New York Power Authority and St. Lawrence County signed a memorandum of understanding with the St. Regis Mohawk Tribe endorsing a general framework for a settlement, subject to further negotiation. The memorandum of understanding does not address all claims by all parties and will require a formal written settlement agreement. Any formal settlement agreement will also require additional local, State and Congressional approval.

### ***School Aid***

In *Maisto v. State of New York* (formerly identified as *Hussein v. State of New York*), plaintiffs seek a judgment declaring that the State's system of financing public education violates § 1 of article 11 of the State Constitution, on the ground that it fails to provide a sound basic education (SBE). In a decision and order dated July 21, 2009, Supreme Court, Albany County, denied the State's motion to dismiss the action. On January 13, 2011, the Appellate Division, Third Department, affirmed the denial of the motion to dismiss. On May 6, 2011, the Third Department granted defendants leave to appeal to the Court of Appeals. On June 26, 2012, the Court of Appeals affirmed the denial of the State's motion to dismiss.

The trial commenced on January 21, 2015 and was completed on March 12, 2015. On September 19, 2016, the trial court ruled in favor of the State and dismissed the action. Plaintiffs filed a notice of appeal dated October 5, 2016 with the Appellate Division, Third Department. Plaintiffs have filed their appellate brief and the State's brief was filed May 30, 2017. The appeal was argued on September 5, 2017. By decision and order dated October 26, 2017, the Appellate Division reversed the judgment of the trial court and remanded the case for the trial court to make specific findings as to the adequacy of inputs and causation. In a decision and order dated January 10, 2019, Supreme Court, Albany County, found that the State's system of financing public education is adequate to provide the opportunity for a sound basic education. Plaintiffs filed a Notice of Appeal on February 21, 2019. Their time to perfect their appeal was extended until October 20, 2019.

In *Aristy-Farer, et al. v. The State of New York, et al.* (Sup. Ct., N.Y. Co.), commenced February 6, 2013, plaintiffs seek a judgment declaring that the provisions of L. 2012, Chapter 53 and L. 2012, Chapter 57, Part A § 1, linking payment of State school aid increases for 2012-2013 school year to submission by local school districts of approvable teacher evaluation plans violates, among other provisions of the State Constitution, Article XI, § 1, because implementation of the statutes would prevent students from receiving a sound basic education. Plaintiffs moved for a preliminary injunction enjoining the defendants from taking any actions to carry out the statutes to the extent that they would reduce payment of State aid disbursements referred to as General Support for Public Schools (GSPS) to the City of New York pending a final determination. The State opposed this motion. By order dated February 19, 2013, the Court granted the motion for preliminary injunction. The State appealed. On May 21, 2013, the Appellate Division, First Department, denied plaintiffs motion for a stay pending appeal. As a result, plaintiffs have agreed to vacate their preliminary injunction and the State will withdraw its appeal. On April 7, 2014, Supreme Court denied the State's motion to dismiss. The Answer to the Second Amended Complaint was filed on February 2, 2015.

By decision dated August 12, 2014, Supreme Court, New York County, granted a motion to consolidate *Aristy-Farer*, discussed in the preceding paragraph, with *New Yorkers for Student Educational Rights v. New York*. On June 27, 2017, the Court of Appeals dismissed the *Aristy-Farer* action but held that the *New Yorkers for Student Educational Rights v. New York* action could proceed on a limited basis as to the New York City and Syracuse school districts, as discussed below.

In *New Yorkers for Students Educational Rights v. New York*, the organizational plaintiff and several individual plaintiffs commenced a new lawsuit on February 11, 2014, in Supreme Court, New York County, claiming that the State is not meeting its constitutional obligation to fund schools in New York City and throughout the State to provide students with an opportunity for a sound basic education. Plaintiffs specifically allege that the State is not meeting its funding obligations for New York City schools under the Court of Appeals decision in *Campaign for Fiscal Equity ("CFE") v. New York*, 8 N.Y.3d 14 (2006), and -- repeating the allegations of *Aristy-Farer* -- challenge legislation conditioning increased funding for New York City schools on the timely adoption of a teacher evaluation plan. With regard to other school districts throughout the State, plaintiffs allege that the State is not providing adequate Statewide funding, has not fully implemented certain 2007 reforms to the State aid system, has imposed gap elimination adjustments decreasing State aid to school

districts, and has imposed caps on State aid increases, and on local property tax increases unless approved by a supermajority. Finally, they allege that the State has failed to provide assistance, services, accountability mechanisms, and a rational cost formula to ensure that students throughout the State have an opportunity for a sound basic education.

Plaintiffs seek a judgment declaring that the State has failed to comply with CFE, that the State has failed to comply with the command of State Constitution Article XI to provide funding for public schools across the State, and that the gap elimination adjustment and caps on State aid and local property tax increases are unconstitutional. They seek an injunction requiring the State to eliminate the gap elimination adjustments and caps on State aid and local property tax increases, to reimburse New York City for the funding that was withheld for failure to timely adopt a teacher evaluation plan, to provide greater assistance, services and accountability, to appoint an independent commission to determine the cost of providing students the opportunity for a sound basic education, and to revise State aid formulas.

On May 30, 2014, the State filed a motion to dismiss all claims. By order dated November 17, 2014, Supreme Court, New York County, denied defendants' motion to dismiss. Defendants filed a Notice of Appeal on December 15, 2014. Defendants filed Answers to the Amended Complaint on February 2, 2015. The appeals of both November 17, 2014 decisions, along with the appeal in *Aristy-Farer*, were heard by the First Department on February 24, 2016.

On April 5, 2016, following the submission of a stipulation by the parties, the trial court stayed the case pending the outcome of the appeal before the First Department.

On September 8, 2016, the First Department ruled largely in favor of plaintiffs and held that the bulk of their school-financing claims in *Aristy-Farer* and *New Yorkers for Students' Educational Rights (NYSER)* could proceed. Defendants moved for leave to appeal to the Court of Appeals, and that motion was granted by the First Department on December 15, 2016. The matter was fully briefed in the Court of Appeals, which heard argument on May 30, 2017.

On June 27, 2017, the Court of Appeals held that plaintiffs could proceed on their claims that the State was failing in its constitutional obligation to ensure the provision of minimally adequate educational services in the New York City and Syracuse school districts and remanded for further proceedings as to those two districts only.

Plaintiffs filed their Second Amended Complaint on December 11, 2017. The first cause of action alleges that the State has failed to provide a sound basic education in five school districts: New York City, Syracuse, Schenectady, Central Islip, and Gouverneur. The second cause of action alleges that the State has failed to maintain a system of accountability to ensure that a sound basic education is being provided in those five districts. The third cause of action asserts a statewide cause of action, alleging that since 2009 the State has failed to "adopt appropriate policies, systems and mechanisms to properly implement the requirements of N.Y. Const. art. XI, § 1 and of the CFE decisions." This cause of action is not limited to the five districts.

Defendants filed a partial motion to dismiss the third cause of action in the Second Amended Complaint on April 9, 2018. On May 4, 2018, plaintiffs filed a Third Amended Complaint, which is

identical to the Second Amended Complaint, but removed the third cause of action. Defendants' Answer to the Third Amended Complaint was filed on July 10, 2018. The current schedule is as follows: 1) depositions of named plaintiffs to be completed by October 15, 2019; 2) depositions of defendants to be completed by December 16, 2019; 3) fact discovery completed by April 16, 2020; 4) expert discovery to be completed by June 15, 2020; 5) note of issue due by June 22, 2020; and 6) summary of judgment motions due 120 days after note of issue.

On May 4, 2018, the case was reassigned from Hon. Manuel J. Mendez to Hon. Lucy Billings. On August 12, 2019, the individual plaintiffs from Central Islip voluntarily discontinued their claims. Central Islip is no longer a subject of litigation.

### ***Health Insurance Premiums***

In *NYSCOBPA v. Cuomo*, 11-CV-1523 (NDNY) and ten other cases, state retirees, and certain current court employees, allege various claims, including due process and violation of the Contracts Clause of the United States Constitution, via 42 U.S. Code § 1983, against the Governor and other State officials, challenging the 2011 increase in their health insurance contribution.

In 2011, CSEA negotiated a two percent increase in the employee contribution to health insurance premiums. Over time, the other unions incorporated this term into their collective bargaining agreements. In October 2011, the premium shift was administratively extended to unrepresented employees, retirees, and certain court employees pursuant to their contract terms (which provide that their health insurance terms are those of the majority of Executive Branch employees). The administrative extension is at issue in all eleven cases.

Certain claims were dismissed, including the claims against all State agencies and the personal capacity claims against all individual State defendants except Patricia Hite and Robert Megna.

Following discovery, the State defendants filed motions for summary judgment in all eleven cases. In the motions, the State defendants argued primarily that nothing in the language of any of the collective bargaining agreements or in the negotiating history supports plaintiffs' claim that the health insurance premium contribution rates for retirees vested and could not be changed. With respect to the court employees, State defendants argued that their contract terms required extension of the premium shift to them. Briefing was completed on January 26, 2018.

On September 24, 2018, the District Court granted defendants' motions for summary judgment in all respects. Between October 13, 2018 and November 2, 2018, notices of appeal were filed in all eleven cases. (Three separate notices of appeal were filed in *Brown v. Cuomo*, No. 13-CV-645.) On December 21, 2018, the U.S. Court of Appeals for the Second Circuit issued an order coordinating briefing in the twelve appeals. Under that order, plaintiffs' opening brief in the lead case (*Donahue v. State*) was filed February 4, 2019, and plaintiffs in the other cases filed supplemental briefs by March 6, 2019. Defendants' brief responding to all twelve appeals was filed on July 8, 2019. Plaintiffs' reply briefs were filed on or about August 7, 2019. The State defendants have requested oral argument, as have the plaintiffs in each of the twelve appeals.



# *Financial Plan Tables*

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## ***Financial Plan Tables***

The cash financial plan tables listed below appear on the following pages and summarize actual General Fund receipts and disbursements for fiscal year 2019 and projected receipts and disbursements for fiscal years 2020 through 2023 on a General Fund, State Operating Funds and All Governmental Funds basis.<sup>32</sup> The Financial Plan projections for FY 2020 and thereafter, set forth in this AIS Update, reflect the savings that DOB estimates would occur if the Governor continues to propose, and the Legislature continues to enact, balanced budgets in future years that limit annual growth in spending from State Operating Funds to no greater than 2 percent. The estimated savings are labeled in the Financial Plan tables as "Adherence to 2% Spending Benchmark". Total disbursements in the Financial Plan tables and discussion do not reflect these savings. If the 2 percent State Operating Funds spending benchmark is not adhered to, budget gaps would be higher.

### ***General Fund - Total Budget***

- Financial Plan, Annual Change from FY 2019 to FY 2020
- Financial Plan Projections FY 2020 through FY 2023
- Update to FY 2020
- Update to FY 2021
- Update to FY 2022
- Update to FY 2023

### ***General Fund - Receipts Detail (Excluding Transfers)***

- Financial Plan Projections FY 2020 through FY 2023

### ***State Operating Funds Budget***

- Financial Plan, Annual Change from FY 2019 to FY 2020
- FY 2020
- FY 2021
- FY 2022
- FY 2023

### ***All Governmental Funds - Total Budget***

- FY 2020
- FY 2021
- FY 2022
- FY 2023

### ***Cashflow - FY 2020 Monthly Projections***

- General Fund

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<sup>32</sup> Differences may occur from time to time between the State's Financial Plan and OSC's financial reports in the presentation and reporting of receipts and disbursements. For example, the Financial Plan may reflect a net expenditure amount while OSC may report the gross amount of the expenditure. Any such differences in reporting between DOB and OSC could result in differences in the presentation and reporting of receipts and disbursements for discrete funds, as well as differences in the presentation and reporting for total receipts and disbursements under different fund perspectives (e.g., State Operating Funds, All Governmental funds).

| <b>CASH FINANCIAL PLAN</b>                                |                |                      |                  |                 |
|---|----------------|----------------------|------------------|-----------------|
| <b>GENERAL FUND</b>                                       |                |                      |                  |                 |
| <b>(millions of dollars)</b>                              |                |                      |                  |                 |
|   | <b>FY 2019</b> | <b>FY 2020</b>       | <b>Annual</b>    | <b>Annual</b>   |
|   | <b>Results</b> | <b>First Quarter</b> | <b>\$ Change</b> | <b>% Change</b> |
| <b>Opening Fund Balance</b>                               | <b>9,445</b>   | <b>7,206</b>         | <b>(2,239)</b>   | <b>-23.7%</b>   |
| <b>Receipts:</b>  |                |                      |                  |                 |
| <b>Taxes:</b>   |                |                      |                  |                 |
| Personal Income Tax                                       | 21,621         | 23,899               | 2,278            | 10.5%           |
| Consumption/Use Taxes                                     | 7,681          | 8,209                | 528              | 6.9%            |
| Business Taxes  | 5,501          | 6,077                | 576              | 10.5%           |
| Other Taxes   | 1,086          | 1,113                | 27               | 2.5%            |
| Miscellaneous Receipts                                    | 3,586          | 2,890                | (696)            | -19.4%          |
| <b>Transfers from Other Funds:</b>                        |                |                      |                  |                 |
| PIT in Excess of Revenue Bond Debt Service                | 21,346         | 24,631               | 3,285            | 15.4%           |
| ECEP in Excess of Revenue Bond Debt Service               | 0              | 1                    | 1                | 0.0%            |
| Sales Tax in Excess of LGAC Bond Debt Service             | 3,113          | 3,481                | 368              | 11.8%           |
| Sales Tax in Excess of Revenue Bond Debt Service          | 2,653          | 2,945                | 292              | 11.0%           |
| Real Estate Taxes in Excess of CW/CA Debt Service         | 956            | 973                  | 17               | 1.8%            |
| All Other   | 3,001          | 2,900                | (101)            | -3.4%           |
| <b>Total Receipts</b>                                     | <b>70,544</b>  | <b>77,119</b>        | <b>6,575</b>     | <b>9.3%</b>     |
| <b>Disbursements:</b>                                     |                |                      |                  |                 |
| Local Assistance  | 49,745         | 52,091               | 2,346            | 4.7%            |
| <b>State Operations:</b>                                  |                |                      |                  |                 |
| Personal Service  | 8,719          | 9,064                | 345              | 4.0%            |
| Non-Personal Service                                      | 2,622          | 2,870                | 248              | 9.5%            |
| General State Charges                                     | 7,139          | 7,687                | 548              | 7.7%            |
| <b>Transfers to Other Funds:</b>                          |                |                      |                  |                 |
| Debt Service  | 786            | 550                  | (236)            | -30.0%          |
| Capital Projects  | 1,888          | 3,191                | 1,303            | 69.0%           |
| State Share of Mental Hygiene Medicaid                    | (29)           | 0                    | 29               | 100.0%          |
| SUNY Operations   | 1,020          | 1,185                | 165              | 16.2%           |
| Other Purposes  | 893            | 1,188                | 295              | 33.0%           |
| <b>Total Disbursements</b>                                | <b>72,783</b>  | <b>77,826</b>        | <b>5,043</b>     | <b>6.9%</b>     |
| <b>Excess (Deficiency) of Receipts Over Disbursements</b> | <b>(2,239)</b> | <b>(707)</b>         | <b>1,532</b>     | <b>68.4%</b>    |
| <b>Closing Fund Balance</b>                               | <b>7,206</b>   | <b>6,499</b>         | <b>(707)</b>     | <b>-9.8%</b>    |
| <b>Statutory Reserves</b>                                 |                |                      |                  |                 |
| Tax Stabilization Reserve                                 | 1,258          | 1,258                | 0                |                 |
| Rainy Day Reserves  | 790            | 1,218                | 428              |                 |
| Contingency Reserve                                       | 21             | 21                   | 0                |                 |
| Community Projects  | 35             | 0                    | (35)             |                 |
| <b>Reserved For</b>                                       |                |                      |                  |                 |
| Labor Agreements  | 206            | 0                    | (206)            |                 |
| Business Tax Refund                                       | 202            | 0                    | (202)            |                 |
| Debt Management   | 500            | 500                  | 0                |                 |
| Economic Uncertainties                                    | 0              | 862                  | 862              |                 |
| Extraordinary Monetary Settlements                        | 4,194          | 2,640                | (1,554)          |                 |

Source: NYS DOB.

| <b>CASH FINANCIAL PLAN</b>   |                      |                  |                  |                  |
|--|----------------------|------------------|------------------|------------------|
| <b>GENERAL FUND</b>  |                      |                  |                  |                  |
| <b>(millions of dollars)</b>   |                      |                  |                  |                  |
|  | <b>FY 2020</b>       | <b>FY 2021</b>   | <b>FY 2022</b>   | <b>FY 2023</b>   |
|  | <b>First Quarter</b> | <b>Projected</b> | <b>Projected</b> | <b>Projected</b> |
| <b>Receipts:</b>   |                      |                  |                  |                  |
| Taxes:   |                      |                  |                  |                  |
| Personal Income Tax  | 23,899               | 25,615           | 27,039           | 28,731           |
| Consumption/Use Taxes  | 8,209                | 8,558            | 8,817            | 9,095            |
| Business Taxes   | 6,077                | 6,472            | 6,550            | 6,871            |
| Other Taxes  | 1,113                | 1,175            | 1,242            | 1,306            |
| Miscellaneous Receipts   | 2,890                | 2,049            | 1,892            | 1,869            |
| Transfers from Other Funds:  |                      |                  |                  |                  |
| PIT in Excess of Revenue Bond Debt Service   | 24,631               | 25,064           | 25,755           | 27,226           |
| ECEP in Excess of Revenue Bond Debt Service  | 1                    | 4                | 11               | 12               |
| Sales Tax in Excess of LGAC Bond Debt Service  | 3,481                | 3,694            | 3,942            | 4,122            |
| Sales Tax in Excess of Revenue Bond Debt Service   | 2,945                | 2,697            | 2,848            | 2,877            |
| Real Estate Taxes in Excess of CW/CA Debt Service  | 973                  | 1,013            | 1,054            | 1,105            |
| All Other  | 2,900                | 2,042            | 1,696            | 1,560            |
| <b>Total Receipts</b>  | <b>77,119</b>        | <b>78,383</b>    | <b>80,846</b>    | <b>84,774</b>    |
| <b>Disbursements:</b>  |                      |                  |                  |                  |
| Local Assistance   | 52,091               | 55,794           | 57,928           | 60,969           |
| State Operations:  |                      |                  |                  |                  |
| Personal Service   | 9,064                | 9,569            | 9,547            | 9,757            |
| Non-Personal Service   | 2,870                | 3,051            | 3,100            | 3,199            |
| General State Charges  | 7,687                | 8,230            | 8,797            | 9,356            |
| Transfers to Other Funds:  |                      |                  |                  |                  |
| Debt Service   | 550                  | 738              | 637              | 612              |
| Capital Projects   | 3,191                | 3,305            | 3,168            | 3,486            |
| SUNY Operations  | 1,185                | 1,259            | 1,255            | 1,255            |
| Other Purposes   | 1,188                | 1,282            | 1,464            | 1,615            |
| <b>Total Disbursements</b>   | <b>77,826</b>        | <b>83,228</b>    | <b>85,896</b>    | <b>90,249</b>    |
| <b>Use (Reservation) of Fund Balance:</b>  |                      |                  |                  |                  |
| Community Projects   | 35                   | 0                | 0                | 0                |
| Labor Agreements   | 206                  | 0                | 0                | 0                |
| Business Tax Refund  | 202                  | 0                | 0                | 0                |
| Rainy Day Reserves   | (428)                | 0                | 0                | 0                |
| Economic Uncertainties   | (862)                | 0                | 0                | 0                |
| Extraordinary Monetary Settlements   | 1,554                | 858              | 867              | 793              |
| <b>Total Use (Reservation) of Fund Balance</b>   | <b>707</b>           | <b>858</b>       | <b>867</b>       | <b>793</b>       |
| <b>Excess (Deficiency) of Receipts and Use (Reservation)</b>   |                      |                  |                  |                  |
| <b>of Fund Balance Over Disbursements (Before 2% Adherence)</b>  | <b>0</b>             | <b>(3,987)</b>   | <b>(4,183)</b>   | <b>(4,682)</b>   |
| <b>Adherence to 2% Spending Benchmark*</b>   | <b>0</b>             | <b>3,752</b>     | <b>5,046</b>     | <b>6,736</b>     |
| <b>Net General Fund Surplus (Deficit)</b>  | <b>0</b>             | <b>(235)</b>     | <b>863</b>       | <b>2,054</b>     |
| * Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on FY 2020 estimate) and assuming all savings are made available to the General Fund. |                      |                  |                  |                  |
| Source: NYS DOB.   |                      |                  |                  |                  |

| <b>CASH FINANCIAL PLAN</b>   |                            |               |                                  |
|--|----------------------------|---------------|----------------------------------|
| <b>GENERAL FUND</b>  |                            |               |                                  |
| <b>(millions of dollars)</b>   |                            |               |                                  |
|  | <b>FY 2020<br/>Enacted</b> | <b>Change</b> | <b>FY 2020<br/>First Quarter</b> |
| <b>Receipts:</b>   |                            |               |                                  |
| Taxes:   |                            |               |                                  |
| Personal Income Tax  | 23,899                     | 0             | 23,899                           |
| Consumption/Use Taxes  | 8,209                      | 0             | 8,209                            |
| Business Taxes   | 6,104                      | (27)          | 6,077                            |
| Other Taxes  | 1,113                      | 0             | 1,113                            |
| Miscellaneous Receipts   | 2,857                      | 33            | 2,890                            |
| Transfers from Other Funds:  |                            |               |                                  |
| PIT in Excess of Revenue Bond Debt Service   | 24,635                     | (4)           | 24,631                           |
| ECEP in Excess of Revenue Bond Debt Service  | 1                          | 0             | 1                                |
| Sales Tax in Excess of LGAC Bond Debt Service  | 3,481                      | 0             | 3,481                            |
| Sales Tax in Excess of Revenue Bond Debt Service   | 2,945                      | 0             | 2,945                            |
| Real Estate Taxes in Excess of CW/CA Debt Service  | 973                        | 0             | 973                              |
| All Other  | 2,900                      | 0             | 2,900                            |
| <b>Total Receipts</b>  | <b>77,117</b>              | <b>2</b>      | <b>77,119</b>                    |
| <b>Disbursements:</b>  |                            |               |                                  |
| Local Assistance   | 52,100                     | (9)           | 52,091                           |
| State Operations:  |                            |               |                                  |
| Personal Service   | 9,031                      | 33            | 9,064                            |
| Non-Personal Service   | 2,880                      | (10)          | 2,870                            |
| General State Charges  | 7,716                      | (29)          | 7,687                            |
| Transfers to Other Funds:  |                            |               |                                  |
| Debt Service   | 550                        | 0             | 550                              |
| Capital Projects   | 3,191                      | 0             | 3,191                            |
| SUNY Operations  | 1,185                      | 0             | 1,185                            |
| Other Purposes   | 1,204                      | (16)          | 1,188                            |
| <b>Total Disbursements</b>   | <b>77,857</b>              | <b>(31)</b>   | <b>77,826</b>                    |
| <b>Use (Reservation) of Fund Balance:</b>  |                            |               |                                  |
| Community Projects   | 35                         | 0             | 35                               |
| Labor Agreements   | 206                        | 0             | 206                              |
| Business Tax Refund  | 202                        | 0             | 202                              |
| Rainy Day Reserves   | (428)                      | 0             | (428)                            |
| Economic Uncertainties   | (829)                      | (33)          | (862)                            |
| Extraordinary Monetary Settlements   | 1,554                      | 0             | 1,554                            |
| <b>Total Use (Reservation) of Fund Balance</b>   | <b>740</b>                 | <b>(33)</b>   | <b>707</b>                       |
| <b>Excess (Deficiency) of Receipts and Use (Reservation) of Fund Balance Over Disbursements (Before 2% Adherence)</b>  | <b>0</b>                   | <b>0</b>      | <b>0</b>                         |
| <b>Adherence to 2% Spending Benchmark*</b>   | <b>0</b>                   | <b>0</b>      | <b>0</b>                         |
| <b>Net General Fund Surplus (Deficit)</b>  | <b>0</b>                   | <b>0</b>      | <b>0</b>                         |
| * Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on FY 2020 estimate) and assuming all savings are made available to the General Fund. |                            |               |                                  |
| Source: NYS DOB.   |                            |               |                                  |

| <b>CASH FINANCIAL PLAN</b>   |                            |               |                                  |
|--|----------------------------|---------------|----------------------------------|
| <b>GENERAL FUND</b>  |                            |               |                                  |
| <b>(millions of dollars)</b>   |                            |               |                                  |
|  | <b>FY 2021<br/>Enacted</b> | <b>Change</b> | <b>FY 2021<br/>First Quarter</b> |
| <b>Receipts:</b>   |                            |               |                                  |
| Taxes:   |                            |               |                                  |
| Personal Income Tax  | 25,615                     | 0             | 25,615                           |
| Consumption/Use Taxes  | 8,558                      | 0             | 8,558                            |
| Business Taxes   | 6,510                      | (38)          | 6,472                            |
| Other Taxes  | 1,175                      | 0             | 1,175                            |
| Miscellaneous Receipts   | 2,049                      | 0             | 2,049                            |
| Transfers from Other Funds:  |                            |               |                                  |
| PIT in Excess of Revenue Bond Debt Service   | 25,097                     | (33)          | 25,064                           |
| ECEP in Excess of Revenue Bond Debt Service  | 4                          | 0             | 4                                |
| Sales Tax in Excess of LGAC Bond Debt Service  | 3,694                      | 0             | 3,694                            |
| Sales Tax in Excess of Revenue Bond Debt Service   | 2,697                      | 0             | 2,697                            |
| Real Estate Taxes in Excess of CW/CA Debt Service  | 1,013                      | 0             | 1,013                            |
| All Other  | 2,042                      | 0             | 2,042                            |
| <b>Total Receipts</b>  | <b>78,454</b>              | <b>(71)</b>   | <b>78,383</b>                    |
| <b>Disbursements:</b>  |                            |               |                                  |
| Local Assistance   | 55,794                     | 0             | 55,794                           |
| State Operations:  |                            |               |                                  |
| Personal Service   | 9,513                      | 56            | 9,569                            |
| Non-Personal Service   | 3,051                      | 0             | 3,051                            |
| General State Charges  | 8,268                      | (38)          | 8,230                            |
| Transfers to Other Funds:  |                            |               |                                  |
| Debt Service   | 738                        | 0             | 738                              |
| Capital Projects   | 3,305                      | 0             | 3,305                            |
| SUNY Operations  | 1,259                      | 0             | 1,259                            |
| Other Purposes   | 1,297                      | (15)          | 1,282                            |
| <b>Total Disbursements</b>   | <b>83,225</b>              | <b>3</b>      | <b>83,228</b>                    |
| <b>Use (Reservation) of Fund Balance:</b>  |                            |               |                                  |
| Community Projects   | 0                          | 0             | 0                                |
| Extraordinary Monetary Settlements   | 858                        | 0             | 858                              |
| <b>Total Use (Reservation) of Fund Balance</b>   | <b>858</b>                 | <b>0</b>      | <b>858</b>                       |
| <b>Excess (Deficiency) of Receipts and Use (Reservation) of Fund Balance Over Disbursements (Before 2% Adherence)</b>  |                            |               |                                  |
|  | <b>(3,913)</b>             | <b>(74)</b>   | <b>(3,987)</b>                   |
| <b>Adherence to 2% Spending Benchmark*</b>   | <b>3,741</b>               | <b>11</b>     | <b>3,752</b>                     |
| <b>Net General Fund Surplus (Deficit)</b>  | <b>(172)</b>               | <b>(63)</b>   | <b>(235)</b>                     |
| * Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on FY 2020 estimate) and assuming all savings are made available to the General Fund. |                            |               |                                  |
| Source: NYS DOB.   |                            |               |                                  |

| <b>CASH FINANCIAL PLAN</b>   |                            |               |                                  |
|--|----------------------------|---------------|----------------------------------|
| <b>GENERAL FUND</b>  |                            |               |                                  |
| (millions of dollars)  |                            |               |                                  |
|  | <u>FY 2022<br/>Enacted</u> | <u>Change</u> | <u>FY 2022<br/>First Quarter</u> |
| <b>Receipts:</b>   |                            |               |                                  |
| Taxes:   |                            |               |                                  |
| Personal Income Tax  | 27,039                     | 0             | 27,039                           |
| Consumption/Use Taxes  | 8,817                      | 0             | 8,817                            |
| Business Taxes   | 6,577                      | (27)          | 6,550                            |
| Other Taxes  | 1,242                      | 0             | 1,242                            |
| Miscellaneous Receipts   | 1,892                      | 0             | 1,892                            |
| Transfers from Other Funds:  |                            |               |                                  |
| PIT in Excess of Revenue Bond Debt Service   | 25,799                     | (44)          | 25,755                           |
| ECEP in Excess of Revenue Bond Debt Service  | 11                         | 0             | 11                               |
| Sales Tax in Excess of LGAC Bond Debt Service  | 3,942                      | 0             | 3,942                            |
| Sales Tax in Excess of Revenue Bond Debt Service   | 2,848                      | 0             | 2,848                            |
| Real Estate Taxes in Excess of CW/CA Debt Service  | 1,054                      | 0             | 1,054                            |
| All Other  | 1,696                      | 0             | 1,696                            |
| <b>Total Receipts</b>  | <b>80,917</b>              | <b>(71)</b>   | <b>80,846</b>                    |
| <b>Disbursements:</b>  |                            |               |                                  |
| Local Assistance   | 57,928                     | 0             | 57,928                           |
| State Operations:  |                            |               |                                  |
| Personal Service   | 9,508                      | 39            | 9,547                            |
| Non-Personal Service   | 3,100                      | 0             | 3,100                            |
| General State Charges  | 8,846                      | (49)          | 8,797                            |
| Transfers to Other Funds:  |                            |               |                                  |
| Debt Service   | 637                        | 0             | 637                              |
| Capital Projects   | 3,168                      | 0             | 3,168                            |
| SUNY Operations  | 1,255                      | 0             | 1,255                            |
| Other Purposes   | 1,484                      | (20)          | 1,464                            |
| <b>Total Disbursements</b>   | <b>85,926</b>              | <b>(30)</b>   | <b>85,896</b>                    |
| <b>Use (Reservation) of Fund Balance:</b>  |                            |               |                                  |
| Extraordinary Monetary Settlements   | 867                        | 0             | 867                              |
| <b>Total Use (Reservation) of Fund Balance</b>   | <b>867</b>                 | <b>0</b>      | <b>867</b>                       |
| <b>Excess (Deficiency) of Receipts and Use (Reservation) of Fund Balance Over Disbursements (Before 2% Adherence)</b>  |                            |               |                                  |
|  | <b>(4,142)</b>             | <b>(41)</b>   | <b>(4,183)</b>                   |
| <b>Adherence to 2% Spending Benchmark*</b>   | <b>5,052</b>               | <b>(6)</b>    | <b>5,046</b>                     |
| <b>Net General Fund Surplus (Deficit)</b>  | <b>910</b>                 | <b>(47)</b>   | <b>863</b>                       |
| * Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on FY 2020 estimate) and assuming all savings are made available to the General Fund. |                            |               |                                  |
| Source: NYS DOB.   |                            |               |                                  |

| <b>CASH FINANCIAL PLAN</b>   |                            |               |                                  |
|--|----------------------------|---------------|----------------------------------|
| <b>GENERAL FUND</b>  |                            |               |                                  |
| <b>(millions of dollars)</b>   |                            |               |                                  |
|  | <b>FY 2023<br/>Enacted</b> | <b>Change</b> | <b>FY 2023<br/>First Quarter</b> |
| <b>Receipts:</b>   |                            |               |                                  |
| Taxes:   |                            |               |                                  |
| Personal Income Tax  | 28,731                     | 0             | 28,731                           |
| Consumption/Use Taxes  | 9,095                      | 0             | 9,095                            |
| Business Taxes   | 6,898                      | (27)          | 6,871                            |
| Other Taxes  | 1,306                      | 0             | 1,306                            |
| Miscellaneous Receipts   | 1,869                      | 0             | 1,869                            |
| Transfers from Other Funds:  |                            |               |                                  |
| PIT in Excess of Revenue Bond Debt Service   | 27,230                     | (4)           | 27,226                           |
| ECEP in Excess of Revenue Bond Debt Service  | 12                         | 0             | 12                               |
| Sales Tax in Excess of LGAC Bond Debt Service  | 4,122                      | 0             | 4,122                            |
| Sales Tax in Excess of Revenue Bond Debt Service   | 2,877                      | 0             | 2,877                            |
| Real Estate Taxes in Excess of CW/CA Debt Service  | 1,105                      | 0             | 1,105                            |
| All Other  | 1,560                      | 0             | 1,560                            |
| <b>Total Receipts</b>  | <b>84,805</b>              | <b>(31)</b>   | <b>84,774</b>                    |
| <b>Disbursements:</b>  |                            |               |                                  |
| Local Assistance   | 60,969                     | 0             | 60,969                           |
| State Operations:  |                            |               |                                  |
| Personal Service   | 9,713                      | 44            | 9,757                            |
| Non-Personal Service   | 3,199                      | 0             | 3,199                            |
| General State Charges  | 9,415                      | (59)          | 9,356                            |
| Transfers to Other Funds:  |                            |               |                                  |
| Debt Service   | 612                        | 0             | 612                              |
| Capital Projects   | 3,486                      | 0             | 3,486                            |
| SUNY Operations  | 1,255                      | 0             | 1,255                            |
| Other Purposes   | 1,640                      | (25)          | 1,615                            |
| <b>Total Disbursements</b>   | <b>90,289</b>              | <b>(40)</b>   | <b>90,249</b>                    |
| <b>Use (Reservation) of Fund Balance:</b>  |                            |               |                                  |
| Extraordinary Monetary Settlements   | 793                        | 0             | 793                              |
| <b>Total Use (Reservation) of Fund Balance</b>   | <b>793</b>                 | <b>0</b>      | <b>793</b>                       |
| <b>Excess (Deficiency) of Receipts and Use (Reservation)<br/>of Fund Balance Over Disbursements (Before 2% Adherence)</b>  |                            |               |                                  |
|  | <b>(4,691)</b>             | <b>9</b>      | <b>(4,682)</b>                   |
| <b>Adherence to 2% Spending Benchmark*</b>   | <b>6,786</b>               | <b>(50)</b>   | <b>6,736</b>                     |
| <b>Net General Fund Surplus (Deficit)</b>  | <b>2,095</b>               | <b>(41)</b>   | <b>2,054</b>                     |
| * Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on FY 2020 estimate) and assuming all savings are made available to the General Fund. |                            |               |                                  |
| Source: NYS DOB.   |                            |               |                                  |

| <b>CASH RECEIPTS</b>                  |                      |                  |                  |                  |
|---------------------------------------|----------------------|------------------|------------------|------------------|
| <b>GENERAL FUND</b>                   |                      |                  |                  |                  |
| <b>(millions of dollars)</b>          |                      |                  |                  |                  |
|                                       | <b>FY 2020</b>       | <b>FY 2021</b>   | <b>FY 2022</b>   | <b>FY 2023</b>   |
|                                       | <b>First Quarter</b> | <b>Projected</b> | <b>Projected</b> | <b>Projected</b> |
| <b>Taxes:</b>                         |                      |                  |                  |                  |
| Withholdings                          | 42,900               | 44,556           | 46,738           | 48,672           |
| Estimated Payments                    | 16,972               | 17,169           | 18,751           | 20,391           |
| Final Payments                        | 3,348                | 3,508            | 3,632            | 3,789            |
| Other Payments                        | 1,509                | 1,606            | 1,676            | 1,726            |
| <b>Gross Collections</b>              | <b>64,729</b>        | <b>66,839</b>    | <b>70,797</b>    | <b>74,578</b>    |
| State/City Offset                     | (1,299)              | (1,424)          | (1,549)          | (1,674)          |
| Refunds                               | (11,280)             | (10,039)         | (11,212)         | (11,726)         |
| <b>Reported Tax Collections</b>       | <b>52,150</b>        | <b>55,376</b>    | <b>58,036</b>    | <b>61,178</b>    |
| STAR (Dedicated Deposits)             | (2,176)              | (2,073)          | (1,979)          | (1,858)          |
| RBTF (Dedicated Transfers)            | (26,075)             | (27,688)         | (29,018)         | (30,589)         |
| <b>Personal Income Tax</b>            | <b>23,899</b>        | <b>25,615</b>    | <b>27,039</b>    | <b>28,731</b>    |
| Sales and Use Tax                     | 15,136               | 15,786           | 16,320           | 16,890           |
| Cigarette and Tobacco Taxes           | 310                  | 296              | 285              | 275              |
| Vapor Excise Tax                      | 0                    | 0                | 0                | 0                |
| Motor Fuel Tax                        | 0                    | 0                | 0                | 0                |
| Alcoholic Beverage Taxes              | 265                  | 269              | 272              | 275              |
| Opioid Excise Tax                     | 66                   | 100              | 100              | 100              |
| Medical Cannabis Excise Tax           | 0                    | 0                | 0                | 0                |
| Adult Use Cannabis Tax                | 0                    | 0                | 0                | 0                |
| Highway Use Tax                       | 0                    | 0                | 0                | 0                |
| Auto Rental Tax                       | 0                    | 0                | 0                | 0                |
| Taxicab Surcharge                     | 0                    | 0                | 0                | 0                |
| <b>Gross Consumption/Use Taxes</b>    | <b>15,777</b>        | <b>16,451</b>    | <b>16,977</b>    | <b>17,540</b>    |
| LGAC/STBF (Dedicated Transfers)       | (7,568)              | (7,893)          | (8,160)          | (8,445)          |
| <b>Consumption/Use Taxes</b>          | <b>8,209</b>         | <b>8,558</b>     | <b>8,817</b>     | <b>9,095</b>     |
| Corporation Franchise Tax             | 3,363                | 3,843            | 3,855            | 4,053            |
| Corporation and Utilities Tax         | 557                  | 537              | 543              | 552              |
| Insurance Taxes                       | 2,017                | 2,092            | 2,152            | 2,266            |
| Bank Tax                              | 140                  | 0                | 0                | 0                |
| Petroleum Business Tax                | 0                    | 0                | 0                | 0                |
| <b>Business Taxes</b>                 | <b>6,077</b>         | <b>6,472</b>     | <b>6,550</b>     | <b>6,871</b>     |
| Estate Tax                            | 1,094                | 1,153            | 1,214            | 1,277            |
| Real Estate Transfer Tax              | 1,148                | 1,183            | 1,219            | 1,263            |
| Employer Compensation Expense Program | 2                    | 8                | 21               | 23               |
| Gift Tax                              | 0                    | 0                | 0                | 0                |
| Real Property Gains Tax               | 0                    | 0                | 0                | 0                |
| Pari-Mutuel Taxes                     | 15                   | 15               | 15               | 15               |
| Other Taxes                           | 3                    | 3                | 3                | 3                |
| <b>Gross Other Taxes</b>              | <b>2,262</b>         | <b>2,362</b>     | <b>2,472</b>     | <b>2,581</b>     |
| Real Estate Transfer Tax (Dedicated)  | (1,148)              | (1,183)          | (1,219)          | (1,263)          |
| RBTF (Dedicated Transfers)            | (1)                  | (4)              | (11)             | (12)             |
| <b>Other Taxes</b>                    | <b>1,113</b>         | <b>1,175</b>     | <b>1,242</b>     | <b>1,306</b>     |
| <b>Payroll Tax</b>                    | <b>0</b>             | <b>0</b>         | <b>0</b>         | <b>0</b>         |
| <b>Total Taxes</b>                    | <b>39,298</b>        | <b>41,820</b>    | <b>43,648</b>    | <b>46,003</b>    |
| Licenses, Fees, Etc.                  | 694                  | 678              | 678              | 678              |
| Abandoned Property                    | 450                  | 450              | 450              | 450              |
| Motor Vehicle Fees                    | 299                  | 301              | 216              | 210              |
| ABC License Fee                       | 66                   | 62               | 68               | 64               |
| Reimbursements                        | 112                  | 110              | 57               | 57               |
| Investment Income                     | 100                  | 50               | 25               | 12               |
| Extraordinary Settlements             | 760                  | 0                | 0                | 0                |
| Other Transactions                    | 409                  | 398              | 398              | 398              |
| <b>Miscellaneous Receipts</b>         | <b>2,890</b>         | <b>2,049</b>     | <b>1,892</b>     | <b>1,869</b>     |
| <b>Federal Receipts</b>               | <b>0</b>             | <b>0</b>         | <b>0</b>         | <b>0</b>         |
| <b>Total</b>                          | <b>42,188</b>        | <b>43,869</b>    | <b>45,540</b>    | <b>47,872</b>    |

Source: NYS DOB.

| <b>CASH FINANCIAL PLAN</b>   |                |                |                |                |
|--|----------------|----------------|----------------|----------------|
| <b>STATE OPERATING FUNDS BUDGET</b>  |                |                |                |                |
| (millions of dollars)  |                |                |                |                |
|  | FY 2019        | FY 2020        | Annual         | Annual         |
|  | Results        | First Quarter  | \$ Change      | % Change       |
| <b>Opening Fund Balance</b>  | <b>13,607</b>  | <b>12,362</b>  | <b>(1,245)</b> | <b>-9.1%</b>   |
| <b>Receipts:</b>   |                |                |                |                |
| Taxes  | 74,144         | 79,853         | 5,709          | 7.7%           |
| Miscellaneous Receipts   | 23,485         | 21,039         | (2,446)        | -10.4%         |
| Federal Receipts   | 73             | 75             | 2              | 2.7%           |
| <b>Total Receipts</b>  | <b>97,702</b>  | <b>100,967</b> | <b>3,265</b>   | <b>3.3%</b>    |
| <b>Disbursements:</b>  |                |                |                |                |
| Local Assistance   | 66,177         | 68,462         | 2,285          | 3.5%           |
| State Operations:  |                |                |                |                |
| Personal Service   | 13,687         | 14,261         | 574            | 4.2%           |
| Non-Personal Service   | 5,370          | 5,493          | 123            | 2.3%           |
| General State Charges  | 8,204          | 8,767          | 563            | 6.9%           |
| Debt Service   | 6,699          | 5,170          | (1,529)        | -22.8%         |
| Capital Projects   | 0              | 0              | 0              | 0.0%           |
| <b>Total Disbursements</b>   | <b>100,137</b> | <b>102,153</b> | <b>2,016</b>   | <b>2.0%</b>    |
| <b>Other Financing Sources (Uses):</b>   |                |                |                |                |
| Transfers from Other Funds   | 36,512         | 40,787         | 4,275          | 11.7%          |
| Transfers to Other Funds   | (35,322)       | (40,900)       | (5,578)        | -15.8%         |
| Bond and Note Proceeds   | 0              | 0              | 0              | 0.0%           |
| <b>Net Other Financing Sources (Uses)</b>  | <b>1,190</b>   | <b>(113)</b>   | <b>(1,303)</b> | <b>-109.5%</b> |
| <b>Excess (Deficiency) of Receipts and Other Financing Sources (Uses) Over Disbursements</b> | <b>(1,245)</b> | <b>(1,299)</b> | <b>(54)</b>    | <b>-4.3%</b>   |
| <b>Closing Fund Balance</b>  | <b>12,362</b>  | <b>11,063</b>  | <b>(1,299)</b> | <b>-10.5%</b>  |

Source: NYS DOB.

| CASH FINANCIAL PLAN<br>STATE OPERATING FUNDS BUDGET<br>FY 2020<br>(millions of dollars)      |                 |                                   |                          |                                      |
|--|-----------------|-----------------------------------|--------------------------|--------------------------------------|
|  | General<br>Fund | State Special<br>Revenue<br>Funds | Debt<br>Service<br>Funds | State<br>Operating<br>Funds<br>Total |
| <b>Opening Fund Balance</b>  | <u>7,206</u>    | <u>5,091</u>                      | <u>65</u>                | <u>12,362</u>                        |
| <b>Receipts:</b>   |                 |                                   |                          |                                      |
| Taxes  | 39,298          | 5,882                             | 34,673                   | 79,853                               |
| Miscellaneous Receipts   | 2,890           | 17,755                            | 394                      | 21,039                               |
| Federal Receipts   | <u>0</u>        | <u>1</u>                          | <u>74</u>                | <u>75</u>                            |
| <b>Total Receipts</b>  | <u>42,188</u>   | <u>23,638</u>                     | <u>35,141</u>            | <u>100,967</u>                       |
| <b>Disbursements:</b>  |                 |                                   |                          |                                      |
| Local Assistance   | 52,091          | 16,371                            | 0                        | 68,462                               |
| State Operations:  |                 |                                   |                          |                                      |
| Personal Service   | 9,064           | 5,197                             | 0                        | 14,261                               |
| Non-Personal Service   | 2,870           | 2,577                             | 46                       | 5,493                                |
| General State Charges  | 7,687           | 1,080                             | 0                        | 8,767                                |
| Debt Service   | 0               | 0                                 | 5,170                    | 5,170                                |
| Capital Projects   | <u>0</u>        | <u>0</u>                          | <u>0</u>                 | <u>0</u>                             |
| <b>Total Disbursements</b>   | <u>71,712</u>   | <u>25,225</u>                     | <u>5,216</u>             | <u>102,153</u>                       |
| <b>Other Financing Sources (Uses):</b>   |                 |                                   |                          |                                      |
| Transfers from Other Funds   | 34,931          | 2,373                             | 3,483                    | 40,787                               |
| Transfers to Other Funds   | (6,114)         | (1,360)                           | (33,426)                 | (40,900)                             |
| Bond and Note Proceeds   | <u>0</u>        | <u>0</u>                          | <u>0</u>                 | <u>0</u>                             |
| <b>Net Other Financing Sources (Uses)</b>  | <u>28,817</u>   | <u>1,013</u>                      | <u>(29,943)</u>          | <u>(113)</u>                         |
| <b>Excess (Deficiency) of Receipts and Other Financing Sources (Uses) Over Disbursements</b> | <u>(707)</u>    | <u>(574)</u>                      | <u>(18)</u>              | <u>(1,299)</u>                       |
| <b>Closing Fund Balance</b>  | <u>6,499</u>    | <u>4,517</u>                      | <u>47</u>                | <u>11,063</u>                        |

Source: NYS DOB.

| CASH FINANCIAL PLAN<br>STATE OPERATING FUNDS BUDGET<br>FY 2021<br>(millions of dollars)                                   |                 |                                   |                          |                                      |
|---|-----------------|-----------------------------------|--------------------------|--------------------------------------|
|   | General<br>Fund | State Special<br>Revenue<br>Funds | Debt<br>Service<br>Funds | State<br>Operating<br>Funds<br>Total |
| <b>Receipts:</b>  |                 |                                   |                          |                                      |
| Taxes   | 41,820          | 5,824                             | 36,649                   | 84,293                               |
| Miscellaneous Receipts  | 2,049           | 16,125                            | 394                      | 18,568                               |
| Federal Receipts  | 0               | 1                                 | 73                       | 74                                   |
| <b>Total Receipts</b>   | <b>43,869</b>   | <b>21,950</b>                     | <b>37,116</b>            | <b>102,935</b>                       |
| <b>Disbursements:</b>   |                 |                                   |                          |                                      |
| Local Assistance  | 55,794          | 15,681                            | 0                        | 71,475                               |
| State Operations:   |                 |                                   |                          |                                      |
| Personal Service  | 9,569           | 5,114                             | 0                        | 14,683                               |
| Non-Personal Service  | 3,051           | 2,451                             | 44                       | 5,546                                |
| General State Charges   | 8,230           | 1,141                             | 0                        | 9,371                                |
| Debt Service  | 0               | 0                                 | 6,873                    | 6,873                                |
| Capital Projects  | 0               | 0                                 | 0                        | 0                                    |
| <b>Total Disbursements</b>  | <b>76,644</b>   | <b>24,387</b>                     | <b>6,917</b>             | <b>107,948</b>                       |
| <b>Other Financing Sources (Uses):</b>  |                 |                                   |                          |                                      |
| Transfers from Other Funds  | 34,514          | 2,538                             | 3,509                    | 40,561                               |
| Transfers to Other Funds  | (6,584)         | (550)                             | (33,724)                 | (40,858)                             |
| Bond and Note Proceeds  | 0               | 0                                 | 0                        | 0                                    |
| <b>Net Other Financing Sources (Uses)</b>   | <b>27,930</b>   | <b>1,988</b>                      | <b>(30,215)</b>          | <b>(297)</b>                         |
| <b>Use (Reservation) of Fund Balance:</b>   |                 |                                   |                          |                                      |
| Extraordinary Monetary Settlements  | 858             | 0                                 | 0                        | 858                                  |
| <b>Total Use (Reservation) of Fund Balance</b>  | <b>858</b>      | <b>0</b>                          | <b>0</b>                 | <b>858</b>                           |
| <b>Excess (Deficiency) of Receipts and Use (Reservation)<br/>of Fund Balance Over Disbursements (Before 2% Adherence)</b> | <b>(3,987)</b>  | <b>(449)</b>                      | <b>(16)</b>              | <b>(4,452)</b>                       |
| <b>Adherence to 2% Spending Benchmark*</b>  | <b>3,752</b>    | <b>0</b>                          | <b>0</b>                 | <b>3,752</b>                         |
| <b>Net Surplus (Deficit)</b>  | <b>(235)</b>    | <b>(449)</b>                      | <b>(16)</b>              | <b>(700)</b>                         |

\* Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on FY 2020 estimate) and assuming all savings are made available to the General Fund.

Source: NYS DOB.

| CASH FINANCIAL PLAN<br>STATE OPERATING FUNDS BUDGET<br>FY 2022<br>(millions of dollars)                                   |                 |                                   |                          |                                      |
|---|-----------------|-----------------------------------|--------------------------|--------------------------------------|
|   | General<br>Fund | State Special<br>Revenue<br>Funds | Debt<br>Service<br>Funds | State<br>Operating<br>Funds<br>Total |
| <b>Receipts:</b>  |                 |                                   |                          |                                      |
| Taxes   | 43,648          | 5,782                             | 38,289                   | 87,719                               |
| Miscellaneous Receipts  | 1,892           | 16,473                            | 393                      | 18,758                               |
| Federal Receipts  | 0               | 1                                 | 72                       | 73                                   |
| <b>Total Receipts</b>   | <b>45,540</b>   | <b>22,256</b>                     | <b>38,754</b>            | <b>106,550</b>                       |
| <b>Disbursements:</b>   |                 |                                   |                          |                                      |
| Local Assistance  | 57,928          | 15,988                            | 0                        | 73,916                               |
| State Operations:   |                 |                                   |                          |                                      |
| Personal Service  | 9,547           | 5,137                             | 0                        | 14,684                               |
| Non-Personal Service  | 3,100           | 2,506                             | 44                       | 5,650                                |
| General State Charges   | 8,797           | 1,154                             | 0                        | 9,951                                |
| Debt Service  | 0               | 0                                 | 7,125                    | 7,125                                |
| Capital Projects  | 0               | 0                                 | 0                        | 0                                    |
| <b>Total Disbursements</b>  | <b>79,372</b>   | <b>24,785</b>                     | <b>7,169</b>             | <b>111,326</b>                       |
| <b>Other Financing Sources (Uses):</b>  |                 |                                   |                          |                                      |
| Transfers from Other Funds  | 35,306          | 2,712                             | 3,213                    | 41,231                               |
| Transfers to Other Funds  | (6,524)         | (216)                             | (34,801)                 | (41,541)                             |
| Bond and Note Proceeds  | 0               | 0                                 | 0                        | 0                                    |
| <b>Net Other Financing Sources (Uses)</b>   | <b>28,782</b>   | <b>2,496</b>                      | <b>(31,588)</b>          | <b>(310)</b>                         |
| <b>Use (Reservation) of Fund Balance:</b>   |                 |                                   |                          |                                      |
| Extraordinary Monetary Settlements  | 867             | 0                                 | 0                        | 867                                  |
| <b>Total Use (Reservation) of Fund Balance</b>  | <b>867</b>      | <b>0</b>                          | <b>0</b>                 | <b>867</b>                           |
| <b>Excess (Deficiency) of Receipts and Use (Reservation)<br/>of Fund Balance Over Disbursements (Before 2% Adherence)</b> | <b>(4,183)</b>  | <b>(33)</b>                       | <b>(3)</b>               | <b>(4,219)</b>                       |
| <b>Adherence to 2% Spending Benchmark*</b>  | <b>5,046</b>    | <b>0</b>                          | <b>0</b>                 | <b>5,046</b>                         |
| <b>Net Surplus (Deficit)</b>  | <b>863</b>      | <b>(33)</b>                       | <b>(3)</b>               | <b>827</b>                           |

\* Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on FY 2020 estimate) and assuming all savings are made available to the General Fund.

Source: NYS DOB.

| CASH FINANCIAL PLAN   |                 |                                   |                          |                                      |
|---|-----------------|-----------------------------------|--------------------------|--------------------------------------|
| STATE OPERATING FUNDS BUDGET  |                 |                                   |                          |                                      |
| FY 2023   |                 |                                   |                          |                                      |
| (millions of dollars)   |                 |                                   |                          |                                      |
|   | General<br>Fund | State Special<br>Revenue<br>Funds | Debt<br>Service<br>Funds | State<br>Operating<br>Funds<br>Total |
| <b>Receipts:</b>  |                 |                                   |                          |                                      |
| Taxes   | 46,003          | 5,720                             | 40,190                   | 91,913                               |
| Miscellaneous Receipts  | 1,869           | 15,952                            | 392                      | 18,213                               |
| Federal Receipts  | 0               | 1                                 | 69                       | 70                                   |
| <b>Total Receipts</b>   | <b>47,872</b>   | <b>21,673</b>                     | <b>40,651</b>            | <b>110,196</b>                       |
| <b>Disbursements:</b>   |                 |                                   |                          |                                      |
| Local Assistance  | 60,969          | 15,611                            | 0                        | 76,580                               |
| State Operations:   |                 |                                   |                          |                                      |
| Personal Service  | 9,757           | 5,216                             | 0                        | 14,973                               |
| Non-Personal Service  | 3,199           | 2,477                             | 44                       | 5,720                                |
| General State Charges   | 9,356           | 1,184                             | 0                        | 10,540                               |
| Debt Service  | 0               | 0                                 | 7,329                    | 7,329                                |
| Capital Projects  | 0               | 0                                 | 0                        | 0                                    |
| <b>Total Disbursements</b>  | <b>83,281</b>   | <b>24,488</b>                     | <b>7,373</b>             | <b>115,142</b>                       |
| <b>Other Financing Sources (Uses):</b>  |                 |                                   |                          |                                      |
| Transfers from Other Funds  | 36,902          | 2,866                             | 3,177                    | 42,945                               |
| Transfers to Other Funds  | (6,968)         | (139)                             | (36,449)                 | (43,556)                             |
| Bond and Note Proceeds  | 0               | 0                                 | 0                        | 0                                    |
| <b>Net Other Financing Sources (Uses)</b>   | <b>29,934</b>   | <b>2,727</b>                      | <b>(33,272)</b>          | <b>(611)</b>                         |
| <b>Use (Reservation) of Fund Balance:</b>   |                 |                                   |                          |                                      |
| Extraordinary Monetary Settlements  | 793             | 0                                 | 0                        | 793                                  |
| <b>Total Use (Reservation) of Fund Balance</b>  | <b>793</b>      | <b>0</b>                          | <b>0</b>                 | <b>793</b>                           |
| <b>Excess (Deficiency) of Receipts and Use (Reservation)<br/>of Fund Balance Over Disbursements (Before 2% Adherence)</b> |                 |                                   |                          |                                      |
|   | <b>(4,682)</b>  | <b>(88)</b>                       | <b>6</b>                 | <b>(4,764)</b>                       |
| <b>Adherence to 2% Spending Benchmark*</b>  | <b>6,736</b>    | <b>0</b>                          | <b>0</b>                 | <b>6,736</b>                         |
| <b>Net Surplus (Deficit)</b>  | <b>2,054</b>    | <b>(88)</b>                       | <b>6</b>                 | <b>1,972</b>                         |

\* Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on FY 2020 estimate) and assuming all savings are made available to the General Fund.

Source: NYS DOB.

| CASH FINANCIAL PLAN<br>ALL GOVERNMENTAL FUNDS<br>FY 2020<br>(millions of dollars)            |                 |                             |                              |                          |                       |
|--|-----------------|-----------------------------|------------------------------|--------------------------|-----------------------|
|  | General<br>Fund | Special<br>Revenue<br>Funds | Capital<br>Projects<br>Funds | Debt<br>Service<br>Funds | All<br>Funds<br>Total |
| <b>Opening Fund Balance</b>  | 7,206           | 3,842                       | (1,138)                      | 65                       | 9,975                 |
| <b>Receipts:</b>   |                 |                             |                              |                          |                       |
| Taxes  | 39,298          | 5,882                       | 1,420                        | 34,673                   | 81,273                |
| Miscellaneous Receipts   | 2,890           | 17,957                      | 8,106                        | 394                      | 29,347                |
| Federal Receipts   | 0               | 64,021                      | 2,229                        | 74                       | 66,324                |
| <b>Total Receipts</b>  | <b>42,188</b>   | <b>87,860</b>               | <b>11,755</b>                | <b>35,141</b>            | <b>176,944</b>        |
| <b>Disbursements:</b>  |                 |                             |                              |                          |                       |
| Local Assistance   | 52,091          | 73,854                      | 5,442                        | 0                        | 131,387               |
| State Operations:  |                 |                             |                              |                          |                       |
| Personal Service   | 9,064           | 5,851                       | 0                            | 0                        | 14,915                |
| Non-Personal Service   | 2,870           | 4,024                       | 0                            | 46                       | 6,940                 |
| General State Charges  | 7,687           | 1,417                       | 0                            | 0                        | 9,104                 |
| Debt Service   | 0               | 0                           | 0                            | 5,170                    | 5,170                 |
| Capital Projects   | 0               | 0                           | 8,601                        | 0                        | 8,601                 |
| <b>Total Disbursements</b>   | <b>71,712</b>   | <b>85,146</b>               | <b>14,043</b>                | <b>5,216</b>             | <b>176,117</b>        |
| <b>Other Financing Sources (Uses):</b>   |                 |                             |                              |                          |                       |
| Transfers from Other Funds   | 34,931          | 2,385                       | 3,532                        | 3,483                    | 44,331                |
| Transfers to Other Funds   | (6,114)         | (3,351)                     | (1,586)                      | (33,426)                 | (44,477)              |
| Bond and Note Proceeds   | 0               | 0                           | 444                          | 0                        | 444                   |
| <b>Net Other Financing Sources (Uses)</b>  | <b>28,817</b>   | <b>(966)</b>                | <b>2,390</b>                 | <b>(29,943)</b>          | <b>298</b>            |
| <b>Excess (Deficiency) of Receipts and Other Financing Sources (Uses) Over Disbursements</b> | <b>(707)</b>    | <b>1,748</b>                | <b>102</b>                   | <b>(18)</b>              | <b>1,125</b>          |
| <b>Closing Fund Balance</b>  | <b>6,499</b>    | <b>5,590</b>                | <b>(1,036)</b>               | <b>47</b>                | <b>11,100</b>         |

Source: NYS DOB.

| CASH FINANCIAL PLAN<br>ALL GOVERNMENTAL FUNDS<br>FY 2021<br>(millions of dollars)                                     |                 |                             |                              |                          |                       |
|---|-----------------|-----------------------------|------------------------------|--------------------------|-----------------------|
|   | General<br>Fund | Special<br>Revenue<br>Funds | Capital<br>Projects<br>Funds | Debt<br>Service<br>Funds | All<br>Funds<br>Total |
| <b>Receipts:</b>  |                 |                             |                              |                          |                       |
| Taxes   | 41,820          | 5,824                       | 1,393                        | 36,649                   | 85,686                |
| Miscellaneous Receipts  | 2,049           | 16,330                      | 7,162                        | 394                      | 25,935                |
| Federal Receipts  | 0               | 62,295                      | 2,187                        | 73                       | 64,555                |
| <b>Total Receipts</b>   | <b>43,869</b>   | <b>84,449</b>               | <b>10,742</b>                | <b>37,116</b>            | <b>176,176</b>        |
| <b>Disbursements:</b>   |                 |                             |                              |                          |                       |
| Local Assistance  | 55,794          | 73,238                      | 5,346                        | 0                        | 134,378               |
| State Operations:   |                 |                             |                              |                          |                       |
| Personal Service  | 9,569           | 5,793                       | 0                            | 0                        | 15,362                |
| Non-Personal Service  | 3,051           | 3,865                       | 0                            | 44                       | 6,960                 |
| General State Charges   | 8,230           | 1,491                       | 0                            | 0                        | 9,721                 |
| Debt Service  | 0               | 0                           | 0                            | 6,873                    | 6,873                 |
| Capital Projects  | 0               | 0                           | 8,230                        | 0                        | 8,230                 |
| <b>Total Disbursements</b>  | <b>76,644</b>   | <b>84,387</b>               | <b>13,576</b>                | <b>6,917</b>             | <b>181,524</b>        |
| <b>Other Financing Sources (Uses):</b>  |                 |                             |                              |                          |                       |
| Transfers from Other Funds  | 34,514          | 2,550                       | 3,587                        | 3,509                    | 44,160                |
| Transfers to Other Funds  | (6,584)         | (2,428)                     | (1,580)                      | (33,724)                 | (44,316)              |
| Bond and Note Proceeds  | 0               | 0                           | 800                          | 0                        | 800                   |
| <b>Net Other Financing Sources (Uses)</b>   | <b>27,930</b>   | <b>122</b>                  | <b>2,807</b>                 | <b>(30,215)</b>          | <b>644</b>            |
| <b>Use (Reservation) of Fund Balance:</b>   |                 |                             |                              |                          |                       |
| Extraordinary Monetary Settlements  | 858             | 0                           | 0                            | 0                        | 858                   |
| <b>Total Use (Reservation) of Fund Balance</b>  | <b>858</b>      | <b>0</b>                    | <b>0</b>                     | <b>0</b>                 | <b>858</b>            |
| <b>Excess (Deficiency) of Receipts and Use (Reservation) of Fund Balance Over Disbursements (Before 2% Adherence)</b> | <b>(3,987)</b>  | <b>184</b>                  | <b>(27)</b>                  | <b>(16)</b>              | <b>(3,846)</b>        |
| <b>Adherence to 2% Spending Benchmark*</b>  | <b>3,752</b>    | <b>0</b>                    | <b>0</b>                     | <b>0</b>                 | <b>3,752</b>          |
| <b>Net Surplus (Deficit)</b>  | <b>(235)</b>    | <b>184</b>                  | <b>(27)</b>                  | <b>(16)</b>              | <b>(94)</b>           |

\* Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on FY 2020 estimate) and assuming all savings are made available to the General Fund.

Source: NYS DOB.

| CASH FINANCIAL PLAN<br>ALL GOVERNMENTAL FUNDS<br>FY 2022<br>(millions of dollars)                                     |                 |                             |                              |                          |                       |
|---|-----------------|-----------------------------|------------------------------|--------------------------|-----------------------|
|   | General<br>Fund | Special<br>Revenue<br>Funds | Capital<br>Projects<br>Funds | Debt<br>Service<br>Funds | All<br>Funds<br>Total |
| <b>Receipts:</b>  |                 |                             |                              |                          |                       |
| Taxes   | 43,648          | 5,782                       | 1,386                        | 38,289                   | 89,105                |
| Miscellaneous Receipts  | 1,892           | 16,678                      | 6,051                        | 393                      | 25,014                |
| Federal Receipts  | 0               | 63,994                      | 2,187                        | 72                       | 66,253                |
| <b>Total Receipts</b>   | <b>45,540</b>   | <b>86,454</b>               | <b>9,624</b>                 | <b>38,754</b>            | <b>180,372</b>        |
| <b>Disbursements:</b>   |                 |                             |                              |                          |                       |
| Local Assistance  | 57,928          | 75,038                      | 4,786                        | 0                        | 137,752               |
| State Operations:   |                 |                             |                              |                          |                       |
| Personal Service  | 9,547           | 5,817                       | 0                            | 0                        | 15,364                |
| Non-Personal Service  | 3,100           | 3,931                       | 0                            | 44                       | 7,075                 |
| General State Charges   | 8,797           | 1,527                       | 0                            | 0                        | 10,324                |
| Debt Service  | 0               | 0                           | 0                            | 7,125                    | 7,125                 |
| Capital Projects  | 0               | 0                           | 7,222                        | 0                        | 7,222                 |
| <b>Total Disbursements</b>  | <b>79,372</b>   | <b>86,313</b>               | <b>12,008</b>                | <b>7,169</b>             | <b>184,862</b>        |
| <b>Other Financing Sources (Uses):</b>  |                 |                             |                              |                          |                       |
| Transfers from Other Funds  | 35,306          | 2,724                       | 3,427                        | 3,213                    | 44,670                |
| Transfers to Other Funds  | (6,524)         | (2,034)                     | (1,468)                      | (34,801)                 | (44,827)              |
| Bond and Note Proceeds  | 0               | 0                           | 413                          | 0                        | 413                   |
| <b>Net Other Financing Sources (Uses)</b>   | <b>28,782</b>   | <b>690</b>                  | <b>2,372</b>                 | <b>(31,588)</b>          | <b>256</b>            |
| <b>Use (Reservation) of Fund Balance:</b>   |                 |                             |                              |                          |                       |
| Extraordinary Monetary Settlements  | 867             | 0                           | 0                            | 0                        | 867                   |
| <b>Total Use (Reservation) of Fund Balance</b>  | <b>867</b>      | <b>0</b>                    | <b>0</b>                     | <b>0</b>                 | <b>867</b>            |
| <b>Excess (Deficiency) of Receipts and Use (Reservation) of Fund Balance Over Disbursements (Before 2% Adherence)</b> |                 |                             |                              |                          |                       |
|   | <b>(4,183)</b>  | <b>831</b>                  | <b>(12)</b>                  | <b>(3)</b>               | <b>(3,367)</b>        |
| <b>Adherence to 2% Spending Benchmark*</b>  |                 |                             |                              |                          |                       |
|   | <b>5,046</b>    | <b>0</b>                    | <b>0</b>                     | <b>0</b>                 | <b>5,046</b>          |
| <b>Net Surplus (Deficit)</b>  | <b>863</b>      | <b>831</b>                  | <b>(12)</b>                  | <b>(3)</b>               | <b>1,679</b>          |

\* Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on FY 2020 estimate) and assuming all savings are made available to the General Fund.

Source: NYS DOB.

| CASH FINANCIAL PLAN<br>ALL GOVERNMENTAL FUNDS<br>FY 2023<br>(millions of dollars)                                     |                 |                             |                              |                          |                       |
|---|-----------------|-----------------------------|------------------------------|--------------------------|-----------------------|
|   | General<br>Fund | Special<br>Revenue<br>Funds | Capital<br>Projects<br>Funds | Debt<br>Service<br>Funds | All<br>Funds<br>Total |
| <b>Receipts:</b>  |                 |                             |                              |                          |                       |
| Taxes   | 46,003          | 5,720                       | 1,386                        | 40,190                   | 93,299                |
| Miscellaneous Receipts  | 1,869           | 16,157                      | 5,967                        | 392                      | 24,385                |
| Federal Receipts  | 0               | 66,559                      | 2,187                        | 69                       | 68,815                |
| <b>Total Receipts</b>   | <b>47,872</b>   | <b>88,436</b>               | <b>9,540</b>                 | <b>40,651</b>            | <b>186,499</b>        |
| <b>Disbursements:</b>   |                 |                             |                              |                          |                       |
| Local Assistance  | 60,969          | 77,124                      | 4,760                        | 0                        | 142,853               |
| State Operations:   |                 |                             |                              |                          |                       |
| Personal Service  | 9,757           | 5,898                       | 0                            | 0                        | 15,655                |
| Non-Personal Service  | 3,199           | 3,871                       | 0                            | 44                       | 7,114                 |
| General State Charges   | 9,356           | 1,557                       | 0                            | 0                        | 10,913                |
| Debt Service  | 0               | 0                           | 0                            | 7,329                    | 7,329                 |
| Capital Projects  | 0               | 0                           | 7,271                        | 0                        | 7,271                 |
| <b>Total Disbursements</b>  | <b>83,281</b>   | <b>88,450</b>               | <b>12,031</b>                | <b>7,373</b>             | <b>191,135</b>        |
| <b>Other Financing Sources (Uses):</b>  |                 |                             |                              |                          |                       |
| Transfers from Other Funds  | 36,902          | 2,878                       | 3,742                        | 3,177                    | 46,699                |
| Transfers to Other Funds  | (6,968)         | (1,844)                     | (1,589)                      | (36,449)                 | (46,850)              |
| Bond and Note Proceeds  | 0               | 0                           | 322                          | 0                        | 322                   |
| <b>Net Other Financing Sources (Uses)</b>   | <b>29,934</b>   | <b>1,034</b>                | <b>2,475</b>                 | <b>(33,272)</b>          | <b>171</b>            |
| <b>Use (Reservation) of Fund Balance:</b>   |                 |                             |                              |                          |                       |
| Extraordinary Monetary Settlements  | 793             | 0                           | 0                            | 0                        | 793                   |
| <b>Total Use (Reservation) of Fund Balance</b>  | <b>793</b>      | <b>0</b>                    | <b>0</b>                     | <b>0</b>                 | <b>793</b>            |
| <b>Excess (Deficiency) of Receipts and Use (Reservation) of Fund Balance Over Disbursements (Before 2% Adherence)</b> | <b>(4,682)</b>  | <b>1,020</b>                | <b>(16)</b>                  | <b>6</b>                 | <b>(3,672)</b>        |
| <b>Adherence to 2% Spending Benchmark*</b>  | <b>6,736</b>    | <b>0</b>                    | <b>0</b>                     | <b>0</b>                 | <b>6,736</b>          |
| <b>Net Surplus (Deficit)</b>  | <b>2,054</b>    | <b>1,020</b>                | <b>(16)</b>                  | <b>6</b>                 | <b>3,064</b>          |

\* Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on FY 2020 estimate) and assuming all savings are made available to the General Fund.

Source: NYS DOB.

**CASHFLOW  
GENERAL FUND  
FY 2020  
(dollars in millions)**

|  | 2019<br>April<br>Results | May<br>Results | June<br>Results | July<br>Projected | August<br>Projected | September<br>Projected | October<br>Projected | November<br>Projected | December<br>Projected | 2020<br>January<br>Projected | February<br>Projected | March<br>Projected | Total         |
|--|--------------------------|----------------|-----------------|-------------------|---------------------|------------------------|----------------------|-----------------------|-----------------------|------------------------------|-----------------------|--------------------|---------------|
| <b>OPENING BALANCE</b>                             | <b>7,206</b>             | <b>11,969</b>  | <b>5,222</b>    | <b>6,593</b>      | <b>6,722</b>        | <b>5,628</b>           | <b>7,858</b>         | <b>7,423</b>          | <b>5,684</b>          | <b>7,794</b>                 | <b>10,493</b>         | <b>10,023</b>      | <b>7,206</b>  |
| <b>RECEIPTS:</b>                                   |                          |                |                 |                   |                     |                        |                      |                       |                       |                              |                       |                    |               |
| Personal Income Tax                                | 4,608                    | 1,242          | 2,605           | 1,679             | 1,326               | 2,385                  | 1,158                | 869                   | 2,103                 | 2,324                        | 1,773                 | 1,827              | 23,899        |
| Consumption/Use Taxes                              | 585                      | 598            | 796             | 638               | 636                 | 857                    | 647                  | 649                   | 823                   | 681                          | 565                   | 734                | 8,209         |
| Business Taxes                                     | 543                      | (181)          | 1,143           | 164               | 51                  | 1,108                  | 74                   | 44                    | 1,184                 | 89                           | 38                    | 1,820              | 6,077         |
| Other Taxes  | 81                       | 58             | 65              | 133               | 98                  | 98                     | 97                   | 97                    | 97                    | 97                           | 97                    | 95                 | 1,113         |
| Total Taxes  | <u>5,817</u>             | <u>1,717</u>   | <u>4,609</u>    | <u>2,614</u>      | <u>2,111</u>        | <u>4,448</u>           | <u>1,976</u>         | <u>1,659</u>          | <u>4,207</u>          | <u>3,191</u>                 | <u>2,473</u>          | <u>4,476</u>       | <u>39,298</u> |
| Abandoned Property                                 | 1                        | 0              | 0               | 0                 | 0                   | 40                     | 10                   | 150                   | 50                    | 0                            | 0                     | 199                | 450           |
| ABC License Fee                                    | 6                        | 6              | 5               | 6                 | 6                   | 5                      | 6                    | 4                     | 6                     | 6                            | 6                     | 4                  | 66            |
| Investment Income                                  | 22                       | 17             | 20              | 13                | 3                   | 4                      | 3                    | 4                     | 3                     | 4                            | 3                     | 4                  | 100           |
| Licenses, Fees, etc.                               | 69                       | 42             | 50              | 49                | 45                  | 75                     | 60                   | 60                    | 65                    | 70                           | 45                    | 64                 | 694           |
| Motor Vehicle Fees                                 | 33                       | 35             | 12              | 36                | 6                   | 6                      | 26                   | 13                    | 34                    | 32                           | 36                    | 30                 | 299           |
| Reimbursements                                     | 7                        | 29             | 33              | 9                 | 9                   | 9                      | 4                    | 4                     | 4                     | 3                            | 4                     | (3)                | 112           |
| Extraordinary Settlements                          | 585                      | 142            | 0               | 33                | 0                   | 0                      | 0                    | 0                     | 0                     | 0                            | 0                     | 0                  | 760           |
| Other Transactions                                 | 19                       | 8              | 38              | 19                | 15                  | 95                     | 40                   | 15                    | 60                    | 15                           | 15                    | 70                 | 409           |
| Total Miscellaneous Receipts                       | <u>742</u>               | <u>279</u>     | <u>158</u>      | <u>165</u>        | <u>84</u>           | <u>234</u>             | <u>149</u>           | <u>250</u>            | <u>222</u>            | <u>130</u>                   | <u>109</u>            | <u>368</u>         | <u>2,890</u>  |
| Federal Receipts                                   | 0                        | 0              | 0               | 0                 | 0                   | 0                      | 0                    | 0                     | 0                     | 0                            | 0                     | 0                  | 0             |
| PIT in Excess of Revenue Bond Debt Service         | 4,607                    | 1,126          | 2,606           | 1,672             | 1,386               | 2,633                  | 1,158                | 603                   | 2,162                 | 2,782                        | 1,201                 | 2,695              | 24,631        |
| ECEP in Excess of Revenue Bond Debt Service        | 0                        | 0              | 0               | 0                 | 0                   | 0                      | 0                    | 0                     | 0                     | 0                            | 0                     | 1                  | 1             |
| Tax in Excess of LGAC                              | 261                      | 105            | 542             | 291               | 274                 | 397                    | 295                  | 296                   | 383                   | 308                          | (14)                  | 343                | 3,481         |
| Sales Tax Bond Fund                                | 191                      | 198            | 294             | 213               | 213                 | 371                    | 211                  | 212                   | 300                   | 224                          | 178                   | 340                | 2,945         |
| Real Estate Taxes in Excess of CW/CA Debt Service  | 70                       | 86             | 85              | 114               | 88                  | 87                     | 74                   | 79                    | 77                    | 79                           | 78                    | 56                 | 973           |
| All Other  | 49                       | 111            | 118             | 233               | 140                 | 207                    | 136                  | 168                   | 125                   | 169                          | 186                   | 1,258              | 2,900         |
| Total Transfers from Other Funds                   | <u>5,178</u>             | <u>1,626</u>   | <u>3,645</u>    | <u>2,523</u>      | <u>2,101</u>        | <u>3,695</u>           | <u>1,874</u>         | <u>1,358</u>          | <u>3,047</u>          | <u>3,562</u>                 | <u>1,629</u>          | <u>4,693</u>       | <u>34,931</u> |
| <b>TOTAL RECEIPTS</b>                              | <b>11,737</b>            | <b>3,622</b>   | <b>8,412</b>    | <b>5,302</b>      | <b>4,296</b>        | <b>8,377</b>           | <b>3,999</b>         | <b>3,267</b>          | <b>7,476</b>          | <b>6,883</b>                 | <b>4,211</b>          | <b>9,537</b>       | <b>77,119</b> |
| <b>DISBURSEMENTS:</b>                              |                          |                |                 |                   |                     |                        |                      |                       |                       |                              |                       |                    |               |
| School Aid   | 775                      | 3,896          | 1,722           | 366               | 769                 | 1,705                  | 887                  | 1,580                 | 2,039                 | 560                          | 742                   | 8,528              | 23,569        |
| Higher Education                                   | 38                       | 24             | 337             | 1,111             | 59                  | 182                    | 92                   | 32                    | 189                   | 35                           | 328                   | 548                | 2,975         |
| All Other Education                                | 97                       | 57             | 130             | 187               | 630                 | 56                     | 73                   | 92                    | 292                   | 34                           | 340                   | 400                | 2,388         |
| Medicaid - DOH                                     | 3,302                    | 1,717          | 1,426           | 1,270             | 1,148               | 1,276                  | 1,395                | 909                   | 942                   | 882                          | 879                   | 605                | 15,751        |
| Public Health                                      | 24                       | 23             | 100             | 41                | 120                 | 139                    | 29                   | 30                    | 62                    | 23                           | 23                    | 22                 | 636           |
| Mental Hygiene                                     | 124                      | 63             | 267             | 186               | 39                  | 270                    | 98                   | 48                    | 294                   | 132                          | 156                   | 307                | 1,984         |
| Children and Families                              | 19                       | 21             | 30              | 28                | 102                 | 290                    | 102                  | 102                   | 290                   | 102                          | 150                   | 291                | 1,527         |
| Temporary & Disability Assistance                  | 67                       | 65             | 150             | 106               | 141                 | 136                    | 111                  | 111                   | 111                   | 111                          | 111                   | 120                | 1,340         |
| Transportation                                     | 0                        | 24             | 14              | 0                 | 24                  | 0                      | 0                    | 24                    | 11                    | 0                            | 13                    | 6                  | 116           |
| Unrestricted Aid                                   | 0                        | 11             | 388             | 0                 | 17                  | 49                     | 14                   | 7                     | 192                   | 7                            | 1                     | 66                 | 752           |
| All Other  | 24                       | (67)           | 144             | 20                | 141                 | 97                     | 73                   | 76                    | 93                    | 76                           | 100                   | 276                | 1,053         |
| Total Local Assistance                             | <u>4,470</u>             | <u>5,834</u>   | <u>4,708</u>    | <u>3,315</u>      | <u>3,190</u>        | <u>4,200</u>           | <u>2,874</u>         | <u>3,011</u>          | <u>4,515</u>          | <u>1,962</u>                 | <u>2,843</u>          | <u>11,169</u>      | <u>52,091</u> |
| Personal Service                                   | 689                      | 1,072          | 679             | 695               | 849                 | 678                    | 848                  | 685                   | 680                   | 851                          | 668                   | 670                | 9,064         |
| Non-Personal Service                               | 159                      | 249            | 219             | 199               | 274                 | 272                    | 252                  | 253                   | 214                   | 257                          | 235                   | 287                | 2,870         |
| Total State Operations                             | <u>848</u>               | <u>1,321</u>   | <u>898</u>      | <u>894</u>        | <u>1,123</u>        | <u>950</u>             | <u>1,100</u>         | <u>938</u>            | <u>894</u>            | <u>1,108</u>                 | <u>903</u>            | <u>957</u>         | <u>11,934</u> |
| General State Charges                              | 728                      | 2,349          | 365             | 385               | 441                 | 478                    | 600                  | 421                   | 413                   | 433                          | 486                   | 588                | 7,687         |
| Debt Service                                       | 135                      | 11             | (7)             | 116               | (3)                 | (27)                   | 130                  | 0                     | (2)                   | 258                          | (24)                  | (37)               | 550           |
| Capital Projects                                   | 499                      | 406            | 610             | 256               | 541                 | 492                    | (358)                | 461                   | (533)                 | 387                          | 421                   | 9                  | 3,191         |
| State Share Medicaid                               | 0                        | 0              | 0               | 0                 | 0                   | 0                      | 0                    | 0                     | 0                     | 0                            | 0                     | 0                  | 0             |
| SUNY Operations                                    | 219                      | 218            | 327             | 181               | 24                  | 11                     | 9                    | 79                    | 14                    | 12                           | 9                     | 82                 | 1,185         |
| Other Purposes                                     | 75                       | 230            | 140             | 26                | 74                  | 43                     | 79                   | 96                    | 65                    | 24                           | 43                    | 293                | 1,188         |
| Total Transfers to Other Funds                     | <u>928</u>               | <u>865</u>     | <u>1,070</u>    | <u>579</u>        | <u>636</u>          | <u>519</u>             | <u>(140)</u>         | <u>636</u>            | <u>(456)</u>          | <u>681</u>                   | <u>449</u>            | <u>347</u>         | <u>6,114</u>  |
| <b>TOTAL DISBURSEMENTS</b>                         | <b>6,974</b>             | <b>10,369</b>  | <b>7,041</b>    | <b>5,173</b>      | <b>5,390</b>        | <b>6,147</b>           | <b>4,434</b>         | <b>5,006</b>          | <b>5,366</b>          | <b>4,184</b>                 | <b>4,681</b>          | <b>13,061</b>      | <b>77,826</b> |
| Excess/(Deficiency) of Receipts over Disbursements | <u>4,763</u>             | <u>(6,747)</u> | <u>1,371</u>    | <u>129</u>        | <u>(1,094)</u>      | <u>2,230</u>           | <u>(435)</u>         | <u>(1,739)</u>        | <u>2,110</u>          | <u>2,699</u>                 | <u>(470)</u>          | <u>(3,524)</u>     | <u>(707)</u>  |
| <b>CLOSING BALANCE</b>                             | <b>11,969</b>            | <b>5,222</b>   | <b>6,593</b>    | <b>6,722</b>      | <b>5,628</b>        | <b>7,858</b>           | <b>7,423</b>         | <b>5,684</b>          | <b>7,794</b>          | <b>10,493</b>                | <b>10,023</b>         | <b>6,499</b>       | <b>6,499</b>  |

Source: NYS DOB.



# **New York State Annual Information Statement**

**June 12, 2019**

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# Introduction

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This Annual Information Statement (AIS) is dated June 12, 2019, and contains information only through that date. This AIS constitutes the official disclosure regarding the financial position of the State of New York (the “State”) and related matters and replaces the AIS dated July 2, 2018 and all updates and supplements issued in connection therewith. This AIS is scheduled to be updated on a quarterly basis and may be supplemented from time to time as developments warrant. This AIS, including the Exhibits attached hereto, should be read in its entirety, together with any updates and supplements that may be issued during the fiscal year.

In this AIS, readers will find:

1. Information on the State’s current financial projections, including summaries and extracts from the State’s fiscal year 2020 (FY 2020)<sup>1</sup> Enacted Budget Financial Plan (the “Financial Plan”) and the State’s FY 2020 Enacted Budget Capital Program and Financing Plan (the “Capital Plan”), issued by the Division of the Budget (DOB) in May 2019. The Financial Plan sets forth the State’s official financial projections for FY 2020 through FY 2023. It includes, among other things, information on the major components of the FY 2020 General Fund gap-closing plan, future potential General Fund budget gaps, and multi-year projections of receipts and disbursements in the State’s operating funds. The Capital Plan outlines the projected capital spending over a five-year period, the way it is projected to be financed, the impact on debt measures, and the anticipated debt issuances required to support the planned capital spending. While the disclosure contained in this AIS is derived from the Financial Plan, this AIS contains certain updates to information set forth in the Financial Plan which are not deemed by DOB to materially change the projections contained in the Financial Plan. DOB next expects to update the State’s multi-year financial projections in July 2019 with the first quarterly update to the Financial Plan.
2. A discussion of issues and risks that may affect the State’s financial projections during FY 2020 or in future fiscal years is provided under the heading “Financial Plan Overview — Other Matters Affecting the Financial Plan”.
3. Information on other subjects relevant to the State’s finances, including summaries of:  
(a) operating results for the three prior fiscal years (presented on a cash basis of accounting), (b) the State’s revised economic forecast and a profile of the State economy, (c) the State’s debt and other financing activities, (d) the organization of State government, and (e) activities of public authorities and localities.
4. Updated information regarding the State Retirement System.
5. The status of significant litigation that has the potential to adversely affect the State’s finances.

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<sup>1</sup> The State fiscal year is identified by the calendar year in which it ends. For example, FY 2020 is the fiscal year that began on April 1, 2019 and ends on March 31, 2020.

DOB is responsible for preparing the State's Financial Plan and presenting the information that appears in this AIS on behalf of the State. In preparing this AIS, DOB has also relied on information drawn from other sources, including the Office of the State Comptroller (OSC). In particular, information contained in the section entitled "State Retirement System" has been furnished by OSC, while information relating to matters described in the section entitled "Litigation" has been furnished by the State Office of the Attorney General. DOB has not undertaken any independent verification of the information contained in these sections of the AIS.

During the fiscal year, the Governor, the State Comptroller, State legislators, and others may issue statements or reports that contain predictions, projections, or other information relating to the State's financial position or condition, including potential operating results for the current fiscal year and projected budget gaps for future fiscal years, that may vary materially from the information provided in this AIS. Investors and other market participants should, however, refer to this AIS, as updated or supplemented, for the most current official information regarding the financial position of the State.

The factors affecting the State's financial condition are numerous and complex. This AIS contains "forward-looking statements" relating to future results and economic performance as defined in the Private Securities Litigation Reform Act of 1995. Since many factors may materially affect fiscal and economic conditions in the State, the forecasts, projections, and estimates should not be regarded as a representation that such forecasts, projections, and estimates will occur. The forward-looking statements contained herein are based on the State's expectations at the time they were prepared and are necessarily dependent upon assumptions, estimates and data that it believes are reasonable as of the date made, but that may be incorrect, incomplete or imprecise or not reflective of actual results. Forecasts, projections, and estimates are not intended as representations of fact or guarantees of results. The words "expects", "forecasts", "projects", "intends", "anticipates", "estimates", "assumes" and analogous expressions are intended to identify forward-looking statements. Any such statements inherently are subject to a variety of risks and uncertainties that could cause actual results to differ materially and adversely from projections. Such risks and uncertainties include, but are not limited to, general economic and business conditions; changes in political, social, economic and environmental conditions, including climate change and extreme weather events; cybersecurity events; impediments to the implementation of gap-closing actions; regulatory initiatives and compliance with governmental regulations; litigation; Federal tax law changes; actions by the Federal government to reduce or disallow expected aid, including Federal aid authorized or appropriated by Congress, but subject to sequestration, administrative actions, or other actions that would reduce aid to the State; and various other events, conditions and circumstances. Many of these risks and uncertainties are beyond the control of the State. These forward-looking statements are based on the State's expectations as of the date of this AIS.

**Note that all FY 2019 financial results contained within this AIS are unaudited and preliminary.**

The annual independent audit of the State's Basic Financial Statements for the fiscal year ending March 31, 2019 is expected to be completed by July 29, 2019. Both the Comptroller's Annual Report to the Legislature on State Funds Cash Basis of Accounting and the State's Basic Financial Statements are due by July 29, 2019. These reports will contain the final FY 2019 financial results. Copies may be obtained by contacting the Office of the State Comptroller, 110 State Street, Albany, NY 12236. The Basic Financial Statements for FY 2018 are available in electronic form at [www.osc.state.ny.us](http://www.osc.state.ny.us) and at [www.emma.msrb.org](http://www.emma.msrb.org).

In addition to regularly scheduled quarterly updates to this AIS, the State may issue AIS supplements or other disclosure notices to this AIS as events warrant. The State intends to announce publicly whenever an update or a supplement is issued. The State may choose to incorporate by reference all or a portion of this AIS in official statements or related disclosure documents for State or State-supported debt issuances. The State has filed this AIS with the Municipal Securities Rulemaking Board through its Electronic Municipal Market Access (EMMA) system. An electronic copy of this AIS can be accessed through EMMA at [www.emma.msrb.org](http://www.emma.msrb.org). An official copy of this AIS may be obtained by contacting the New York State Division of the Budget, State Capitol, Albany, NY 12224, Tel: (518) 474-2302.

## Usage Notice

This AIS has been prepared and made available by the State pursuant to its contractual undertakings under various continuing disclosure agreements (CDAs) entered into by the State in connection with financings of the State, as well as certain issuers, including public authorities of the State, that may depend in whole or in part on State appropriations as sources of payments of their respective bonds, notes or other obligations.

This AIS is available in electronic form on the DOB website at [www.budget.ny.gov](http://www.budget.ny.gov). Such availability does not imply that there have been no changes in the financial position of the State subsequent to the posting of this information. Maintenance of this AIS on the DOB website, or on the EMMA website, is not intended as a republication of the information therein on any date subsequent to its release date. No incorporation by reference or republication of any information contained on any website is intended or shall be deemed to have occurred as a result of the inclusion of any website address in this AIS.

**Neither this AIS nor any portion thereof may be: (i) included in a preliminary official statement, official statement, or other offering document, or incorporated by reference therein, unless DOB has expressly consented thereto following a written request to the State of New York, Division of the Budget, State Capitol, Albany, NY 12224, or (ii) considered to be continuing disclosure in connection with any offering unless a CDA relating to the offered series of bonds or notes has been executed by DOB. Any such use, or incorporation by reference, of this AIS or any portion thereof in a preliminary official statement, official statement, or other offering document or continuing disclosure filing without such consent and agreement by DOB is unauthorized and the State expressly disclaims any responsibility with respect to the inclusion, intended use, and updating of this AIS if so misused.**

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# **Budgetary and Accounting Practices**

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## Significant Budgetary/Accounting Practices

Unless clearly noted otherwise, all financial information is presented on a cash basis of accounting.<sup>2</sup>

The State accounts for receipts and disbursements by the fund in which the activity takes place (such as the General Fund), and the broad category or purpose of that activity (such as State Operations). The Financial Plan tables present State projections and results by fund and category.

Fund types of the State include: the General Fund; State Special Revenue Funds, which receive certain dedicated taxes, fees and other revenues that are used for specified purposes; Federal Special Revenue Funds, which receive certain Federal grants; State and Federal Capital Projects Funds, which account for costs incurred in the construction, maintenance and rehabilitation of roads, bridges, prisons, university facilities, and other infrastructure projects; and Debt Service Funds, which account for the payment of principal, interest, and related expenses for debt issued by the State and on the State's behalf by its public authorities.

The State's **General Fund** receives most State taxes and all income not earmarked for a specified program or activity. State law requires the Governor to submit, and the Legislature to enact, a General Fund budget that is balanced on a cash basis of accounting. The State Constitution and State Finance Law do not provide a precise definition of budget balance. In practice, the General Fund is considered balanced if sufficient resources are, or are expected to be, available during the fiscal year for the State to: (a) make all planned payments, including Personal Income Tax (PIT) refunds, without the issuance of deficit notes or bonds, or extraordinary cash management actions, (b) restore the balances in the Tax Stabilization Reserve Fund and the Rainy Day Reserve Fund (collectively, the "Rainy Day Reserves") to levels at or above the levels on deposit when the fiscal year began, and (c) maintain other reserves, as required by law. For purposes of calculating budget balance, the General Fund includes transfers to and from other funds.

The General Fund is the sole financing source for the School Tax Relief (STAR) fund, and is typically the financing source of last resort for the State's other major funds, including the Health Care Reform Act (HCRA) funds, the Dedicated Highway and Bridge Trust Fund (DHBTF), and the Lottery Fund. Therefore, the General Fund projections account for any estimated funding shortfalls in these funds. Since the General Fund is required by law to be balanced, the focus of the State's budgetary and gap-closing discussion in this AIS is generally weighted toward the General Fund.

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<sup>2</sup> State Finance Law also requires DOB to prepare a pro forma financial plan using, to the extent practicable, generally accepted accounting principles (GAAP). The GAAP-basis financial plan is informational only. DOB does not use it as a benchmark for managing State finances during the fiscal year and does not update it on a quarterly basis. The GAAP-basis financial plan follows, to the extent practicable, the accrual methodologies and fund accounting rules applied by OSC in preparation of the audited Basic Financial Statements, but there can be no assurance that the pro forma GAAP financial plan conforms to all GAAP principles.

At times, DOB will informally designate unrestricted balances in the General Fund for specific policy goals (e.g., the payment of costs related to potential labor agreements covering prior contract periods). These amounts are typically, but not uniformly, identified with the phrase “reserved for” and are not held in distinct accounts within the General Fund, and may be used for other purposes.

**State Operating Funds** is a broader measure of spending for operations (as distinct from capital purposes) that is funded with State resources. It includes financial activity in the General Fund, as well as State-funded special revenue funds and Debt Service Funds (spending from Capital Projects Funds and Federal Funds is excluded). As a significant amount of financial activity occurs in funds outside of the General Fund, the State Operating Funds perspective is, in DOB’s view, a more comprehensive measure of operations funded with State resources (e.g., taxes, assessments, fees and tuition). The State Operating Funds perspective eliminates certain distortions in operating activities that may be caused by, among other things, the State’s complex fund structure and the transfer of money between funds. For example, the State funds its share of the Medicaid program from both the General Fund and State Special Revenue Funds. The State Operating Funds perspective captures Medicaid disbursements from both fund types, giving a more complete accounting of State-funded Medicaid disbursements. Accordingly, projections often emphasize the State Operating Funds perspective. The State’s adherence to a 2 percent annual spending growth benchmark is calculated on the State Operating Funds basis.

Financial Plan projections contained herein reflect some actions that have affected, or are intended to affect, the amount of annual spending reported on a State Operating Funds basis. Such actions include but are not limited to: (a) realignment of certain operating costs to the capital budget to provide greater consistency in reporting across all agencies and a more accurate accounting of the overall capital budget; (b) payment of certain operating costs using available resources outside the State Operating Funds basis of reporting; (c) restructuring of the STAR program such that certain benefits are provided as a tax credit (which is recorded as a reduction in receipts) rather than a tax exemption (which is recorded as a disbursement), consistent with other State tax credits; (d) appropriation of certain operating costs for the Department of Transportation (DOT) and Department of Motor Vehicles (DMV) from the General Fund instead of the DHBTF, a change which increases reported disbursements from State Operating Funds; (e) no longer appropriating certain receipts payable to the Metropolitan Transportation Authority (MTA), the largest of which is the Payroll Mobility Tax (“Mobility Tax” or PMT); (f) modification of business practices and transaction processing to eliminate the double-count of certain disbursements related to mental hygiene and higher education programs; and (g) reclassification as Enterprise Funds of certain activities in which goods or services are provided to the public for a fee. If these or other transactions are not executed or reported in a manner consistent with DOB’s interpretation of the legislation and legislative intent, annual spending growth in State Operating Funds would be higher than projections.

The State also reports disbursements and receipts activity for **All Governmental Funds** (All Funds), which includes spending from Capital Projects Funds and Federal Funds, in addition to State Operating Funds. The All Funds basis provides the most comprehensive view of the cash-basis financial operations of the State.

Projections for future years may show budget gaps or budget surpluses in the General Fund. Budget gaps represent the difference between: (a) the projected General Fund disbursements, including transfers to other funds, needed to maintain current services levels and specific commitments, and (b) the projected level of resources, including transfers from other funds, to pay for these disbursements. The General Fund projections are based on many assumptions and are developed by the DOB in conjunction with other State agencies. Some projections are based on specific, known information (e.g., a statutory requirement to increase payments to a prescribed level), while others are based on more uncertain or speculative information (e.g., the pace at which a new program will enroll recipients). In general, the multi-year projections assume that money appropriated in one fiscal year will continue to be appropriated in future years, even for programs that were not created in permanent law and that the State has no obligation to fund. Funding levels for nearly all State programs are reviewed annually in the context of the current and projected fiscal position of the State.

The General Fund budget gap and surplus projections for FY 2021 and thereafter reflect savings that DOB estimates would be realized if the Governor continues to propose, and the Legislature continues to enact, balanced budgets that limit annual growth in State Operating Funds spending to no greater than 2 percent. Total disbursements in the tables and narrative contained in this AIS do not reflect these assumed savings, which are reflected instead on a distinct line and labeled “Adherence to 2% Spending Benchmark.” Projections are subject to many risks and uncertainties, as well as future budgetary decisions and other factors that are currently unknown. There can be no assurance that spending growth will be held to no greater than 2 percent or that all savings from limiting spending growth will be made available to the General Fund. If the 2 percent annual State Operating Funds spending growth benchmark is exceeded, projected budget gaps would be higher (or projected surpluses would be lower).

Differences may occur from time to time between DOB and OSC's financial reports in presentation and reporting of receipts and disbursements. For example, DOB may reflect a net expenditure amount while OSC may report the gross expenditure. Any such differences in reporting between DOB and OSC could result in differences in the presentation and reporting of receipts and disbursements for discrete funds, as well as differences in the presentation and reporting for total receipts and disbursements under different fund perspectives (e.g., State Operating Funds and All Governmental Funds).

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# Financial Plan Overview

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The following table provides certain Financial Plan information for FY 2019 and FY 2020.

| FINANCIAL PLAN AT-A-GLANCE: KEY MEASURES<br>(millions of dollars) |                      |           |                                |           |
|---|----------------------|-----------|--------------------------------|-----------|
|   | FY 2019              |           | FY 2020                        |           |
|   | Revised <sup>1</sup> | Results   | Executive Amended <sup>2</sup> | Enacted   |
| <b>State Operating Funds Disbursements</b>                        |                      |           |                                |           |
| Size of Budget  | \$100,144            | \$100,137 | \$101,958                      | \$102,117 |
| Annual Growth   | 2.0%                 | 2.0%      | 1.8%                           | 2.0%      |
| <b>Other Disbursement Measures</b>                                |                      |           |                                |           |
| General Fund (Including Transfers) <sup>3</sup>                   | \$73,558             | \$72,783  | \$76,622                       | \$77,857  |
| Annual Growth   | 5.5%                 | 4.4%      | 5.3%                           | 7.0%      |
| Capital Budget (Federal and State)                                | \$13,131             | \$12,266  | \$13,426                       | \$13,790  |
| Annual Growth   | 23.4%                | 15.3%     | 9.5%                           | 12.4%     |
| Federal Operating Aid   | \$58,456             | \$58,472  | \$59,759                       | \$61,120  |
| Annual Growth   | 6.4%                 | 6.4%      | 2.2%                           | 4.5%      |
| All Funds   | \$171,731            | \$170,875 | \$175,143                      | \$177,027 |
| Annual Growth   | 4.9%                 | 4.4%      | 2.5%                           | 3.6%      |
| Capital Budget (Including "Off-Budget" Capital) <sup>4</sup>      | \$13,792             | \$12,783  | \$14,044                       | \$14,341  |
| Annual Growth   | 22.2%                | 13.3%     | 9.9%                           | 12.2%     |
| All Funds (Including "Off-Budget" Capital) <sup>4</sup>           | \$172,392            | \$171,392 | \$175,761                      | \$177,578 |
| Annual Growth   | 4.9%                 | 4.3%      | 2.5%                           | 3.6%      |
| <b>Inflation (CPI)</b>  | 2.3%                 | 2.3%      | 2.1%                           | 2.0%      |
| <b>All Funds Receipts</b>   |                      |           |                                |           |
| Taxes   | \$74,976             | \$75,578  | \$80,809                       | \$81,305  |
| Annual Growth   | -5.4%                | -4.7%     | 6.9%                           | 7.6%      |
| Miscellaneous Receipts  | \$31,345             | \$31,184  | \$27,797                       | \$29,013  |
| Annual Growth   | 15.0%                | 14.4%     | -10.9%                         | -7.0%     |
| Federal Receipts (Operating and Capital)                          | \$62,879             | \$61,344  | \$63,772                       | \$64,794  |
| Annual Growth   | 6.7%                 | 4.1%      | 4.0%                           | 5.6%      |
| Total All Funds Receipts  | \$169,200            | \$168,106 | \$172,378                      | \$175,112 |
| Annual Growth   | 2.3%                 | 1.6%      | 2.5%                           | 4.2%      |
| <b>General Fund Cash Balance</b>                                  | \$6,545              | \$7,206   | \$4,998                        | \$6,466   |
| Rainy Day Reserves  | \$2,048              | \$2,048   | \$2,286                        | \$2,476   |
| Extraordinary Monetary Settlements                                | \$3,943              | \$4,194   | \$2,684                        | \$2,640   |
| Reserve for Economic Uncertainties                                | \$0                  | \$0       | \$0                            | \$829     |
| All Other Reserves/Fund Balances                                  | \$554                | \$964     | \$28                           | \$521     |
| <b>Debt</b>   |                      |           |                                |           |
| Debt Service as % All Funds Receipts                              | 3.6%                 | 4.0%      | 3.5%                           | 3.0%      |
| State-Related Debt Outstanding                                    | \$53,576             | \$53,528  | \$57,281                       | \$57,271  |
| Debt Outstanding as % Personal Income                             | 4.0%                 | 4.0%      | 4.1%                           | 4.1%      |
| <b>State Workforce FTEs (Subject to Direct Executive Control)</b> | 119,327              | 117,967   | 119,449                        | 119,491   |

<sup>1</sup> FY 2019 "Revised" estimates reflect the estimates in the FY 2020 Executive Budget, as amended.

<sup>2</sup> Annual percentage changes in the FY 2020 "Executive Amended" column have been updated to reflect FY 2019 results.

<sup>3</sup> Includes the planned transfer of Extraordinary Monetary Settlements from the General Fund to other funds to support designated purposes.

<sup>4</sup> Includes capital spending that occurs outside the All Funds budget financed directly from State-supported bond proceeds held by public authorities.

## Legislative Action on the FY 2020 Budget

The Legislature completed action on the FY 2020 Enacted Budget (the “Enacted Budget” or “Budget”) on April 1, 2019. Consistent with past practice, the Legislature enacted the annual debt service appropriations without amendment in advance of the other appropriations (the debt service appropriations were passed on March 26, 2019). On April 12, 2019, the Governor completed his review of all budget bills, including the veto of certain line-item appropriations, none of which had a material impact on the State’s Financial Plan projections.

DOB estimates that the Enacted Budget is balanced in the General Fund on a cash basis of accounting. During budget negotiations, the Executive and Legislature agreed to an estimated \$1 billion in new additions, restorations of proposed cost containment, and modifications to revenues proposed in the FY 2020 Executive Budget as amended (“Executive Budget”). These changes are fully funded by new resources identified since the Executive Budget, including stronger than expected tax receipts, the prepayment of FY 2020 expenses in FY 2019, and other savings.

DOB estimates that the Enacted Budget closes a budget gap of \$5.3 billion, which consisted of a “baseline” budget gap of \$3.1 billion<sup>3</sup> and \$2.2 billion in subsequent reductions to estimated tax receipts.

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<sup>3</sup> The baseline forecast at the time of the November 2018 update to the FY 2019 Financial Plan.

The following table summarizes the projected multi-year impact of the Enacted Budget gap-closing plan.

| <b>FY 2020 ENACTED BUDGET<br/>GENERAL FUND BUDGETARY BASIS SURPLUS/(GAP) PROJECTIONS<br/>(millions of dollars)</b>  |                     |                       |                       |                       |
|---|---------------------|-----------------------|-----------------------|-----------------------|
|   | <u>FY 2020</u>      | <u>FY 2021</u>        | <u>FY 2022</u>        | <u>FY 2023</u>        |
| <b>INITIAL BUDGET SURPLUS/(GAP) ESTIMATE<sup>1</sup></b>  | <b>(3,070)</b>      | <b>(6,429)</b>        | <b>(6,551)</b>        | <b>(6,735)</b>        |
| <b>Tax Receipts Reestimates</b>   | <b>(2,219)</b>      | <b>(3,114)</b>        | <b>(4,148)</b>        | <b>(4,886)</b>        |
| <b>Resource Changes</b>   | <b><u>3,425</u></b> | <b><u>4,425</u></b>   | <b><u>5,461</u></b>   | <b><u>5,763</u></b>   |
| Tax Actions   | 1,047               | 4,433                 | 5,708                 | 6,075                 |
| Non-Tax Receipts/Transfers  | 1,549               | (8)                   | (247)                 | (312)                 |
| Extraordinary Monetary Settlements  | 829                 | 0                     | 0                     | 0                     |
| <b>Spending Changes</b>   | <b><u>2,191</u></b> | <b><u>1,095</u></b>   | <b><u>1,114</u></b>   | <b><u>1,042</u></b>   |
| Local Assistance  | 1,751               | 1,353                 | 1,392                 | 1,483                 |
| Agency Operations/Transfers   | 440                 | (258)                 | (278)                 | (441)                 |
| <b>Use/(Reserve) of Balances</b>  | <b>(327)</b>        | <b>110</b>            | <b>(18)</b>           | <b>125</b>            |
| Rainy Day Reserves  | (428)               | 0                     | 0                     | 0                     |
| Reserve for Economic Uncertainties  | (829)               | 0                     | 0                     | 0                     |
| All Other   | 930                 | 110                   | (18)                  | 125                   |
| <b>ENACTED BUDGET SURPLUS/(GAP) ESTIMATE<sup>1</sup></b>  | <b><u>0</u></b>     | <b><u>(3,913)</u></b> | <b><u>(4,142)</u></b> | <b><u>(4,691)</u></b> |
| <b>Adherence to 2% Spending Benchmark<sup>2</sup></b>   | <b>0</b>            | <b>3,741</b>          | <b>5,052</b>          | <b>6,786</b>          |
| <b>ENACTED BUDGET SURPLUS/(GAP)</b>   | <b>0</b>            | <b>(172)</b>          | <b>910</b>            | <b>2,095</b>          |
| <sup>1</sup> Before actions to adhere to the 2 percent spending growth benchmark.   |                     |                       |                       |                       |
| <sup>2</sup> Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on FY 2020 estimate) and assuming all savings are made available to the General Fund. |                     |                       |                       |                       |

The General Fund gap-closing plan consists mainly of recurring actions to increase receipts and reduce disbursements compared to the baseline forecast. The largest resource changes include the extension of the top PIT rate for five years through calendar year 2024 and the payment in FY 2019 of debt service due in FY 2020.<sup>4</sup> Spending changes include substantially all of the cost containment measures proposed in the Executive Budget, as well as additional savings based on updated program trends and FY 2019 results. The gap-closing plan funds \$1.3 billion in new reserves, as described below. The \$930 million use of reserves/balances consists of \$408 million in cash reserved at the close of FY 2019 to fund payments that were budgeted in FY 2019 but will not be processed until FY 2020, and the transfer of Extraordinary Monetary Settlements to fund capital projects and other activities. The gap-closing plan is described in detail later herein.

The General Fund budget gaps for future years are now projected at approximately \$3.9 billion in FY 2021, \$4.1 billion in FY 2022, and \$4.7 billion in FY 2023. The outyear gaps are lower than projected in the Executive Budget. The improved outlook is mainly due to an increase in projected tax receipts across the multi-year projections based on relatively strong April 2019 tax collections and updated economic information. General Fund tax receipts, before debt service, law changes, and adjustments to the administrative refund cap, have been increased by \$1.1 billion in FY 2020 and by similar amounts in future years.

DOB estimates that if future budgets hold spending growth to 2 percent annually in State Operating Funds, as it is currently constituted, the General Fund would have a budget gap of \$172 million in FY 2021, and surpluses of \$910 million in FY 2022 and \$2.1 billion in FY 2023. These calculations assume that all savings from the reductions in spending are made available to the General Fund.

The Financial Plan includes planned increases to the State's reserves. New Extraordinary Monetary Settlements with UniCredit (\$507 million) and Standard Chartered Bank (\$322 million) will be set aside as a reserve for economic uncertainties. In addition, \$428 million in new deposits to the Rainy Day Reserves are expected to be made at the close of FY 2020, fiscal conditions permitting. General Fund reserves at the close of FY 2020 are estimated at \$3.8 billion, or 4.9 percent of total estimated General Fund disbursements. In addition, the General Fund is expected to end FY 2020 with over \$2.6 billion in Extraordinary Monetary Settlements designated to fund capital projects and other activities.

DOB expects that the State will have sufficient liquidity in FY 2020 to make all planned payments as they become due without having to temporarily borrow from the Short-Term Investment Pool (STIP). The State continues to reserve money on a quarterly basis for debt service payments that are financed with General Fund resources. Money to pay debt service on bonds secured by dedicated receipts, including PIT bonds and Sales Tax bonds, continues to be set aside as required by law and bond covenants.

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<sup>4</sup> The transaction shifts available resources to the following year as it decreases available tax receipts in the fiscal year in which the debt service payment is made, and increases tax receipts in the year in which the payments were due.

The Budget directs a substantial amount of new funding to the MTA as part of a comprehensive reform plan that is expected to generate a total of \$25 billion in financing, through a combination of bond financings and direct payments, for the MTA's 2020-2024 Capital Plan. A Central Business District tolling program, the first of its kind in the nation, will include the installation of electronic tolling devices on the perimeter of the Central Business District which is defined as streets south of and including 60th Street in Manhattan. Revenues from this program are projected to generate an estimated \$15 billion in new capital funding. Another \$5 billion in financing for the MTA is expected to come from a new progressive mansion tax on residential properties valued at \$2 million and above in New York City and an additional 0.25 percent real estate transfer tax on commercial properties valued at \$2 million and above and residential properties valued at \$3 million and above in New York City. Finally, sales tax receipts are expected to provide the MTA with a total of \$320 million in dedicated revenues (\$170 million in projected receipts from New York City collections and \$150 million in projected receipts from the State collections, when fully annualized). These receipts are expected to be generated from requiring online marketplace providers to collect sales tax on all sales facilitated through their platforms and the enforcement of the United States Supreme Court ruling in *South Dakota v. Wayfair, Inc.* ("U.S. Supreme Court Wayfair ruling"), via notice from the Department of Taxation and Finance ("DTF" or "Tax Department") to out-of-state retailers whose annual sales in New York exceed both \$300,000 and 100 transactions that they are required by law to collect and remit sales tax. These resources are expected to provide capital financing of roughly \$5 billion for the MTA 2020-2024 Capital Plan. These additional financial resources are coupled with the implementation of new MTA management reforms.

To manage potential financial risks, the Budget establishes a process for the uniform reduction of local assistance disbursements of up to 1 percent of State Operating Funds disbursements (approximately \$1.02 billion) if DOB identifies a potential General Fund imbalance of \$500 million or more in the current fiscal year. Upon identification of a potential imbalance, the Budget Director would transmit a plan to the Legislature, identifying the specific appropriations and cash disbursements that would be reduced. The Legislature would then have 30 days to adopt, by concurrent resolution, its own plan for eliminating the imbalance. If the Legislature does not act within 30 days, the plan submitted by the Budget Director would take effect automatically. The process expressly excludes certain types of local assistance appropriations from uniform reduction, including public assistance and Supplemental Security Income (SSI) payments.

In addition, the Budget includes for the third year a process by which the State can address significant reductions in Federal aid during FY 2020 should they arise. Specifically, the Budget allows the Budget Director to prepare a plan for consideration by the Legislature in the event that Federal policymakers (a) reduce Federal Financial Participation (FFP) in Medicaid funding to the State or its subdivisions by \$850 million or more; or (b) reduce FFP or other Federal aid in funding to the State that affects the State Operating Funds financial projections by \$850 million or more, exclusive of any cuts to Medicaid. Each limit is triggered separately and is not additive. The plan prepared by the Budget Director must equally and proportionally reduce appropriations and cash disbursements in the General Fund and State Special Revenue Funds. Upon receipt of the plan, the Legislature has 90 days to prepare its own corrective action plan, which may be adopted by concurrent resolution passed by both houses, or the plan submitted by the Budget Director takes effect automatically.

### Annual Spending Growth

State Operating Funds spending is estimated by DOB to total \$102.1 billion in FY 2020, an increase of 2 percent over FY 2019 results. The table below summarizes the sources of the annual change.

| STATE OPERATING FUNDS DISBURSEMENTS               |                |                |                |               |
|---|----------------|----------------|----------------|---------------|
| FY 2019 TO FY 2020                                |                |                |                |               |
| (millions of dollars)                             |                |                |                |               |
|   | FY 2019        | FY 2020        | Annual Change  |               |
|   | Results        | Enacted        | \$             | %             |
| <b>LOCAL ASSISTANCE</b>                           | <b>66,177</b>  | <b>68,471</b>  | <b>2,294</b>   | <b>3.5%</b>   |
| School Aid (School Year Basis)                    | 26,843         | 27,856         | 1,013          | 3.8%          |
| DOH Medicaid <sup>1</sup>                         | 20,476         | 21,685         | 1,209          | 5.9%          |
| Transportation                                    | 3,938          | 3,549          | (389)          | -9.9%         |
| STAR <sup>2</sup>                                 | 2,423          | 2,176          | (247)          | -10.2%        |
| Social Services                                   | 2,798          | 2,871          | 73             | 2.6%          |
| Higher Education                                  | 2,980          | 2,976          | (4)            | -0.1%         |
| Mental Hygiene <sup>3</sup>                       | 2,150          | 1,998          | (152)          | -7.1%         |
| All Other <sup>4</sup>                            | 4,569          | 5,360          | 791            | 17.3%         |
| <b>STATE OPERATIONS/GENERAL STATE CHARGES</b>     | <b>27,261</b>  | <b>28,480</b>  | <b>1,219</b>   | <b>4.5%</b>   |
| <b>State Operations</b>                           | <b>19,057</b>  | <b>19,684</b>  | <b>627</b>     | <b>3.3%</b>   |
| Personal Service:                                 | <u>13,687</u>  | <u>14,192</u>  | <u>505</u>     | <u>3.7%</u>   |
| Executive Agencies                                | 7,526          | 7,619          | 93             | 1.2%          |
| Retroactive Labor Agreements                      | 0              | 179            | 179            | 100.0%        |
| University Systems                                | 4,000          | 4,241          | 241            | 6.0%          |
| Elected Officials                                 | 2,161          | 2,153          | (8)            | -0.4%         |
| Non-Personal Service:                             | <u>5,370</u>   | <u>5,492</u>   | <u>122</u>     | <u>2.3%</u>   |
| Executive Agencies                                | 2,706          | 2,827          | 121            | 4.5%          |
| University Systems                                | 2,097          | 2,070          | (27)           | -1.3%         |
| Elected Officials                                 | 567            | 595            | 28             | 4.9%          |
| <b>General State Charges</b>                      | <b>8,204</b>   | <b>8,796</b>   | <b>592</b>     | <b>7.2%</b>   |
| Pension Contribution                              | 2,431          | 2,472          | 41             | 1.7%          |
| Health Insurance                                  | 4,193          | 4,312          | 119            | 2.8%          |
| Other Fringe Benefits/Fixed Costs                 | 1,580          | 2,012          | 432            | 27.3%         |
| <b>DEBT SERVICE</b>                               | <b>6,699</b>   | <b>5,166</b>   | <b>(1,533)</b> | <b>-22.9%</b> |
| <b>TOTAL STATE OPERATING FUNDS</b>                | <b>100,137</b> | <b>102,117</b> | <b>1,980</b>   | <b>2.0%</b>   |
| <b>Capital Projects (State and Federal Funds)</b> | <b>12,266</b>  | <b>13,790</b>  | <b>1,524</b>   | <b>12.4%</b>  |
| <b>Federal Operating Aid</b>                      | <b>58,472</b>  | <b>61,120</b>  | <b>2,648</b>   | <b>4.5%</b>   |
| <b>TOTAL ALL GOVERNMENTAL FUNDS</b>               | <b>170,875</b> | <b>177,027</b> | <b>6,152</b>   | <b>3.6%</b>   |

<sup>1</sup> Total State share Medicaid funding excludes Master Settlement Agreement (MSA) payments to the State that will be deposited directly to a Medicaid Escrow Fund to defray the cost of the State's takeover of Medicaid costs for counties and New York City.

<sup>2</sup> The conversion of benefit payments to a State PIT credit decreases reported disbursements for STAR and decreases reported PIT receipts by an identical amount. There is no impact on School Tax Relief (STAR) benefits received by homeowners.

<sup>3</sup> Mental Hygiene spending is estimated at \$4.0 billion in FY 2020, an increase of 6.0 percent from FY 2019. However, a large portion is funded under the Medicaid Global Cap.

<sup>4</sup> "All Other" includes spending for public health, special and other education, local government assistance, parks, environment, economic development, and public safety. It also includes reclassifications among financial plan categories, a reconciliation between school year and State fiscal year spending for School Aid, and MSA payments deposited directly to a Medicaid Escrow Fund (\$444 million in FY 2019 and \$315 million in FY 2020), which reduces reported disbursements.

State Operating Funds encompasses a wide range of State activities funded from income sources outside of the General Fund, including dedicated tax revenues, tuition, patient income, and assessments. Activities funded with these dedicated income sources often have no direct bearing on the State's ability to maintain a balanced budget in the General Fund, but nonetheless are captured in State Operating Funds and subject to the 2 percent spending limit. Activities funded from these "own-source" revenues contribute to annual spending growth.

Spending growth in recent years reflects the State's effort to address long-standing public policy issues. For example, in FY 2015, the State absorbed the full cost of growth in Medicaid on behalf of local governments, creating significant mandate relief for counties. The State takeover of local government Medicaid costs had been proposed as early as 1991, followed by many subsequent unsuccessful attempts. In FY 2017, the State enacted a law that provides scheduled increases in the minimum wage. In 1970, the State's minimum wage was \$1.85. Over the following 45 years, the State increased the minimum wage sporadically, with long periods between changes. These two policy initiatives alone add an estimated \$2.4 billion to FY 2020 State spending.

### Local Assistance

Local assistance spending includes financial aid to local governments and nonprofit organizations, as well as benefit entitlement payments to individuals. Local assistance comprises roughly 67 percent of State Operating Funds spending. Medicaid and School Aid are the State's largest local aid programs, comprising over 45 percent of State Operating Funds spending.

In School Year (SY) 2020, School Aid is expected to total \$27.9 billion, an increase of \$1 billion (3.8 percent), including a \$618 million increase in Foundation Aid. Medicaid spending subject to the Medicaid spending cap ("Global Cap") will grow at the indexed rate of 3 percent (\$568 million) to \$19.4 billion. Total Medicaid spending, which includes the cost of minimum wage increases and the takeover of local government Medicaid growth outside of the Global Cap, will increase by \$1.2 billion to \$21.7 billion in FY 2020.<sup>5</sup> Department of Health (DOH) and DOB actively manage payments to limit disbursements to the level authorized under the Global Cap.

Reported disbursements for transportation are expected to decline in FY 2020, mainly due to one-time aid payments made in FY 2019 and changes in the accounting and flow of funds to the MTA. In FY 2019, the State made an extraordinary operating aid payment of \$194 million for the Subway Action Plan and remitted \$135 million in residual PMT collections held in fund balances to the MTA. In addition, several taxes and fees collected by the State and remitted to the MTA will no longer be subject to annual appropriation by the State Legislature. Previously, the State collected these revenues on behalf of, and disbursed the entire amount to, the MTA. These taxes are now expected to be remitted directly to the MTA, increasing timeliness and removing any uncertainty related to the annual appropriation process. Accordingly, beginning in FY 2020, the Financial Plan does not include the receipts and related local assistance disbursements for these taxes and fees (estimated at approximately \$300 million).<sup>6</sup> The annual decline is offset in part by increased disbursements

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<sup>5</sup> For a discussion of the Global Cap see "Other Matters Affecting the Financial Plan" herein.

<sup>6</sup> This is in addition to the PMT, which was no longer appropriated starting in FY 2019.

from transportation funds supported by expected growth in dedicated resources and use of existing balances.

STAR spending is affected by the continuing conversion of benefit payments from a tax exemption to a tax credit. By shifting taxpayers to the credit program, the State is able to more efficiently administer the program while strengthening its ability to prevent abuse. The conversion has no impact on the value of STAR benefits available to taxpayers. For the State, however, the conversion decreases both the level of reported PIT receipts and reported State Operating Funds disbursements by an identical amount (\$937 million in FY 2019 and an estimated \$1.2 billion in FY 2020).<sup>7</sup> In addition, actions approved in the Enacted Budget are expected to encourage participation in the tax credit program and further decrease STAR program spending over the course of the multi-year projections as participation shifts from the exemption program.

The increase in social services spending is due to a one-time change in the timing of Safety Net Program payments in FY 2019, which is partly offset by the use of available Temporary Assistance for Needy Families (TANF) funding to offset State costs in Child Care and Advantage After School Programs, deferral of the FY 2020 human services cost-of-living adjustment (COLA), and a new requirement for New York City (NYC) to fund a share of the Family Assistance Program.

Higher Education spending in FY 2020 is expected to increase due to growth in tuition assistance programs, including the third phase of the Excelsior Free Tuition Program, and higher City University of New York (CUNY) fringe benefit costs funded by the State. However, the reported growth is offset by a change in accounting for Tuition Assistance Programs (TAP) payments made to State-operated State University of New York (SUNY) campuses. Beginning in FY 2020, Higher Education Services Corporation (HESC) TAP payments made to SUNY on behalf of student recipients will now be reflected as a transfer to SUNY, similar to the treatment of Medicaid payments made to State-operated health facilities on behalf of Medicaid recipients. This change eliminates recording the payment twice on a State Operating Funds basis – first as a local assistance payment from the General Fund to SUNY and again as operating expenses for SUNY.

Mental hygiene spending is estimated at \$4 billion in FY 2020, an increase of \$229 million from FY 2019. The growth reflects enhancements in community mental health services, community-based employment opportunities for individuals with disabilities, increased funding to not-for-profit providers for minimum wage increases, and additional resources to address the heroin and opioid crisis. In addition, the Budget provides funding to support a 4 percent raise for direct care workers over the next two years and a 2 percent raise for clinical workers serving the mental hygiene community. In FY 2020, \$2 billion of the \$4 billion total spent on mental hygiene is reported under the Global Cap, an increase of \$381 million from FY 2019. This reporting format has the effect of reducing the amount of spending reported as “mental hygiene” spending.

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<sup>7</sup> STAR benefits paid through tax exemptions are recorded as disbursements. STAR benefits paid as tax credits are recorded as a reduction in net tax receipts.

## State Operations/General State Charges

Operating costs for State agencies include salaries, wages, fringe benefits, and non-personal service costs (e.g., supplies, utilities) and comprise 19 percent of State Operating Funds spending.

Spending for Executive agency operations is impacted by the retroactive payments for labor agreements reached in FY 2019 with the New York State Correctional Officers and Police Benevolent Association (NYSCOPBA) and the Police Benevolent Association of the New York State Troopers (NYSTPBA). Agencies have funded, and continue to fund, salary increases within their operating budgets. However, exceptions have been made for retroactive salary payments and increases for certain agencies that provide institutional care (e.g., DOCCs and mental hygiene agencies).

| STATE OPERATING FUNDS - PERSONAL SERVICE / NON-PERSONAL SERVICE COSTS<br>(millions of dollars) |               |               |             |
|--|---------------|---------------|-------------|
|  | FY 2019       | FY 2020       |             |
|  | Results       | Enacted       | Change      |
| <b>Executive Agencies (Excluding Retroactive Payments)</b>                                     | <b>10,232</b> | <b>10,446</b> | <b>2.1%</b> |
| Executive Agencies   | 10,232        | 10,625        | 3.8%        |
| Retroactive Labor Agreements (Prior-Year Costs)  | 0             | (179)         | --          |

Operating spending for SUNY is estimated to grow by 3.4 percent in FY 2020 and includes the cost of a six-year collective bargaining agreement through academic year (AY) 2022. Operating costs for independently elected offices (Attorney General, Comptroller, Judiciary, and Legislature) are expected to increase by 0.7 percent in FY 2020.

Spending on fringe benefits is expected to increase mainly due to rising health care and prescription drug costs for State employees and retirees, and Workers' Compensation expenses. The annual change is also affected by one-time savings in FY 2019 from the automation of fringe benefit bills payable by State agencies.

## Debt Service

Debt service consists of principal, interest, and related expenses paid on State debt. Debt service is projected to decline from FY 2019 to FY 2020 due to the payment of FY 2020 debt service in FY 2019. The prepayment of debt service has been executed each year since FY 2010. DOB determines the level of prepayments each year based on operating results, resources on hand, and other factors. The Financial Plan includes the planned prepayment of \$200 million of FY 2021 expenses in FY 2020. In FY 2020, the effect of prepayments is offset in part by expected growth in debt service on State-supported debt.

## General Fund Cash-Basis Financial Plan

### Enacted Budget Financial Plan

The Budget is currently balanced on a cash basis in the General Fund. General Fund receipts, including transfers from other funds, are expected to total \$77.1 billion. Disbursements, including transfers to other funds, are estimated at \$77.9 billion. The General Fund closing balance will be reduced by \$740 million, to \$6.5 billion.

The following table summarizes the annual change in the General Fund from FY 2019 to FY 2020.

| <b>GENERAL FUND FINANCIAL PLAN</b> |                    |                    |               |               |
|------------------------------------|--------------------|--------------------|---------------|---------------|
| (millions of dollars)              |                    |                    |               |               |
|                                    | FY 2019<br>Results | FY 2020<br>Enacted | Annual Change |               |
|                                    |                    |                    | Dollar        | Percent       |
| <b>Opening Fund Balance</b>        | 9,445              | 7,206              | (2,239)       | -23.7%        |
| <b>Total Receipts</b>              | <u>70,544</u>      | <u>77,117</u>      | <u>6,573</u>  | <u>9.3%</u>   |
| Taxes <sup>1</sup>                 | 63,957             | 71,360             | 7,403         | 11.6%         |
| Miscellaneous Receipts             | 3,586              | 2,857              | (729)         | -20.3%        |
| Non-Tax Transfers from Other Funds | 3,001              | 2,900              | (101)         | -3.4%         |
| <b>Total Disbursements</b>         | <u>72,783</u>      | <u>77,857</u>      | <u>5,074</u>  | <u>7.0%</u>   |
| Local Assistance                   | 49,745             | 52,100             | 2,355         | 4.7%          |
| State Operations                   | 18,480             | 19,627             | 1,147         | 6.2%          |
| Transfers to Other Funds           | 4,558              | 6,130              | 1,572         | 34.5%         |
| <b>Net Change in Operations</b>    | (2,239)            | (740)              | 1,499         | 66.9%         |
| <b>Closing Fund Balance</b>        | <u>7,206</u>       | <u>6,466</u>       | <u>(740)</u>  | <u>-10.3%</u> |
| Rainy Day Reserves                 | 2,048              | 2,476              | 428           |               |
| Reserve for Economic Uncertainties | 0                  | 829                | 829           |               |
| Reserve for Timing of Payments     | 408                | 0                  | (408)         |               |
| All Other Reserves/Balances        | 556                | 521                | (35)          |               |
| Extraordinary Monetary Settlements | 4,194              | 2,640              | (1,554)       |               |

<sup>1</sup> Includes the transfer of tax receipts from other funds after debt service.

General Fund receipts and disbursements, as well as fund balances, are affected by the receipt and use of Extraordinary Monetary Settlements. The table below summarizes the General Fund sources and uses of Extraordinary Monetary Settlements.<sup>8</sup> The discussions of receipts and disbursements that follow exclude the impact of Extraordinary Monetary Settlements, which principally affect reported miscellaneous receipts and capital projects transfers.

| <b>GENERAL FUND FINANCIAL PLAN</b>        |                            |                            |                      |                |
|---|----------------------------|----------------------------|----------------------|----------------|
| <b>EXTRAORDINARY MONETARY SETTLEMENTS</b> |                            |                            |                      |                |
| <b>(millions of dollars)</b>              |                            |                            |                      |                |
|   | <b>FY 2019<br/>Results</b> | <b>FY 2020<br/>Enacted</b> | <b>Annual Change</b> |                |
|   |                            |                            | <b>Dollar</b>        | <b>Percent</b> |
| <b>Opening Balance</b>                    | 5,020                      | 4,194                      | (826)                | -16.5%         |
| <b>Total Receipts</b>                     | <u>1,106</u>               | <u>829</u>                 | <u>(277)</u>         | <u>-25.0%</u>  |
| Settlements Received/Expected             | 1,186                      | 829                        | (357)                | -30.1%         |
| Funds Retained by Dept. of Law            | (80)                       | 0                          | 80                   | 100.0%         |
| <b>Total Uses</b>                         | <u>1,932</u>               | <u>2,383</u>               | <u>451</u>           | <u>23.3%</u>   |
| Capital Purposes                          | 769                        | 1,316                      | 547                  | 71.1%          |
| MTA Operating Aid                         | 194                        | 0                          | (194)                | -100.0%        |
| General Fund Operations                   | 719                        | 0                          | (719)                | -100.0%        |
| Rainy Day Reserves                        | 250                        | 238                        | (12)                 | -4.8%          |
| Reserve for Economic Uncertainties        | 0                          | 829                        | 829                  | 0.0%           |
| <b>Net Change in Operations</b>           | (826)                      | (1,554)                    | (728)                | -88.1%         |
| <b>Closing Balance</b>                    | <u>4,194</u>               | <u>2,640</u>               | <u>(1,554)</u>       | <u>-37.1%</u>  |

<sup>8</sup> More information on the receipt and use of Extraordinary Monetary Settlements can be found in "Other Matters Affecting the Financial Plan" herein.

## Receipts<sup>9</sup>

General Fund receipts, including transfers from other funds, are projected to total \$76.3 billion in FY 2020, an increase of \$6.9 billion (9.9 percent) from FY 2019 results. The annual change is affected by taxpayers responding to the Tax Cuts and Jobs Act (TCJA) by shifting estimated PIT payments, typically made on a quarterly basis, into the extension and final payments period. Specifically, FY 2020 receipts are positively affected by an increase in extension and final payments at the expense of FY 2019 estimated payments.

PIT receipts, including transfers after payment of debt service on State PIT Revenue Bonds, are estimated to total \$48.5 billion, an increase of \$5.6 billion (13 percent) from FY 2019 results. A large share of the increase in FY 2020 is due to a shift in estimated payments from FY 2019 to FY 2018.

Consumption/use tax receipts, including transfers after payment of debt service on the Local Government Assistance Corporation (LGAC) and Sales Tax Revenue Bonds, are estimated to total \$14.6 billion in FY 2020, an increase of \$1.2 billion (8.8 percent) from FY 2019 results. The increase mainly reflects projected growth in disposable income and taxable consumption.

Business tax receipts are estimated at \$6.1 billion in FY 2020, an increase of \$603 million (11 percent) from FY 2019 results. The growth is primarily attributable to new for-profit insurance providers subject to premium insurance tax, and a large refund that was processed in April 2019 instead of March 2019.

Other tax receipts, including transfers after payment of debt service on Clean Water/Clean Air (CW/CA) Bonds and transfers after payment of debt service on revenue bonds, are expected to total \$2.1 billion in FY 2020, an increase of \$45 million (2.2 percent) from FY 2019 results.

Non-tax receipts and transfers are estimated at \$4.9 billion in FY 2020, a decrease of \$553 million (10.1 percent) from FY 2019 results. The decline largely reflects the use of resources in FY 2019 that are not expected to recur in FY 2020.

General Fund receipts are affected by the deposit of dedicated taxes in other funds for debt service and other purposes, the transfer of balances among funds of the State, and other factors.<sup>10</sup>

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<sup>9</sup> Excluding Extraordinary Monetary Settlements.

<sup>10</sup> A more comprehensive discussion of the State's projections for tax receipts, miscellaneous receipts, and transfers, presented on a State Funds and All Funds basis, can be found in "State Financial Plan Multi-Year Projections" herein.

**Disbursements<sup>11</sup>**

General Fund disbursements, including transfers to other funds, are expected to total \$76.5 billion in FY 2020, an increase of \$4.7 billion (6.6 percent) from FY 2019 results.

Local assistance spending is estimated at \$52.1 billion in FY 2020, an increase of \$2.5 billion (5.1 percent) from FY 2019. The increase is primarily driven by School Aid (\$489 million on a State fiscal year basis) and Medicaid (\$1.4 billion).

State Operations costs in the General Fund are expected to total \$19.6 billion in FY 2020, an increase of \$1.1 billion (6.2 percent) from FY 2019. The increase reflects salary increases related to labor agreements, including retroactive salary increases and associated fringe benefits (\$206 million), and underlying growth in fringe benefits, including health insurance costs for State employees and retirees, and State costs for Workers' Compensation. In addition, operating costs in the General Fund are affected by offsets in other funds and fund reclassifications, such as operating costs related to snow and ice removal that were reclassified from Capital Projects Funds to the General Fund beginning in FY 2019.

General Fund transfers to other funds are projected to total \$4.8 billion in FY 2020, an increase of \$1.2 billion from FY 2019. Transfers for capital projects (excluding transfers funded with Extraordinary Monetary Settlements) are projected to increase by \$756 million due mainly to the timing of bond proceeds used to reimburse prior-year advances and increasing support for transportation costs. SUNY transfers are expected to increase by \$165 million primarily due to a change in accounting for TAP payments made to State-operated SUNY campuses. All other transfers are projected to increase by \$310 million, largely attributable to the transfer of certain sales tax collections to the MTA. Debt service transfers are expected to decline by \$236 million, mainly due to prepayments.

General Fund disbursements are affected by the level of financing sources available in other funds, transfers of balances between funds of the State, and other factors that may change from year to year.<sup>12</sup> In addition, General Fund disbursements reflect conservative estimates of disbursements in each financial category, a practice that provides a cushion for potential receipts shortfalls and other unanticipated costs.

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<sup>11</sup> Excluding Extraordinary Monetary Settlements.

<sup>12</sup> A more comprehensive discussion of the State's disbursement projections by major activity, presented on a State Operating Funds basis, can be found in "State Financial Plan Multi-Year Projections" herein.

## Closing Balance for FY 2020

The State is projected to end FY 2020 with a General Fund cash balance of \$6.5 billion, a decrease of \$740 million from FY 2019 results. The balance excluding Extraordinary Monetary Settlements is estimated at \$3.8 billion, or \$814 million higher than FY 2019. The change reflects a new reserve for economic uncertainties funded with new settlement receipts (\$829 million) and planned deposits to the Rainy Day Reserves (\$428 million). These increases are partly offset by the planned use of reserves carried over from FY 2019 to fund retroactive payments related to labor agreements (\$206 million) and a large business tax refund (\$202 million), as well as projected spending from reappropriations in the Community Projects Fund (\$35 million).

Extraordinary Monetary Settlements on deposit at the close of FY 2020 are expected to total \$2.6 billion, a decrease of \$1.6 billion from the FY 2019 closing balance. This decrease reflects expected uses and disbursements for initiatives funded with such settlements.<sup>13</sup>

| <b>TOTAL BALANCES</b><br>(millions of dollars) |                            |                            |                          |
|--|----------------------------|----------------------------|--------------------------|
|  | <b>FY 2019<br/>Results</b> | <b>FY 2020<br/>Enacted</b> | <b>Annual<br/>Change</b> |
| <b>TOTAL GENERAL FUND BALANCE</b>              | <b>7,206</b>               | <b>6,466</b>               | <b>(740)</b>             |
| Statutory Reserves:                            |                            |                            |                          |
| Rainy Day Reserves                             | 2,048                      | 2,476                      | 428                      |
| Community Projects                             | 35                         | 0                          | (35)                     |
| Contingency Reserve                            | 21                         | 21                         | 0                        |
| Fund Balance Reserved for:                     |                            |                            |                          |
| Reserve for Economic Uncertainties             | 0                          | 829                        | 829                      |
| Debt Management                                | 500                        | 500                        | 0                        |
| Labor Agreements (Timing)                      | 206                        | 0                          | (206)                    |
| Business Tax Refund (Timing)                   | 202                        | 0                          | (202)                    |
| <b>Subtotal Excluding Settlements</b>          | <b>3,012</b>               | <b>3,826</b>               | <b>814</b>               |
| <b>Extraordinary Monetary Settlements</b>      | <b>4,194</b>               | <b>2,640</b>               | <b>(1,554)</b>           |

<sup>13</sup> A more comprehensive discussion of the State's receipt and use of Extraordinary Monetary Settlements can be found in "Financial Plan Overview - Other Matters Affecting the Financial Plan -- Extraordinary Monetary Settlements" herein.

**Cash Flow**

State Finance Law authorizes the General Fund to borrow money temporarily from available funds held in the STIP. Money may be borrowed for up to four months, or until the end of the fiscal year, whichever period is shorter. The State last used this authorization in April 2011 when the General Fund needed to borrow funds from STIP for a period of five days. The amount of resources that can be borrowed by the General Fund is limited to available balances in STIP, as determined by the State Comptroller. Available balances include money in the State's governmental funds and a relatively small amount of other money belonging to the State. Several accounts in Debt Service Funds and Capital Projects Funds that are part of All Governmental Funds are excluded from the balances deemed available in STIP. These excluded funds consist of bond proceeds and money obligated for debt service payments.

DOB expects that the State will have adequate liquidity in FY 2020 to make all planned payments as they become due without having to temporarily borrow from STIP. The State continues to reserve money on a quarterly basis for debt service payments financed with General Fund resources. Money to pay debt service on bonds secured by dedicated receipts, including PIT bonds and Sales Tax bonds, continues to be set aside as required by law and bond covenants.

| <b>PROJECTED MONTH-END CASH BALANCES</b> |                         |                        |                      |
|--|-------------------------|------------------------|----------------------|
| <b>FY 2020</b>                           |                         |                        |                      |
| <b>(millions of dollars)</b>             |                         |                        |                      |
|  | <b>General<br/>Fund</b> | <b>Other<br/>Funds</b> | <b>All<br/>Funds</b> |
| <b>April<sup>1</sup></b>                 | 11,998                  | 6,157                  | 18,155               |
| <b>May</b>                               | 5,574                   | 5,639                  | 11,213               |
| <b>June</b>                              | 5,274                   | 7,312                  | 12,586               |
| <b>July</b>                              | 6,170                   | 7,047                  | 13,217               |
| <b>August</b>                            | 5,414                   | 6,773                  | 12,187               |
| <b>September</b>                         | 7,601                   | 4,949                  | 12,550               |
| <b>October</b>                           | 7,796                   | 4,775                  | 12,571               |
| <b>November</b>                          | 5,409                   | 4,187                  | 9,596                |
| <b>December</b>                          | 7,217                   | 4,619                  | 11,836               |
| <b>January</b>                           | 10,408                  | 5,506                  | 15,914               |
| <b>February</b>                          | 9,721                   | 5,504                  | 15,225               |
| <b>March</b>                             | 6,466                   | 1,876                  | 8,342                |

<sup>1</sup> DOB Preliminary Result.

## FY 2020 Detailed General Fund Gap-Closing Plan

The following table summarizes the Enacted Budget gap-closing plan from “baseline” budget gaps<sup>14</sup> to the budget gaps projected after budget enactment. The table is followed by a summary of the overall gap-closing plan.

| SUMMARY OF REVISIONS TO MID-YEAR UPDATE   |                    |                      |                      |                      |
|---|--------------------|----------------------|----------------------|----------------------|
| GENERAL FUND BUDGETARY BASIS OF ACCOUNTING  |                    |                      |                      |                      |
| SAVINGS/(COSTS)   |                    |                      |                      |                      |
| (millions of dollars)   |                    |                      |                      |                      |
|   | FY 2020<br>Enacted | FY 2021<br>Projected | FY 2022<br>Projected | FY 2023<br>Projected |
| <b>MID-YEAR UPDATE SURPLUS/(GAP)</b>  | <b>(3,070)</b>     | <b>(6,429)</b>       | <b>(6,551)</b>       | <b>(6,735)</b>       |
| <b>Tax Receipts Reestimates</b>   | <b>(2,219)</b>     | <b>(3,114)</b>       | <b>(4,148)</b>       | <b>(4,886)</b>       |
| <b>Receipts</b>   | <b>3,425</b>       | <b>4,425</b>         | <b>5,461</b>         | <b>5,763</b>         |
| Personal Income Tax (Top Rate)  | 771                | 3,560                | 4,707                | 5,057                |
| Other Taxes   | 276                | 873                  | 1,001                | 1,018                |
| Miscellaneous Receipts  | <u>829</u>         | <u>48</u>            | <u>9</u>             | <u>(2)</u>           |
| Extraordinary Monetary Settlements  | 727                | 0                    | 0                    | 0                    |
| Other Miscellaneous Receipts  | 102                | 48                   | 9                    | (2)                  |
| Debt Service Transfers  | 1,108              | (7)                  | (190)                | (67)                 |
| Non-Tax Transfers   | <u>441</u>         | <u>(49)</u>          | <u>(66)</u>          | <u>(243)</u>         |
| Extraordinary Monetary Settlements  | 102                | 0                    | 0                    | 0                    |
| Other Non-Tax Transfers   | 339                | (49)                 | (66)                 | (243)                |
| <b>Disbursements</b>  | <b>2,191</b>       | <b>1,095</b>         | <b>1,114</b>         | <b>1,042</b>         |
| Local Assistance  | 1,751              | 1,353                | 1,392                | 1,483                |
| Agency Operations/General State Charges   | 234                | 104                  | 34                   | 18                   |
| Debt Service  | 273                | 166                  | 110                  | 109                  |
| Capital Projects  | 234                | (134)                | 14                   | (126)                |
| Other Transfers   | (301)              | (394)                | (436)                | (442)                |
| <b>Use/(Reserve) of Fund Balance</b>  | <b>(327)</b>       | <b>110</b>           | <b>(18)</b>          | <b>125</b>           |
| Reserve for Economic Uncertainties  | (829)              | 0                    | 0                    | 0                    |
| Rainy Day Reserves  | (428)              | 0                    | 0                    | 0                    |
| Labor Agreements (Timing)   | 206                | 0                    | 0                    | 0                    |
| Business Tax Refund (Timing)  | 202                | 0                    | 0                    | 0                    |
| Community Projects  | 9                  | (7)                  | 0                    | 0                    |
| Extraordinary Monetary Settlements  | 513                | 117                  | (18)                 | 125                  |
| <b>ENACTED BUDGET SURPLUS/(GAP)<sup>1</sup></b>   | <b>0</b>           | <b>(3,913)</b>       | <b>(4,142)</b>       | <b>(4,691)</b>       |
| <b>Adherence to 2% Spending Benchmark<sup>2</sup></b>   | <b>0</b>           | <b>3,741</b>         | <b>5,052</b>         | <b>6,786</b>         |
| <b>ENACTED BUDGET SURPLUS/(GAP)</b>   | <b>0</b>           | <b>(172)</b>         | <b>910</b>           | <b>2,095</b>         |
| <sup>1</sup> Before actions to adhere to the 2 percent benchmark.   |                    |                      |                      |                      |
| <sup>2</sup> Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on FY 2020 estimate) and assuming all savings are made available to the General Fund. |                    |                      |                      |                      |

<sup>14</sup> Projected as of the FY 2019 Mid-Year Update, November 2018.

## FY 2020 Receipts

**Tax Receipts Reestimates.** Tax receipts, excluding debt service, have been lowered compared to the baseline forecast due mainly to lower PIT receipts based on downward revisions to withholding and nonwage income growth.

**PIT Top Rate Extension.** The current top income tax rate for high-income earners is extended for five years, through calendar year 2024. The current 8.82 percent rate has been in place since January 1, 2012.

**Other Taxes/Miscellaneous Receipts.** Other tax actions and receipts changes include the following:

- **PIT Limitation on Charitable Contributions.** The provision, originally enacted in 2010, that limits itemized deductions to 25 percent of charitable contributions for taxpayers with incomes above \$10 million is extended through 2024.
- **Internet Fairness Conformity Tax.** Online providers, such as Amazon and eBay, supply a marketplace for third-party sellers. Currently, these sellers are required to collect sales tax from New York residents if the seller is located in New York. These marketplace providers are now required to collect the tax on any sale to State residents, whether the seller is located within, or outside, New York.
- **Other Tax Actions.** The Budget includes other tax credits, extensions, enforcement initiatives and reforms including extending the clean heating fuel credit and the workers with disability credit; and implementing a health tax of 10 cents per fluid milliliter of vapor products at the distributor level.
- **STAR.** Two measures were enacted to incentivize participation in the STAR credit program rather than the STAR exemption program. The STAR exemption benefit is capped at the FY 2019 level, rather than allowed to grow by up to 2 percent like the STAR credit. In addition, the threshold for receiving the STAR exemption was lowered to \$250,000, from the previous threshold of \$500,000. Beneficiaries in the \$250,000 to \$500,000 bracket who convert to the credit program will maintain the full STAR benefit.
- **Miscellaneous Receipts.** An \$85 inspection fee will be levied on for-profit vehicles and the notice of violation fine for certain regulated vehicles has been increased. Other changes include updated estimates for investment income and various other miscellaneous receipts categories, including Extraordinary Monetary Settlements.

**Debt Service Transfers.** The Financial Plan reflects savings from expected refundings, continued use of competitive bond sales, and other debt management actions, as well as the actual payment in FY 2019 of expenses previously planned in FY 2020 and the planned payment during FY 2020 of expenses previously planned to be paid in FY 2021.

**Non-Tax Transfers.** Other resource changes include updated estimates of various transfers from other funds, including Federal reimbursement for mental hygiene services.

## FY 2020 Disbursements

**Local Assistance.** Targeted actions and continuation of prior-year cost controls are expected to generate nearly \$1.8 billion in General Fund savings compared to the estimated costs associated with maintaining the level of current services.

- **Education.** General Fund savings reflect updated data for expense-based State aid, as well as increased revenues from lottery and gaming for education purposes. In addition, the Budget provides that the personal income growth index (PIGI) for School Aid will be calculated using the ten-year average of annual income growth, rather than one-year annual income growth, beginning with School Year 2021.
- **Health Care.** The Medicaid program is expected to achieve \$440 million in savings within the Global Cap. The Department of Health (DOH) will continue to implement various Medicaid Redesign Team (MRT) actions to improve the efficiency and delivery of the statewide Medicaid program.

The Budget includes several targeted initiatives to promote the health and well-being of New Yorkers. The Financial Plan reflects \$15 million for the Expanded In-Home Services for the Elderly Program (EISEP) administered by the New York State Office for the Aging (NYSOFA). The funding will be used to address locally-identified capacity needs for support services that maintain the elderly in their communities, support family and friends in caregiving roles, and reduce future Medicaid costs through earlier intervention with less intensive services. In addition to on-going program support, \$6.8 million funding is included to reduce the risk of childhood exposure to lead paint by lowering the acceptable blood lead level from 15 micrograms per deciliter to 5 micrograms per deciliter and support increased local enforcement and prevention costs through the General Public Health Work (GPHW) program. Additionally, the Enacted Budget supports a 5 percent rate increase for Early Intervention (EI) services provided by licensed physical therapists, occupational therapists, and speech-language pathologists to improve access to care and expand service delivery for infants and toddlers with disabilities.

- **Human Services COLA/Investment in Direct Care and Clinical Workers.** Funding is included to support a 4 percent raise over the next two years for direct care workers, and a 2 percent raise for clinical workers serving the mental hygiene community, both aimed at assisting not-for-profits in the recruitment and retention of employees. These increases, when fully annualized, will increase State share support for workers by \$107 million (\$188 million on an All Funds basis). The FY 2020 2.9 percent statutory COLA increase is deferred as well as FY 2021 COLA for mental hygiene agencies. In addition, prior budget actions that provided targeted support to direct care and clinical staff, as well as workers in foster care and adoption programs, and costs of the minimum wage in human services program areas, continue to be funded.
- **Human Services.** Savings reflect the planned use of available TANF funds to offset State costs in Child Care and Advantage After School programs, an increase in the share of the Family Assistance Program funded by New York City, and revisions to Pay for Success program costs based on updated information.
- **Mental Hygiene.** Spending revisions reflect updated assumptions and revised timelines for implementing service delivery changes in the mental hygiene system; enhanced efforts to address opioid abuse and recovery; and continued expansion of programs and services to ensure individuals with developmental disabilities and behavioral health needs have access to care. These investments are supported, in part, by continued efficiencies in program operations and reductions in excess institutional capacity.
- **All Other.** Savings are expected from targeted actions and updated spending projections across multiple program areas; the continued utilization of JP Morgan Settlement and Mortgage Insurance Fund (MIF) resources to fund housing programs; and revisions to the estimates for the County-wide Shared Services Initiative. In addition, the Budget replaces Aid and Incentives for Municipalities (AIM) to low-reliance towns and villages with an equal amount of local sales tax revenue from the counties in which these towns and villages reside, funded from the elimination of the Internet sales tax advantage and the discontinuation of the energy service company (ESCO) exemption. The State Comptroller will intercept \$59 million in county sales tax revenue and pay affected towns and villages an amount equal to their prior-year AIM payment. There will be no loss of revenue for affected towns and villages.

In addition, funding is included for the DREAM Act, which extends student financial assistance to undocumented immigrant students pursuing higher education in New York, and for youth justice and anti-gang violence initiatives.

**Agency Operations.** Reductions to agency operations and continued cost controls contribute \$234 million to the General Fund gap-closing plan. The reported savings are offset by the timing of payments related to labor agreements ratified in FY 2019, including retroactive payments covering FY 2017 through FY 2019, that are expected to be made in the first quarter of FY 2020.

- **Executive Agencies.** Most State agencies are expected to limit operations spending to FY 2019 levels on a State Operating Funds basis. The principal exceptions are for agencies affected by recent labor contracts that contain retroactive salary increases (e.g., DOCCs) or that are responsible for implementing new legislation that imposes substantial new responsibilities (e.g., Raise the Age). Agencies are expected to continue to use less costly forms of service delivery, improve administrative practices, and pursue statewide solutions, including Lean initiatives to streamline operations and management. In addition, the Budget reflects savings from the planned reduction of excess prison capacity due to prison population declines.

Pension estimates reflect payment of the FY 2020 Employees' Retirement System (ERS)/Police and Fire Retirement System (PFRS) pension bill in May 2019.

- **Elected Officials.** The Budget reflects increased operating spending for the Judiciary to fund salary increases and additional staff in court operations and security, as well as for OSC and the Department of Law to fund increasing personal service expenses.

**Debt Service Transfers.** The Budget reflects savings from expected refundings, continued use of competitive bond sales, and other debt management actions, as well as the payment of FY 2020 expenses in FY 2019.

**Capital Projects Transfers.** The Budget reflects savings from the use of available bond proceeds to reimburse capital expenses from prior years, offset by higher costs for NYC bridge and tunnel security. In addition, the timing of transfers of Extraordinary Monetary Settlements has been updated based on FY 2019 results and estimated activity over the multi-year Financial Plan period.

**Other Transfers.** The Budget reflects a modification to the appropriation and accounting of HESC TAP payments made to SUNY on behalf of student recipients. This change eliminates recording the payment as a disbursement twice on a State Operating Funds basis – first from the General Fund to SUNY and again by SUNY to fund operating expenses. The TAP payment will now be reflected as a transfer to SUNY, like Medicaid payments made to State-operated health facilities on behalf of Medicaid recipients. In addition, the Financial Plan reflects the transfer of certain sales tax receipts to the MTA. Other changes include updated estimates of various transfers from other funds, including for mental hygiene and Indigent Legal Services.

The following table summarizes the General Fund gap-closing actions, and their impact, if any, on State Operating Funds spending.

| <b>FY 2020 ENACTED BUDGET<br/>SIGNIFICANT SAVINGS AND REVISIONS<br/>(millions of dollars)</b> |  |  |
|---|--|--|
|   | <b>General Fund<br/>Savings/ (Costs)</b> | <b>Spending<br/>Increase/<br/>(Decrease)</b> |
| <b>Budget and Spending "Gaps"</b>   | <b>(3,070)</b>                           | <b>2,689</b>                                 |
| <b>Tax Receipts Revisions</b>   | <b>(2,219)</b>                           | <b>0</b>                                     |
| <b>Total Savings</b>  | <b>5,289</b>                             | <b>(2,689)</b>                               |
| Prepayment of FY 2020 Expenses  | 1,353                                    | (1,353)                                      |
| Prepayment of FY 2021 Expenses  | (200)                                    | 200  |
| PIT Top Rate Extension  | 771                                      | 0  |
| Medicaid MRT/Global Cap   | 440                                      | (440)  |
| Lottery/Gaming Reestimate (General Fund School Aid Offset)                                    | 452                                      | 0  |
| Debt Service  | 228                                      | (301)  |
| Tribal State Compact  | 213                                      | 76   |
| Mental Hygiene (Federal Revenues)   | 178                                      | 0  |
| Internet Fairness Conformity Tax  | 170                                      | 0  |
| 2.9% Human Services COLA Deferral   | 141                                      | (141)  |
| Mental Hygiene Direct Care and Clinical Wage Increases  | (10)                                     | 10   |
| TANF Funding (Child Care Subsidies/Advantage After School)                                    | 100                                      | (100)  |
| ESCO Sales Tax Exemption Discontinuation  | 90                                       | 0  |
| State Reimbursement for Certain Family Assistance Program Costs                               | 72                                       | (72)   |
| Wayfair Implementation  | 70                                       | 0  |
| County-Wide Shared Services Reestimate  | 60                                       | (60)   |
| Replace AIM to Low Reliance Towns/Villages  | 59                                       | (59)   |
| Prepayment of 2020 Pension Bill   | 54                                       | (54)   |
| HCRA Receipts   | 50                                       | 0  |
| STAR Tax Credit Program Incentives  | 46                                       | (231)  |
| State Reimbursement for Certain Health Programs   | 27                                       | (27)   |
| Prison Closures   | 21                                       | (21)   |
| Judiciary Budget  | (80)                                     | 68   |
| NYC Bridge and Tunnel Security  | (50)                                     | 0  |
| DREAM Act   | (19)                                     | 19   |
| Ageing Population Services Funding  | (15)                                     | 15   |
| Youth Justice and Anti-Gang Violence Initiative   | (10)                                     | 10   |
| Blood Lead Level Funding  | (7)                                      | 7  |
| Reimbursement of Prior Year Capital Expenses  | 525                                      | 0  |
| New Spending Additions (See following table)  | (361)                                    | 356  |
| Retroactive Labor Agreements Salary Increases   | 0  | 206  |
| All Other Cost Controls/Reestimates/Actions/Reclassifications                                 | 921                                      | (797)  |

## Changes to Executive Budget

The table below summarizes all the changes to the Executive Budget General Fund Financial Plan.

| CHANGES TO THE EXECUTIVE BUDGET FINANCIAL PLAN             |                |                |              |              |
|--|----------------|----------------|--------------|--------------|
| GENERAL FUND   |                |                |              |              |
| (millions of dollars)                                      |                |                |              |              |
|  | FY 2020        | FY 2021        | FY 2022      | FY 2023      |
| <b>TOTAL NEGOTIATED CHANGES TO EXECUTIVE BUDGET</b>        | <b>(1,040)</b> | <b>(1,217)</b> | <b>(888)</b> | <b>(877)</b> |
| <b>Spending Restorations/Additions</b>                     | <b>(923)</b>   | <b>(1,056)</b> | <b>(723)</b> | <b>(692)</b> |
| <u>New Spending Adds:</u>                                  | <u>(361)</u>   | <u>(310)</u>   | <u>(285)</u> | <u>(291)</u> |
| School Aid (SFY Basis)                                     | (87)           | (127)          | (133)        | (138)        |
| Education  | (59)           | (34)           | (14)         | (15)         |
| Human Services   | (70)           | (1)            | (1)          | (1)          |
| Higher Education   | (52)           | (35)           | (24)         | (24)         |
| Mental Hygiene (Incl. Direct Care/Clinical Wage Increases) | (22)           | (107)          | (107)        | (107)        |
| Public Health  | (21)           | 0              | 0            | 0            |
| Public Safety  | (17)           | 0              | 0            | 0            |
| Agriculture/Environment/Housing                            | (12)           | (6)            | (6)          | (6)          |
| Economic Development                                       | (9)            | 0              | 0            | 0            |
| General/Local Government Aid                               | (12)           | 0              | 0            | 0            |
| <u>Restorations/Modifications:</u>                         | <u>(562)</u>   | <u>(746)</u>   | <u>(438)</u> | <u>(401)</u> |
| Health/Medicaid  | (550)          | (606)          | (328)        | (328)        |
| Retiree Health Insurance                                   | (5)            | (25)           | (39)         | (56)         |
| Market Rate Interest on Court of Claims Judgments          | (6)            | (6)            | (6)          | (6)          |
| Statutory Cap on Casino Free Play                          | 0              | (6)            | 6            | 0            |
| Pension Amortization Repayment                             | 0              | (219)          | (187)        | (127)        |
| FY 2021 COLA Deferral (Mental Hygiene Agencies)            | 0              | 118            | 118          | 118          |
| Jail-Based Restoration Pilot                               | (1)            | (2)            | (2)          | (2)          |
| <b>Tax Law/Revenues</b>                                    | <b>(117)</b>   | <b>(161)</b>   | <b>(165)</b> | <b>(185)</b> |
| <u>Not Accepted:</u>                                       | <u>0</u>       | <u>(4)</u>     | <u>(4)</u>   | <u>(4)</u>   |
| Bottle Bill Expansion                                      | 0              | (4)            | (4)          | (4)          |
| <u>Modified/New:</u>                                       | <u>(117)</u>   | <u>(157)</u>   | <u>(161)</u> | <u>(181)</u> |
| MTA Dedicated Sales Tax                                    | (113)          | (150)          | (152)        | (153)        |
| Notice of Violation Fine                                   | (3)            | (5)            | (5)          | (5)          |
| Bus Inspection Fee   | (1)            | (2)            | (2)          | (2)          |
| Toll Credit  | 0              | 0              | 0            | (20)         |
| All Other  | 0              | 0              | (2)          | (1)          |
| <b>NEW COSTS</b>   | <b>(28)</b>    | <b>(10)</b>    | <b>(12)</b>  | <b>(12)</b>  |
| Liberty Defense Project                                    | (10)           | 0              | 0            | 0            |
| DOT Winter Storm Costs                                     | (10)           | 0              | 0            | 0            |
| Legislative Pay Raise                                      | (8)            | (10)           | (12)         | (12)         |
| <b>SPENDING AND RESOURCE CHANGES</b>                       | <b>1,068</b>   | <b>2,073</b>   | <b>1,336</b> | <b>1,350</b> |
| Tax Receipts Forecast                                      | 1,093          | 1,133          | 1,093        | 1,084        |
| Administrative Refund Cap                                  | (500)          | 500            | 0            | 0            |
| FY 2020 Prepayments  | (200)          | 200            | 0            | 0            |
| Rainy Day Reserves Deposit                                 | (190)          | 0              | 0            | 0            |
| FY 2019 Prepayments  | 733            | 0              | 0            | 0            |
| All Other  | 132            | 240            | 243          | 266          |
| <b>MONETARY SETTLEMENTS</b>                                | <b>0</b>       | <b>0</b>       | <b>0</b>     | <b>0</b>     |
| New Settlements Received                                   | 829            | 0              | 0            | 0            |
| Reserve for Economic Uncertainties                         | (829)          | 0              | 0            | 0            |
| <b>FY 2019 TRANSACTION TIMING</b>                          | <b>0</b>       | <b>0</b>       | <b>0</b>     | <b>0</b>     |
| Retroactive Salary Increases                               | (206)          | 0              | 0            | 0            |
| Reserve for Retroactive Salary Increases                   | 206            | 0              | 0            | 0            |
| Business Tax Refund  | (202)          | 0              | 0            | 0            |
| Reserve for Payment of Business Tax Refund                 | 202            | 0              | 0            | 0            |
| <b>NET SAVINGS/(COSTS)<sup>1</sup></b>                     | <b>0</b>       | <b>846</b>     | <b>436</b>   | <b>461</b>   |

<sup>1</sup> Before projected savings achieved by limiting future annual growth to 2 percent.

## Other Matters Affecting the Financial Plan

### General

The Financial Plan is subject to complex economic, social, financial, political, and environmental risks and uncertainties, many of which are outside the ability of the State to control. DOB believes that the projections of receipts and disbursements in the Financial Plan are based on reasonable assumptions, but there can be no assurance that results will not differ materially and adversely from these projections. For instance, receipts collections have fallen substantially below the levels forecasted in certain fiscal years. In addition, certain projections contained in the Financial Plan assume that annual growth in State Operating Funds spending will be limited to 2 percent in FY 2021, FY 2022, and FY 2023, and that all savings that result from the 2 percent spending growth benchmark will be made available to the General Fund.

DOB routinely executes cash management actions to manage the State's large and complex Budget. These actions are intended for a variety of purposes that include improving the State's cash flow, managing resources within and across State fiscal years, assisting in adherence to spending targets, and better positioning the State to address future risks and unanticipated costs, such as economic downturns, unexpected revenue deterioration, and unplanned expenditures. As such, the State regularly makes certain payments above those initially planned, subject to available resources, to maintain budget flexibility. All payments made above the planned amount are reflected in the year they occur and adhere to the limit of the State's 2 percent growth benchmark.

The Financial Plan is based on numerous assumptions including the condition of the State and national economies, and the concomitant collection of economically sensitive tax receipts in the amounts projected. Other uncertainties and risks concerning the economic and receipts forecasts include impacts of: national and international events; ongoing financial risks in the eurozone; changes in consumer confidence, price and supply of oil and gas; major terrorist events and hostilities or war; climate change and extreme weather events; cybersecurity threats; Federal statutory and regulatory changes concerning financial sector activities; Federal tax law; changes to Federal programs; changes concerning financial sector bonus payouts, as well as any future legislation governing the structure of compensation; shifts in monetary policy affecting interest rates and the financial markets; credit rating agency actions; financial and real estate market developments which may adversely affect bonus income and capital gains realizations; tech industry developments and employment; effect of household debt on consumer spending and State tax collections; and outcomes of litigation and other claims affecting the State.

The Financial Plan is subject to various uncertainties and contingencies relating to: wage and benefit increases for State employees that exceed projected annual costs; changes in the size of the State's workforce; realization of the projected rate of return for pension fund assets, and current assumptions with respect to wages for State employees affecting the State's required pension fund contributions; willingness and ability of the Federal government to provide the aid projected in the Financial Plan; ability of the State to implement cost reduction initiatives, including reductions in State agency operations, and success with which the State controls expenditures; and ability of the State and its public authorities to issue securities successfully in the public credit markets. Some of these issues are described in more detail herein. The projections and assumptions contained

in the Financial Plan are subject to revisions which may result in substantial change. No assurance can be given that these estimates and projections, which depend in part upon actions the State expects to be taken but which are not within the State's control, will be realized.

### **Budget Risks and Uncertainties**

There can be no assurance that the State's financial position will not change materially and adversely from current projections. If this were to occur, the State would be required to take additional gap-closing actions. Such actions may include but are not limited to: reductions in State agency operations; delays or reductions in payments to local governments or other recipients of State aid; delays in or suspension of capital maintenance and construction; extraordinary financing of operating expenses; use of nonrecurring resources; or other measures. In some cases, the ability of the State to implement such actions requires the approval of the Legislature and cannot be implemented solely by the Governor.

To manage potential Financial Plan risks in FY 2020, the Budget establishes a process for the uniform reduction of local assistance disbursements of up to 1 percent of State Operating Funds disbursements (approximately \$1.02 billion) if DOB identifies a General Fund imbalance of \$500 million or more in the current fiscal year. Upon identification of an imbalance, the Budget Director would transmit a plan to the Legislature identifying the specific appropriations and cash disbursements that would be reduced. The Legislature would then have 30 days to adopt, by concurrent resolution, its own plan for eliminating the imbalance. If no plan is adopted, the plan submitted by the Budget Director would take effect automatically. The process exempts certain types of local assistance appropriations from uniform reduction, including public assistance and SSI payments.

The Financial Plan forecast assumes various transactions could fail to occur as planned including, but not limited to: receipt of certain payments from public authorities; receipt of certain revenue sharing payments under the Tribal-State compact, including payments from the Seneca Nation; receipt of miscellaneous revenues at the levels expected in the Financial Plan; and achievement of cost-saving measures including, but not limited to, transfer of available fund balances to the General Fund at levels currently projected. Such risks and uncertainties, if they were to materialize, could adversely impact the Financial Plan in current or future years, or both.

The Financial Plan also includes actions that affect spending reported on a State Operating Funds basis, including accounting and reporting changes. If these and other transactions are not implemented or reported as planned, annual spending growth in State Operating Funds would increase above current estimates.

In developing the Financial Plan, DOB attempts to mitigate financial risks from receipts volatility, litigation, and unexpected costs, with an emphasis on the General Fund. It does this by, among other things, exercising caution when calculating total General Fund disbursements and managing the accumulation of financial resources that can be used to offset new costs. Such resources include but are not limited to, fund balances not needed each year, reimbursement for capital advances, acceleration of tax refunds above the level budgeted each year, and prepayment of expenses. There can be no assurance that such resources will be enough to address risks that may materialize in a given fiscal year.

Financial Plan projections for FYs 2021 through 2023 assume that School Aid and Medicaid disbursements will be limited to the ten-year rolling average growth of State personal income and the medical component of the Consumer Price Index (CPI), respectively. From FY 2014 to FY 2020, the School Aid growth cap was calculated based on the annual growth in NYS personal income. However, enacted budgets in FYs 2014 through 2019 authorized increases above these levels. To reduce volatility and align with the Medicaid cap, the statutory PIGI for School Aid has been amended to reflect average annual income growth over a ten-year period, beginning in FY 2021.

Medicaid is a means-tested program that finances health care services for low-income individuals and long-term care services for the elderly and disabled, primarily through payments to health care providers. The Medicaid program is financed jointly by the State, Federal government, and local governments. The growth in Medicaid costs is affected by many factors, including enrollment, prices, utilization, economic activity, Federal and State health care policies, and demographic trends.

In FY 2012, the State enacted legislation intended to limit the year-to-year growth in DOH State funds Medicaid spending to the ten-year rolling average of the medical component of the CPI. The statutory provisions of the Medicaid spending cap (“Global Cap”) also allow for flexibility in adjusting Medicaid projections to meet unanticipated costs resulting from a disaster. Since enactment of the Global Cap, the portion of DOH State Funds Medicaid spending subject to the Global Cap has remained at or below indexed levels.

State law grants the Commissioner of Health certain powers to limit Medicaid disbursements to the level authorized by the Global Cap. The Commissioner’s powers are intended to limit the rate of annual spending growth to the levels estimated for the current fiscal year, through actions which may include reducing rates to providers. These actions may be dependent upon timely Federal approvals and other elements of the program that govern implementation. It should further be noted that the Global Cap applies to State Operating Funds and, therefore, General Fund spending remains sensitive to revenue performance in the State’s HCRA fund. The HCRA fund finances approximately one-quarter of the DOH State-share costs of Medicaid.

The State has, at times, taken actions to manage the timing of Medicaid payments to ensure compliance with the Global Cap. Between FY 2015 and FY 2018, DOH managed the timing of payments across State fiscal years that ranged from \$50 million to roughly \$435 million. In FY 2019, DOH deferred, for three business days, the final cycle payment to Medicaid Managed Care Organizations, as well as other payments. The FY 2019 deferral had a State-share value of \$1.7 billion and was paid utilizing cash on hand in April 2019, consistent with contractual obligations and had no impact on provider services. Absent the deferral, Medicaid spending under the Global Cap would have exceeded the statutorily indexed rate for FY 2019. This higher spending in FY 2019 appears to reflect growth in managed care enrollment and costs above projections, as well as certain savings actions and offsets that were not processed by year-end. The Financial Plan assumes Medicaid spending in FY 2020 will comply with the Global Cap. As such, DOB and DOH will continue to develop options to reduce spending within the Global Cap and/or continue to manage the timing of payments, which may include a deferral to FY 2021 if spending is not reduced to levels that adhere to the Global Cap. Options to reduce spending include the execution of the statutory powers granted to the Commissioner of Health to limit spending. Efforts to maintain

Medicaid spending levels within the Global Cap may have implications on the State's financial position. If spending levels continue to exceed the Global Cap and/or further payment deferrals are made, there could be an impact to State finances.

## Federal Issues

The State receives a substantial amount of Federal aid for health care, education, transportation, and other governmental purposes, as well as Federal funding to respond to, and recover from, severe weather events and other disasters. Many policies that drive this Federal aid may be subject to change under the Trump Administration and the new Congress. Current Federal aid projections, and the assumptions on which they rely, are subject to revision because of changes in Federal policy.

In addition, the Financial Plan may also be adversely affected by other Federal government actions including audits, disallowances, and changes to Federal participation rates or other Medicaid rules. For instance, the Financial Plan includes reimbursement to the Federal government of \$100 million annually through FY 2027 pursuant to a March 2015 agreement between the State and the Centers for Medicare & Medicaid Services (CMS). The agreement resolved a pending disallowance for FY 2011 and all related payment disputes for State-operated services prior to April 1, 2013, including home and community-based waiver services. Pursuant to the agreement, the State must adjust the Federal/State share of future Medicaid costs to reimburse the Federal government. The State used \$850 million in Extraordinary Monetary Settlement payments, previously set aside for financial risks, to finance the initial repayment amount in FY 2016.

The Enacted Budget includes for the third year a process by which the State can address significant reductions in Federal aid during FY 2020 should they arise. Specifically, the Budget allows the Budget Director to prepare a plan for consideration by the Legislature in the event that Federal policymakers (a) reduce Federal Financial Participation (FFP) in Medicaid funding to New York State or its subdivisions by \$850 million or more; or (b) reduce FFP or other Federal aid in funding to New York State that affects the State Operating Funds Financial Plan by \$850 million or more, exclusive of any cuts to Medicaid. Each limit is triggered separately and is not additive. The plan prepared by the Budget Director must equally and proportionally reduce appropriations and cash disbursements in the General Fund and State Special Revenue Funds. Upon receipt of the plan, the Legislature has 90 days to prepare its own corrective action plan, which may be adopted by concurrent resolution passed by both houses, or the plan submitted by the Budget Director takes effect automatically.

### Current Federal Aid

President Trump proposed significant cuts to mandatory and discretionary domestic programs in Federal Fiscal Years (FFYs) 2018 and 2019, which were largely rejected by the final appropriations bills advanced for both years. The President has proposed similar cuts for FFY 2020. In addition, Federal spending remains at risk due to the significantly lower discretionary spending caps pursuant to the Budget Control Act (BCA) of 2011. The BCA of 2011 temporarily raised the debt limit, established discretionary spending caps on the Federal government through FFY 2021, and instituted sequestration of some mandatory funds on which the State relies. Despite modest legislative adjustments to the discretionary caps contained in the BCA, the possibility of reductions in Federal support is elevated as long as the caps remain in place. Congress passed legislation in 2013, 2015, and 2018 that temporarily increased the discretionary spending caps imposed by the BCA through FFY 2019. Similar adjustments will need to be made to the BCA for the upcoming FFY 2020 to forestall potential cuts in discretionary programs on which the State relies.

### Medicaid Disproportionate Share Hospital (DSH) Payments

Provisions within the Federal Medicaid statute allow for a capped amount of payments to hospitals that treat a disproportionate number of Medicaid recipients. Changes made initially in the Affordable Care Act (ACA) to reduce the aggregate amount of Federal reimbursements for DSH payments are scheduled to take effect in FFY 2020, beginning October 1, 2019. The State estimates that if the changes take effect as scheduled, New York hospitals will lose \$7.2 billion when fully phased in, the largest reduction in Federal DSH payments among all states.

### Essential Plan (EP)

In 2017, the Federal government attempted to end the Basic Health Program EP in New York State, reverse the ACA's Medicaid expansion, and shift a larger share of growth in Medicaid costs to states by imposing per capita caps on Medicaid spending in lieu of Medicaid's current open-ended policy. If enacted into law, these policies would have had a substantial adverse impact on the State.

Additionally, the Trump Administration withheld Cost Sharing Reduction (CSR) payments, threatening low-cost health insurance coverage for income-eligible recipients purchasing Qualified Health Plan (QHP) or EP coverage through the New York State of Health (NYSOH), New York's official health plan marketplace. Recent actions by the Trump Administration in response to litigation brought by the State will allow the State to recoup some of the withheld EP funding through changes to the reimbursement methodology for 2018. However, the State has not received any guidance on whether it will receive Federal reimbursement in the EP for CSR payments in 2019 and beyond. This funding represents about 25 percent of the total Federal funding for the program and, absent any action by Congress, the State Financial Plan remains at risk. Additionally, the Trump Administration has proposed to alter the Federal reimbursement formula which would further decrease the amount of Federal funding for the EP. The Financial Plan reflects continued Federal support for the EP program.

## Excise Tax on High-Cost Employer-Sponsored Health Coverage (“Cadillac Tax”)

The Excise Tax on High-Cost Employer-Sponsored Health Coverage (26 USC 4980I) is a 40 percent excise tax assessed on the portion of the premium for an employer-sponsored health insurance plan that exceeds a certain annual limit. The provision was initially included in the ACA to offset mandatory spending increases but has since been altered by intervening laws that delay the implementation of the tax until 2022.

Regulations from the Internal Revenue Service (IRS) have yet to be published. DOB has no current estimate as to the potential impact to the State from this Federal excise tax.

## MRT Medicaid Waiver

The CMS and the State have an agreement authorizing up to \$8 billion in new Federal funding over several years to transform New York’s health care system and ensure access to quality care for all Medicaid beneficiaries. This funding, provided through an amendment to the State’s Partnership Plan 1115 Medicaid waiver, is divided among the Interim Access Assurance Fund (IAAF), the Delivery System Reform Incentive Payment (DSRIP) Program, Health Homes, and various other Medicaid redesign initiatives.

Since January 1, 2014, in accordance with provisions of the ACA, the State has been eligible for enhanced Federal Medical Assistance Percentage (FMAP) funding associated with childless adults. The DOH continues to work with the CMS and to refine eligibility data systems to draw the appropriate amount of enhanced FMAP funding. This reconciliation may result in a modification of payments to the State and local governments.

## Federal Debt Limit

On March 1, 2019, a temporary suspension of the Federal debt limit expired. The U.S. Treasury is currently operating under “extraordinary measures” to make payments for as long as possible to forestall a potential default. The Congressional Budget Office (CBO) estimates that these measures will suffice through late summer or early fall of 2019. A Federal government default on payments, particularly for a prolonged period, could have a materially adverse effect on national and State economies, financial markets, and intergovernmental aid payments. Specific effects on the updated Financial Plan of a future Federal government default are unknown and impossible to predict. However, data from past economic downturns suggest that the State’s revenue loss could be substantial if the economy goes into a recession due to a Federal default.

A payment default by the United States may adversely affect the municipal bond market. Municipal issuers, including the State, could face higher borrowing costs and impaired access to capital markets. This would jeopardize planned capital investments in transportation infrastructure, higher education facilities, hazardous waste remediation, environmental projects, and economic development projects. Additionally, the market for and market value of outstanding municipal obligations, including municipal obligations of the State, could be adversely affected.

### Federal Tax Law Changes

On December 22, 2017, President Trump signed into law the TCJA (H.R. 1, P.L. 115-97), making major changes to the Federal Internal Revenue Code, most of which were effective in the 2018 Tax Year. The Federal tax law made extensive changes to Federal personal income taxes, corporate income taxes, and estate taxes.

The State's income tax system interacts with the Federal system in numerous ways. Changes to the Federal tax code have significant flow-through effects on State tax burdens and State tax receipts. From the standpoint of individual New York State taxpayers, the new \$10,000 limit on the deductibility of State and Local Tax (SALT) payments, effective for Tax Year 2018, is substantial. The TCJA's SALT deduction limit represents a large increase in the State's effective tax rate relative to historical experience and may adversely affect New York's economic competitiveness.

The SALT deduction originated with the first federal income tax implemented to fund the Civil War effort and has been in place continuously since 1913. DOB and DTF estimate that the new SALT deduction limit raised Federal tax liability for New York taxpayers by roughly \$14 billion for Tax Year 2018, relative to what taxpayers would have paid absent the limitation. Over the course of the eight years the SALT deduction limit is scheduled to be in effect, the State estimates that resident taxpayers who itemize at the Federal level for each year through 2025 will collectively pay an additional \$121 billion in Federal taxes relative to what they would have paid absent the SALT deduction limit.

Moreover, the TCJA contains numerous provisions that may adversely affect residential real estate prices in New York State and elsewhere, of which the SALT deduction limit is the most significant. A loss of wealth associated with a decline in home prices could have a significant impact on household spending in the State through the wealth effect, whereby consumers perceive the rise and fall of the value of an asset, such as a home, as a corresponding increase or decline in income, causing them to alter their spending practices. Reductions in household spending by New York residents, if they were to occur, would be expected to result in lower sales for the State's businesses, which, in turn, would cause further reductions in economic activity and employment. Lastly, falling home prices could result in homeowners delaying the sale of their homes. The combined impact of lower home prices and fewer sales transactions could result in lower real estate transfer tax collections.

In sum, the Federal tax law changes may intensify migration pressures and the drag on the value of home prices, thereby posing risks to the State's tax base and current Financial Plan projections.

### State Response to Federal Tax Law Changes

The State enacted tax reforms intended to mitigate issues arising from the Federal law, including decoupling many State tax provisions from the Federal changes, creation of an optional payroll tax program, and establishment of a new State charitable giving vehicle, as described below.

On July 17, 2018, the State, joined by Connecticut, Maryland, and New Jersey, filed a lawsuit intended to protect New York taxpayers from the new Federal limit on the SALT deduction. The lawsuit argues that the new SALT limit was enacted to target New York and similarly situated states, interferes with states' rights to make their own fiscal decisions, and will disproportionately harm taxpayers in these states. Oral arguments are currently scheduled for June 18, 2019 in the Southern District of New York.

The State developed the Employer Compensation Expense Program (ECEP) and Charitable Gifts Trust Fund, as described below, based on a review of existing laws, regulations, and precedents. However, there can be no assurance that the IRS will allow taxes paid under the ECEP by an electing employer, or donations made by taxpayers to the Charitable Gifts Trust Fund, to be deductible for Federal tax purposes under current law and the TCJA. As noted below, the IRS has proposed regulations that would impair the ability of taxpayers to deduct donations to the Charitable Gifts Trust Fund from Federally taxable income while receiving State tax credits for such donations.

On August 23, 2018, the IRS issued proposed regulations – IRS REG-112176-18 – that seek to provide new rules governing the availability of Federal income tax deductions for charitable contributions when a taxpayer receives or expects to receive a State or local tax credit for such charitable contributions. In the case of State tax credits received by a taxpayer making a charitable contribution, the proposed regulations would require the taxpayer to reduce the Federal income tax deduction by the amount of the State tax credit received for such charitable contribution. This rule would not apply, however, if the value of the State tax credit to be received does not exceed 15 percent of the charitable contribution. If finalized, the effective date of these proposed regulations would be retroactive to August 27, 2018. The Treasury Department and the IRS have collected comments from the public on these proposed regulations and held a public hearing on November 5, 2018. Based on its review of the proposed regulations, DOB anticipates that if the proposed regulations are adopted in their current form, contributions to the State Charitable Gifts Trust Fund may decline. The proposed regulations, by their terms, do not impact the Federal tax reduction that DOB expects would result for certain taxpayers employed by entities that may enroll in the ECEP. Note that since the Financial Plan was released, the IRS has approved the proposed regulations.

State law allows taxpayers to claim reimbursement from the State for interest on underpayments of Federal tax liability for the 2019, 2020 and 2021 tax years if the underpayments arise from reliance on amendments to State tax law enacted in 2018. To receive reimbursement, taxpayers are required to submit their reimbursement claims to DTF within 60 days of making an interest payment to the IRS.

There could be a material expense to the State if taxpayer participation in the ECEP and Charitable Gifts initiatives for the 2019, 2020 and 2021 tax years results in Federal determinations of underpayment of Federal income tax. Any cost to the Financial Plan from State reimbursement of interest charges would occur in FY 2021 at the earliest, for determinations on 2019 tax payments due in April 2020 or thereafter.

The Financial Plan does not include any estimate of the magnitude of the possible interest expense to the State, which depends on several factors including rates of participation in the ECEP; magnitude of donations to the State Charitable Gifts Trust Fund; amount of determinations of underpayment attributable to reliance on other changes in State tax law made in 2018; amount of time between the due date of the return and the date any Federal determination is issued; interest rate applied; and frequency at which taxpayers submit timely reimbursement claims to the State. Interest on unpaid Federal tax generally accrues from the due date of the return until the date of payment in full. Under current Federal law, the interest rate is determined quarterly and is the Federal short-term rate plus 3 percent, compounded daily.

#### Employer Compensation Expense Program

Employers that elect to participate in the ECEP will be subject to a 5 percent State tax on all annual payroll expenses in excess of \$40,000 per employee, phased in over three years beginning on January 1, 2019 as follows: 1.5 percent in Tax Year 2019, 3 percent in Tax Year 2020, and 5 percent in Tax Year 2021. Employers must elect to participate in the ECEP for the upcoming tax year by December 1 of the preceding calendar year. For the 2019 Tax Year, 262 employers elected to participate in the ECEP and are expected to remit \$2 million.

The ECEP is intended to mitigate the tax burden for employees affected by the SALT deduction limit. While the TCJA limits deductibility for individuals, it does not cap deductibility for ordinary and necessary business expenses paid or incurred by employers in carrying on a trade or business. The ECEP is expected to be State revenue neutral, with any decrease in New York State PIT receipts expected to be offset by a comparable increase in ECEP revenue. Remittance of ECEP revenue to the State began in the fourth quarter of FY 2019. A new State PIT credit will be available to employees whose wages are subject to the tax. Any decrease in New York State PIT receipts is expected to be offset by a comparable increase in ECEP revenue because the formula used to calculate the State PIT credit corresponds in value to the ECEP.

### State Charitable Gifts Trust Fund

Starting in Tax Year 2018, the State Charitable Gifts Trust Fund was established to accept gifts, for the purposes of funding health care and education in New York State. Taxpayers who itemize deductions may claim these charitable contributions as deductions on their Federal and State income tax returns. Any taxpayer donating may also claim a State tax credit equal to 85 percent of the donation amount for the tax year after the donation is made. State PIT receipts will be reduced by the State tax deduction and 85 percent tax credit.<sup>15</sup>

In FY 2019, the State received \$93 million in charitable gifts deposited to the Charitable Gifts Trust Fund for healthcare and education (\$58 million and \$35 million, respectively). These resources are appropriated in the Budget for the authorized purposes.

### Impact of State Tax Law Changes on PIT Revenue Bonds

To offset the potential reduction in the level of New York State PIT receipts resulting from activity of the ECEP and donations to the State Charitable Gifts Trust Fund, State Finance Law provisions creating the Revenue Bond Tax Fund (RBTF) were amended to increase the percentage of New York State PIT receipts required to be deposited upon receipt in the RBTF, from 25 percent to 50 percent. In addition, the legislation that created the ECEP required that 50 percent of ECEP receipts received by the State be deposited to the RBTF. These changes became effective April 1, 2018.

The amendments also increased the amount of all New York State PIT receipts collected from payroll withholding and ECEP receipts that must be deposited in the RBTF if (a) the State Legislature fails to appropriate amounts required to make all debt service payments on State PIT Revenue Bonds or (b) having been appropriated and set aside pursuant to a certificate of the Director of the Budget, debt service payments and other cash requirements under the applicable financing agreements have not been made when due on the State PIT Revenue Bonds. Under prior law, New York State PIT receipts from payroll withholding were to be deposited to the RBTF until amounts on deposit in the RBTF equaled the greater of 25 percent of annual New York State PIT receipts or \$6 billion. Under the new law, New York State PIT receipts and ECEP receipts are deposited to the RBTF until amounts on deposit in the RBTF equal the greater of 40 percent of the aggregate of annual New York State PIT receipts and ECEP receipts or \$12 billion.

Donations to the Charitable Gifts Trust Fund could reduce State PIT receipts by nearly one dollar for every dollar donated. Accordingly, the amount of donations to the State Charitable Gifts Trust Fund is the principal direct risk to the amount of New York State PIT receipts deposited to the RBTF under the tax law changes enacted by the State in April 2018. To address this risk, the State increased the amount of PIT receipts deposited to the RBTF from 25 percent to 50 percent.

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<sup>15</sup> Statute allows the SUNY Research Foundation, CUNY Research Foundation, and Health Research, Inc. to accept up to \$10 million each in charitable gifts on an annual basis. The State PIT receipts will also be reduced by the State tax deduction and an 85 percent credit for those donations that will be available beginning in Tax Year 2019.

DOB and DTF performed a calculation of the maximum amount of charitable donations to the State Charitable Gifts Trust Fund that could occur annually under varying assumptions. The calculation of this ceiling is intended as a stress test on State PIT receipts that may flow to the RBTF under different levels of assumed taxpayer participation. It should not, under any circumstances, be viewed as a projection of likely donations. The factors that may influence donation activity are complex and include, but are not limited to, possible statements, actions, or interpretive guidance by the IRS or others relating to the deductibility of such donations; the liquidity position, risk tolerance, and knowledge of individual taxpayers; advice or guidance of tax advisors or other professionals; changes in general economic conditions; adoption of similar trusts in other states; and tax reciprocity agreements among states.

The ceiling on the amount of potential donations is calculated to be in the range of \$30 billion annually, on average (2019 through 2023). Calculation of the ceiling assumes that every resident taxpayer who has an incentive to donate will do so, and such donations will be equal to the total value of each resident taxpayer's SALT payments, less the value of the \$10,000 Federal SALT deduction limit, up to the value of the taxpayer's total State tax liability. The calculation is dependent on several assumptions concerning the number of itemized filers. It relies on the most recent PIT population study file, as trended forward, as well as the impact of the TCJA and State law changes on the number and distribution of itemized and standardized filers. The calculation also assumes that (a) no further changes in Federal tax law occur, and (b) DOB projections of the level of State taxpayer liability for the forecast period as set forth in the Financial Plan are materially accurate.

In general, assumptions made regarding taxpayer behavior were intended to maximize the calculated impact of charitable giving on PIT receipts in each year. After these adjustments and with inclusion of ECEP revenues, RBTF receipts are projected to remain above the level of receipts that would have been expected under statutes in effect prior to April 2018, even in a maximum participation scenario.

The DOB and DTF calculation of the projected ceiling on the amount of donations is necessarily based on many assumptions that may change materially over time. While DOB believes that these factors can be expected to constrain donation activity, there can be no assurance that, under conditions of maximum participation, the amount of annual charitable gifts will not reduce the level of PIT receipts deposited into the RBTF below the levels projected in February 2018. If that were to occur, it is DOB's expectation that changes to the tax law would be recommended to further increase the percentage of PIT receipts deposited into the RBTF.

Accordingly, although the calculation of a maximum amount of charitable donations to the State Charitable Gifts Trust Fund reflects DOB's and DTF's current best judgment and estimates, such amount may be higher.

## Climate Change Adaptation

Climate change poses significant long-term threats to physical, biological and economic systems in New York and around the world. Potential hazards and risks related to climate change for the State include, among other things, rising sea levels, more severe coastal flooding and erosion hazards, and more intense storms. Storms in recent years, including Superstorm Sandy, Hurricane Irene, and Tropical Storm Lee, have demonstrated vulnerabilities in the State's infrastructure (including mass transit systems, power transmission and distribution systems, and other critical lifelines) to extreme weather events including coastal flooding caused by storm surges. The potential effects of climate change could adversely impact the Financial Plan in current or future years. To mitigate and manage these impacts, significant long-term planning and investments by the Federal government, the State of New York, municipalities, and public utilities are expected to be needed to adapt existing infrastructure to climate change risks.

The State continues to recover from the damage sustained during three powerful storms that crippled entire regions. In August 2011, Hurricane Irene disrupted power and caused extensive flooding in various State counties. In September 2011, Tropical Storm Lee caused flooding in additional State counties and, in some cases, exacerbated the damage caused by Hurricane Irene two weeks earlier. On October 29, 2012, Superstorm Sandy struck the East Coast, causing widespread infrastructure damage and economic losses to the greater New York region. The frequency and intensity of these storms present economic and financial risks to the State. Reimbursement claims for costs of the immediate response, recovery, and future mitigation efforts continue, largely supported by Federal Funds. In January 2013, the Federal government approved approximately \$60 billion in Federal disaster aid for general recovery, rebuilding, and mitigation activity nationwide. It is anticipated that the State, its localities, and the MTA may receive approximately one-half of this amount for response, recovery, and mitigation costs. To date, a total of \$17 billion has been committed to repairing impacted homes and businesses, restoring community services, and mitigating future storm risks across the State. There can be no assurance that all anticipated Federal disaster aid described above will be provided to the State and its affected entities over the coming years.

Financial markets participants are increasingly acknowledging climate change risks. In June 2017, an industry-led Task Force on Climate-Related Financial Disclosure convened by the Financial Stability Board (an international body which monitors the global financial system), published recommendations stating that climate risk affects most market sectors and that climate-related risk should be publicly disclosed to investors in annual financial filings.<sup>16</sup> In November 2017, Moody's Investors Service issued guidance to state and local governments that climate change is forecast to heighten exposure to economic losses, placing potential pressure on credit ratings. The Moody's report identified rising sea levels and their effect on coastal infrastructure as the primary climate risks for the northeastern United States, including New York State. These risks are heightened by population concentration in coastal counties.

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<sup>16</sup> For further context to the June 2017 disclosure recommendations, the Financial Stability Board was asked by an international coalition of G20 Finance Ministers and Central Bank Governors to address concerns that undisclosed climate risk could destabilize global financial markets.

An October 2018 special report released by the Intergovernmental Panel on Climate Change of the United Nations (IPCC) found that human activity has already caused approximately 1.0°C of warming and is continuing to increase average global temperatures at 0.2°C per decade due to past and ongoing emissions. The IPCC states that global warming is likely to reach 1.5°C of warming between 2030 and 2052 if temperatures continue to increase at the current rate. This increase is expected to produce a range of adverse outcomes (“reasons for concern”). For example, the IPCC rates global risks of extreme weather events and coastal flooding as increasing from moderate (“detectable”) today, to high (“severe and widespread”) at 1.5°C of warming. The risk of severe impacts increases further at higher temperatures. Using current trends, climate change risks increasingly fall within the term of current outstanding bonds of the State, its public authorities and municipalities. State bonds may be issued with a term of up to 30 years under State statute.

### Extraordinary Monetary Settlements

Since FY 2015, DOB calculates that the State has received a total of nearly \$12.7 billion in Extraordinary Monetary Settlements for violations of State laws by major financial institutions and other entities. The following table lists the Extraordinary Monetary Settlements by firm and amount. Since the start of FY 2020, the State has or expects to receive settlements of \$322 million from Standard Chartered Bank and \$507 million from UniCredit.

| SUMMARY OF RECEIPTS OF EXTRAORDINARY MONETARY SETTLEMENTS BETWEEN REGULATORS AND FINANCIAL INSTITUTIONS (millions of dollars) |              |              |              |            |              |            |               |
|---|--------------|--------------|--------------|------------|--------------|------------|---------------|
|   | FY 2015      | FY 2016      | FY 2017      | FY 2018    | FY 2019      | FY 2020    | Total         |
| <b>Extraordinary Monetary Settlements</b>   | <b>4,942</b> | <b>3,605</b> | <b>1,317</b> | <b>805</b> | <b>1,186</b> | <b>829</b> | <b>12,684</b> |
| Aetna Insurance Company   | 0            | 0            | 0            | 0          | 2            | 0          | 2             |
| Agricultural Bank of China  | 0            | 0            | 215          | 0          | 0            | 0          | 215           |
| American International Group, Inc.  | 35           | 0            | 0            | 0          | 0            | 0          | 35            |
| Athene Life Insurance   | 0            | 0            | 0            | 0          | 15           | 0          | 15            |
| AXA Equitable Life Insurance Company  | 20           | 0            | 0            | 0          | 0            | 0          | 20            |
| Bank Leumi  | 130          | 0            | 0            | 0          | 0            | 0          | 130           |
| Bank of America   | 300          | 0            | 0            | 0          | 0            | 0          | 300           |
| Bank of America Merrill Lynch   | 0            | 0            | 0            | 0          | 42           | 0          | 42            |
| Bank of Tokyo Mitsubishi  | 315          | 0            | 0            | 0          | 0            | 0          | 315           |
| Barclays  | 0            | 670          | 0            | 0          | 15           | 0          | 685           |
| BNP Paribas   | 2,243        | 1,348        | 0            | 350        | 0            | 0          | 3,941         |
| Chubb   | 0            | 0            | 0            | 0          | 1            | 0          | 1             |
| Cigna   | 0            | 0            | 0            | 2          | 0            | 0          | 2             |
| Citigroup (State Share)   | 92           | 0            | 0            | 0          | 0            | 0          | 92            |
| Commerzbank   | 610          | 82           | 0            | 0          | 0            | 0          | 692           |
| Conduent Education Services   | 0            | 0            | 0            | 0          | 1            | 0          | 1             |
| Credit Agricole   | 0            | 459          | 0            | 0          | 0            | 0          | 459           |
| Credit Suisse AG  | 715          | 30           | 0            | 135        | 0            | 0          | 880           |
| Deutsche Bank   | 0            | 800          | 444          | 0          | 205          | 0          | 1,449         |
| FedEx   | 0            | 0            | 0            | 0          | 26           | 0          | 26            |
| Goldman Sachs   | 0            | 50           | 190          | 0          | 55           | 0          | 295           |
| Habib Bank  | 0            | 0            | 0            | 225        | 0            | 0          | 225           |
| Intesa SanPaolo   | 0            | 0            | 235          | 0          | 0            | 0          | 235           |
| Lockton Affinity  | 0            | 0            | 0            | 0          | 7            | 0          | 7             |
| Mashreqbank   | 0            | 0            | 0            | 0          | 40           | 0          | 40            |
| Mega Bank   | 0            | 0            | 180          | 0          | 0            | 0          | 180           |
| MetLife Parties   | 50           | 0            | 0            | 0          | 20           | 0          | 70            |
| Morgan Stanley  | 0            | 150          | 0            | 0          | 0            | 0          | 150           |
| Nationstar Mortgage   | 0            | 0            | 0            | 0          | 5            | 0          | 5             |
| New Day   | 0            | 1            | 0            | 0          | 0            | 0          | 1             |
| Ocwen Financial   | 100          | 0            | 0            | 0          | 0            | 0          | 100           |
| Oscar Insurance Company   | 0            | 0            | 0            | 0          | 1            | 0          | 1             |
| PHH Mortgage  | 0            | 0            | 28           | 0          | 0            | 0          | 28            |
| PricewaterhouseCoopers LLP  | 25           | 0            | 0            | 0          | 0            | 0          | 25            |
| Promontory  | 0            | 15           | 0            | 0          | 0            | 0          | 15            |
| RBS Financial Products Inc.   | 0            | 0            | 0            | 0          | 100          | 0          | 100           |
| Société Générale SA   | 0            | 0            | 0            | 0          | 498          | 0          | 498           |
| Standard Chartered Bank   | 300          | 0            | 0            | 0          | 40           | 322        | 662           |
| Unicredit   | 0            | 0            | 0            | 0          | 0            | 507        | 507           |
| UBS   | 0            | 0            | 0            | 0          | 41           | 0          | 41            |
| Volkswagen  | 0            | 0            | 32           | 33         | 0            | 0          | 65            |
| Wells Fargo   | 0            | 0            | 0            | 0          | 65           | 0          | 65            |
| Western Union   | 0            | 0            | 0            | 60         | 0            | 0          | 60            |
| William Penn  | 0            | 0            | 0            | 0          | 6            | 0          | 6             |
| Other Settlements   | 7            | 0            | (7)          | 0          | 1            | 0          | 1             |

The table below shows the past and planned uses of settlements received. Effective April 1, 2019, the Financial Plan will no longer classify as Extraordinary Monetary Settlements or distinctly identify any settlements of less than \$25 million.

| GENERAL FUND SUMMARY OF RECEIPTS AND USE/TRANSFER OF FUNDS FROM EXTRAORDINARY MONETARY SETTLEMENTS<br>BETWEEN REGULATORS AND FINANCIAL INSTITUTIONS<br>(millions of dollars) |              |              |            |            |            |            |              |
|--|--------------|--------------|------------|------------|------------|------------|--------------|
|  | FYs          |              |            |            |            |            | Total        |
|  | 2015 - 2019  | FY 2020      | FY 2021    | FY 2022    | FY 2023    | FY 2024    |              |
| Opening Settlement Balance in General Fund   | 0            | 4,194        | 2,640      | 1,782      | 915        | 122        | 0            |
| Receipt of Extraordinary Monetary Settlements  | 11,855       | 829          | 0          | 0          | 0          | 0          | 12,684       |
| Use/Transfer of Funds  | 7,661        | 2,383        | 858        | 867        | 793        | 122        | 12,684       |
| <b>Capital Purposes:</b>   | <b>4,134</b> | <b>1,316</b> | <b>858</b> | <b>867</b> | <b>793</b> | <b>122</b> | <b>8,090</b> |
| Dedicated Infrastructure Investment Fund   | 3,373        | 1,420        | 1,113      | 751        | 531        | 122        | 7,310        |
| Environmental Protection Fund  | 120          | 0            | 0          | 0          | 0          | 0          | 120          |
| Mass Transit   | 70           | 6            | 6          | 3          | 0          | 0          | 85           |
| Healthcare   | 25           | 70           | 80         | 63         | 87         | 0          | 325          |
| Clean Water Grants   | 0            | 0            | 25         | 50         | 175        | 0          | 250          |
| Javits Center Expansion  | 546          | 320          | 134        | 0          | 0          | 0          | 1,000        |
| Bond Proceed Receipts for Javits Center Expansion  | 0            | (500)        | (500)      | 0          | 0          | 0          | (1,000)      |
| <b>Other Purposes:</b>   | <b>3,122</b> | <b>0</b>     | <b>0</b>   | <b>0</b>   | <b>0</b>   | <b>0</b>   | <b>3,122</b> |
| Audit Disallowance - Federal Settlement  | 850          | 0            | 0          | 0          | 0          | 0          | 850          |
| CSX Litigation Payment   | 76           | 0            | 0          | 0          | 0          | 0          | 76           |
| Financial Plan - General Fund Operating Purposes   | 1,807        | 0            | 0          | 0          | 0          | 0          | 1,807        |
| Mass Transit Operating   | 10           | 0            | 0          | 0          | 0          | 0          | 10           |
| MTA Operating Aid  | 194          | 0            | 0          | 0          | 0          | 0          | 194          |
| Department of Law - Litigation Services Operations   | 180          | 0            | 0          | 0          | 0          | 0          | 180          |
| OASAS Chemical Dependence Program  | 5            | 0            | 0          | 0          | 0          | 0          | 5            |
| <b>Reservation of Funds:</b>   | <b>405</b>   | <b>1,067</b> | <b>0</b>   | <b>0</b>   | <b>0</b>   | <b>0</b>   | <b>1,472</b> |
| Rainy Day Reserves   | 250          | 238          | 0          | 0          | 0          | 0          | 488          |
| Reserve for Economic Uncertainties   | 0            | 829          | 0          | 0          | 0          | 0          | 829          |
| Reserve for Retroactive Labor Agreements   | 155          | 0            | 0          | 0          | 0          | 0          | 155          |
| Closing Settlement Balance in General Fund   | 4,194        | 2,640        | 1,782      | 915        | 122        | 0          | 0            |

## Current Labor Negotiations and Agreements (Current Contract Period)

The State has multi-year labor agreements in place with most of the unionized workforce. The Civil Service Employees Association (CSEA) and DC-37 (Local 1359 Rent Regulation Service Employees) have five-year labor contracts that provide annual salary increases of 2 percent for FYs 2017 through 2021 and additional compensation changes, offset by benefit design changes within the New York State Health Insurance Program (NYSHIP) and reductions in overtime costs. Salary increases provided to CSEA and DC-37 (Local 1359) employees were also extended to Management/Confidential (M/C) employees.

United University Professions (UUP) has a six-year collective bargaining agreement that covers academic years 2017 through 2022. The agreement provides for 2 percent general salary increases in each year of the contract and additional compensation changes, which are partly offset by benefit design changes within NYSHIP. The cost of the agreement (approximately \$253 million in FY 2020) has been included in the Financial Plan and is primarily funded by SUNY except for related fringe benefit costs, paid by the State. At the request of SUNY, the State will advance approximately \$110 million in planned payments for State-operated SUNY campuses from November 2019 to June 2019, to make resources available for retroactive payments.

On October 10, 2018, the Police Benevolent Association of the New York State Troopers (NYSTPBA) ratified a five-year collective bargaining agreement for FY 2019 through FY 2023. The agreement provides for 2 percent general salary increases in each year of the contract and additional compensation changes, which are partly offset by benefit design changes within NYSHIP.

On January 24, 2019, NYSCOPBA ratified a seven-year collective bargaining agreement for FY 2017 through FY 2023. The agreement provides for 2 percent general salary increases in each year of the agreement, and additional compensation changes, offset by benefit design changes within NYSHIP and reductions in overtime costs.

Contracts with the Public Employees Federation (PEF) and the Graduate Student Employees Union (GSEU) expired at the end of FY 2019. Negotiations have commenced for a successor agreement with PEF and negotiations with GSEU are planned later this year.

The State is in negotiations with all other employee unions whose contracts concluded in previous fiscal years including the New York State Police Investigators Association (NYSPIA) and Council 82. Negotiations also continue with the Police Benevolent Association of New York State (PBANYS), whose contract expired at the end of FY 2015.

Contract periods and related general salary increases for State employee union contracts are illustrated below.

| UNION LABOR AGREEMENTS IN PLACE<br>(Annual Salary Increase Percentages) |                                    |         |         |         |         |         |         |         |         |         |
|---|------------------------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
|   | Current/Expired<br>Contract Period | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 |
| NYSTPBA   | FY 2019 - FY 2023                  | 2%      | 2%      | 1.5%    | 1.5%    | 2%      | 2%      | 2%      | 2%      | 2%      |
| NYSCOPBA  | FY 2017 - FY 2023                  | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      |
| UUP   | AY 2017 - AY 2022                  | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      |         |
| CSEA  | FY 2017 - FY 2021                  | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      |         |         |
| DC-37   | FY 2017 - FY 2021                  | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      | 2%      |         |         |
| PEF   | FY 2017 - FY 2019                  | 2%      | 2%      | 2%      | 2%      | 2%      |         |         |         |         |
| GSEU  | FY 2017 - FY 2019                  | 2%      | 2%      | 2%      | 2%      | 2%      |         |         |         |         |
| CUNY  | FY 2011 - FY 2018                  | 2.5%    | 2%      | 2%      | 1.5%    |         |         |         |         |         |
| NYSPIA  | FY 2012 - FY 2018                  | 2%      | 2%      | 1.5%    | 1.5%    |         |         |         |         |         |
| Council 82  | FY 2010 - FY 2016                  | 2%      | 2%      |         |         |         |         |         |         |         |
| PBANYS  | FY 2006 - FY 2015                  | 2%      |         |         |         |         |         |         |         |         |

The Judiciary also has agreements with all 12 unions represented within its workforce. The contract periods are as follows: FY 2018 to FY 2020 for CSEA; FY 2012 to FY 2021 for the NYS Supreme Court Officers Association, the NYS Court Officers Association and the Court Clerks Association; and FY 2020 to FY 2021 for the remaining eight unions.

## Pension Contributions

### Overview

The State makes annual contributions to the New York State and Local Retirement System (NYSLRS) for employees in the New York State and Local Employees' Retirement System (ERS) and the New York State and Local Police and Fire Retirement System (PFRS). This section discusses contributions from the State, including the Judiciary, to the NYSLRS, which account for the majority of the State's pension costs.<sup>17</sup> All projections are based on estimated market returns and numerous actuarial assumptions which, if unrealized, could change these projections materially.

During FY 2016, the NYSLRS updated its actuarial assumptions based on the results of the 2015 five-year experience study. In September 2015, NYSLRS announced that employer contribution rates would decrease beginning in FY 2017 and the assumed rate of return would be lowered from 7.5 percent to 7 percent. The salary scale assumptions were also changed – for ERS the scale was reduced from 4.9 percent to 3.8 percent and for PFRS the scale was reduced from 6 percent to 4.5 percent. During FY 2019, salary scale assumptions were further changed via a one-time 10 percent increase for both ERS and PFRS, which is reflected in FY 2020 contribution rates.

### FY 2020 Projections

The preliminary FY 2020 ERS/PFRS pension liability estimate of \$2.2 billion is affected by FY 2018 investment returns of 11.4 percent, which was above the Comptroller's assumed 7 percent rate of return. The estimate also reflects the impact of past investment performance and growth in the number of lower cost Tier 6 members. As a result, the average contribution rate for ERS will decrease from 14.9 percent to 14.6 of payroll, while the average contribution rate for PFRS will remain stable at 23.5 percent of payroll.<sup>18</sup>

The pension liability also reflects changes to military service credit provisions found in Section 1000 of the Retirement and Social Security Law (RSSL) enacted during the 2016 legislative session (Chapter 41 of the Laws of 2016). All veterans who are members of NYSLRS may, upon application, receive extra service credit for up to three years of military duty if such veterans (a) were honorably discharged, (b) have achieved five years of credited service in a public retirement system, and (c) have agreed to pay the employee share of such additional pension credit. Costs to the State for employees in the ERS will be incurred at the time each member purchases credit, as documented by OSC at the end of each calendar year, while costs for employees in PFRS will be distributed across PFRS employers and billed on a two-year lag (e.g. FY 2017 costs were first billed in FY 2019). Additionally, Section 25 of the RSSL requires the State to pay the ERS employer contributions associated with this credit on behalf of local governments. The State is also permitted to amortize the cost of past service credits that are newly

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<sup>17</sup> The State's aggregate pension costs also include costs for State employees in the Teachers' Retirement System (TRS) for both SUNY and the State Education Department (SED), the Optional Retirement Program (ORP) for both SUNY and SED, and the New York State Voluntary Defined Contribution Plan (VDC).

<sup>18</sup> Average contribution rates include the Group Life Insurance Plan (GLIP), and thus differ from the system average normal rates reported in the pension amortization section.

incurred in a given fiscal year. However, the State does not anticipate choosing this option as there would be an interest rate of 7 percent applied to this amortization. The ERS cost to the State (including costs covered for local ERS) was \$26 million in FY 2019 based on actual credit purchased through December 31, 2018. DOB currently estimates ERS costs of \$30 million in FY 2020 and ongoing annual costs of \$7 million beginning in FY 2021 as additional veterans become eligible to purchase the credit.

### Outyear Projections

Pension liability estimates for FY 2021 and beyond, as projected by DOB, reflect growth in normal costs primarily based on the expectation that collective bargaining will result in continued salary increases, and that investment returns will be below the actuarially assumed 7 percent rate of return in the near-to-mid-term.

### Pension Amortization

Under legislation enacted in August 2010, the State and local governments may amortize (defer paying) a portion of their annual pension costs. Amortization temporarily reduces the pension costs that must be paid by public employers in a given fiscal year but results in higher costs overall when repaid with interest.

The State and local governments are required to begin repayment on each new amortization in the fiscal year immediately following the year in which the amortization was initiated. The full amount of each amortization must be repaid within ten years at a fixed interest rate determined by OSC. Legislation included in the FY 2017 Enacted Budget authorized the State to prepay a portion of remaining principal associated with an amortization, and then pay a lower recalculated interest installment in any subsequent year for which the principal has been prepaid. This option does not allow the State to delay the original ten-year repayment schedule, nor does it allow for the interest rate initially applied to the amortization amount to be modified.

The portion of an employer's annual pension costs that may be amortized is determined by comparing the employer's amortization-eligible contributions as a percentage of employee salaries (i.e., the normal rate<sup>19</sup>) to a system-wide amortization threshold (i.e., the graded rate). Graded rates are determined for ERS and PFRS according to a formula enacted in the FY 2010 legislation, and generally move toward their system's average normal rate by up to one percentage point per year. When an employer's normal rate is greater than the system-wide graded rate, the employer can elect to amortize the difference. However, when the normal rate of an employer that previously amortized is less than the system-wide graded rate, the employer is required to pay the graded rate. Additional contributions are first used to pay off existing amortizations and are then deposited into a reserve account to offset future increases in contribution rates. Chapter 48 of the Laws of 2017 changed the graded rate computation to provide an employer-specific graded rate based on the employer's own tier and plan demographics.

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<sup>19</sup> For the purpose of this discussion, the "normal rate" refers to all amortization-eligible costs (i.e., normal and administrative costs, as well as certain employer-provided options such as sick leave credit) divided by salary base.

Neither the State nor the Office of Court Administration (OCA) has amortized its pension costs since FY 2016.

The amortization threshold is projected to equal the normal rate in upcoming fiscal years. The following table reflects projected pension contributions and amortizations exclusively for Executive branch and Judiciary employers participating in ERS and PFRS.

| EMPLOYEE RETIREMENT SYSTEM AND POLICE AND FIRE RETIREMENT SYSTEM<br>(millions of dollars) |   |  |                           |                                  |   |   |                                      |         |          |
|---|---|--|---------------------------|----------------------------------|---|---|--------------------------------------|---------|----------|
| Fiscal Year   | Statewide Pension Payments <sup>1</sup> |  |                           |                                  | Interest Rate on Amortization Amount (%) <sup>3</sup> | Excess Contributions                    |                                      |         |          |
|   | Normal Costs <sup>2</sup>               | (Amortization Amount) / Excess Contributions | Repayment of Amortization | Total Statewide Pension Payments |   | System Average Normal Rate <sup>4</sup> | Amortization Threshold (Graded Rate) |         |          |
|   |   |  |                           |                                  |   | PFRS                                    |                                      | ERS (%) | PFRS (%) |
| 2011  | 1,543.2                                 | (249.6)                                      | 0.0                       | 1,293.6                          | 5.00  | 11.5                                    | 18.1                                 | 9.5     | 17.5     |
| 2012  | 2,037.6                                 | (562.9)                                      | 32.3                      | 1,507.0                          | 3.75  | 15.9                                    | 21.6                                 | 10.5    | 18.5     |
| 2013  | 2,076.1                                 | (778.5)                                      | 100.8                     | 1,398.4                          | 3.00  | 18.5                                    | 25.7                                 | 11.5    | 19.5     |
| 2014  | 2,633.8                                 | (937.0)                                      | 192.0                     | 1,888.8                          | 3.67  | 20.5                                    | 28.9                                 | 12.5    | 20.5     |
| 2015  | 2,325.7                                 | (713.1)                                      | 305.7                     | 1,918.3                          | 3.15  | 19.7                                    | 27.5                                 | 13.5    | 21.5     |
| 2016  | 1,972.1                                 | (356.1)                                      | 389.9                     | 2,005.9                          | 3.21  | 17.7                                    | 24.7                                 | 14.5    | 22.5     |
| 2017  | 1,788.6                                 | 0.0  | 432.1                     | 2,220.7                          | 2.33  | 15.1                                    | 24.3                                 | 15.1    | 23.5     |
| 2018  | 1,786.6                                 | 0.0  | 432.1                     | 2,218.7                          | 2.84  | 14.9                                    | 24.3                                 | 14.9    | 24.3     |
| 2019  | 1,772.8                                 | 0.0  | 432.1                     | 2,204.9                          | 3.64  | 14.4                                    | 23.5                                 | 14.4    | 23.5     |
| 2020 Est.   | 1,807.7                                 | 0.0  | 432.1                     | 2,239.8                          | TBD   | 14.2                                    | 23.5                                 | 14.2    | 23.5     |
| -----Projected by DOB <sup>5</sup> -----  |   |  |                           |                                  |   |   |                                      |         |          |
| 2021  | 1,967.8                                 | 0.0  | 432.1                     | 2,399.9                          | TBD   | 15.2                                    | 24.5                                 | 15.2    | 24.5     |
| 2022  | 2,188.6                                 | 0.0  | 399.8                     | 2,588.4                          | TBD   | 16.2                                    | 25.5                                 | 16.2    | 25.5     |
| 2023  | 2,392.6                                 | 0.0  | 331.3                     | 2,723.9                          | TBD   | 17.2                                    | 26.5                                 | 17.2    | 26.5     |
| 2024  | 2,607.8                                 | 0.0  | 240.1                     | 2,847.9                          | TBD   | 18.2                                    | 27.5                                 | 18.2    | 27.5     |
| 2025  | 2,815.5                                 | 0.0  | 126.4                     | 2,941.9                          | TBD   | 19.2                                    | 28.5                                 | 19.2    | 28.5     |
| 2026  | 3,028.2                                 | 0.0  | 42.2                      | 3,070.4                          | TBD   | 20.2                                    | 29.5                                 | 20.2    | 29.5     |

<sup>1</sup> Pension Contribution values in this table do not include pension costs related to the ORP, VDC, and TRS for SUNY and SED, whereas the projected pension costs in other Financial Plan tables include such pension disbursements.

<sup>2</sup> Normal costs include payments from amortizations prior to FY 2011, which ended in FY 2016 as a result of early repayments.

<sup>3</sup> Interest rates are determined by the State Comptroller based on the market rate of return on comparable taxed fixed income investments (e.g., Ten-Year Treasuries). The interest rate is fixed for the duration of the ten-year repayment period.

<sup>4</sup> The system average normal rate represents system-wide amortization-eligible costs (i.e. normal and administrative costs, as well as the cost of certain employer options) as a percentage of the system's total salary base. The normal rate does not include the following costs, which are not eligible for amortization: Group Life Insurance Plan (GLIP) contributions, deficiency contributions, previous amortizations, incentive costs, administrative costs, costs of new legislation in some cases, and prior-year adjustments. "(Amortization Amount) / Excess Contributions" are calculated for each employer in the system using employer-specific normal rates, which may differ from the system average.

<sup>5</sup> Outyear projections are prepared by DOB. The Retirement System does not prepare, or make available, outyear projections of pension costs.

The "Normal Costs" column shows the State's underlying pension cost in each fiscal year, before the effects of amortization. The "(Amortization Amount) / Excess Contributions" column shows amounts amortized. The "Repayment of Amortization" column provides the amount paid in principal and interest towards the outstanding balance on prior-year amortizations. The "Total Statewide Pension Payments" column provides the State's actual or planned pension contribution, inclusive of amortization. The "Interest Rate on Amortization Amount (%)" column provides the interest rate at which the State will repay the amortized contribution, as determined by OSC. The remaining columns provide information on the normal rate and graded rate, which are used to determine the maximum allowed "(Amortized)" amount or the mandatory "Excess Contributions" amount for a given fiscal year.

## Other Post-Employment Benefits (OPEB)

State employees become eligible for post-employment benefits (e.g., health insurance) if they reach retirement while working for the State; are enrolled in either NYSHIP or the NYSHIP opt-out program at the time they reach retirement; and have the required years of eligible service. The cost of providing post-retirement health insurance is shared between the State and the retired employee. Contributions are established by law and may be amended by the Legislature. The State pays its share of costs on a Pay-As-You-Go (PAYGO) basis as required by law.

In accordance with Governmental Accounting Standards Board (GASB) Statement 45, the State must perform an actuarial valuation every two years for purposes of calculating OPEB liabilities. The State's Annual Required Contribution (ARC) represents the annual level of funding that, if set aside on an ongoing basis, is projected to cover normal costs each year and amortize any unfunded liabilities of the plan over a period not to exceed 30 years. Cumulative amounts required but not actually set aside to fund these benefits, plus interest, are included in the net OPEB obligation.

As reported in the State's Basic Financial Statements for FY 2018, the unfunded actuarial accrued liability for FY 2018 is \$90.5 billion (\$72.8 billion for the State and \$17.7 billion for SUNY), an increase of \$3.3 billion from FY 2017 (attributable entirely to SUNY). The unfunded actuarial accrued liability for FY 2018 used an actuarial valuation of OPEB liabilities as of April 1, 2016. These valuations were determined using the Frozen Entry Age actuarial cost method and are amortized over an open period of 30 years using the level percentage of projected payroll amortization method. A significant portion of the annual growth in the State's unfunded actuarial accrued liability is due to the reduction of the discount rate from 3.155 to 2.637 percent, calculated as the average STIP rate for the past 20 years at the time of valuation. The decline in the discount rate increases the present value of the projected benefit obligation.

The actuarially determined annual OPEB cost for FY 2018 totaled \$5.5 billion (\$4.3 billion for the State and \$1.2 billion for SUNY), an increase of \$1.3 billion from FY 2017 (\$1 billion for the State and \$264 million for SUNY). The actuarially-determined cost is calculated using the Frozen Entry Age actuarial cost method, allocating costs on a level percentage of earnings basis. The actuarially determined cost was \$3.6 billion (\$2.7 billion for the State and \$878 million for SUNY) greater than the PAYGO required cash payments for retiree costs made by the State in FY 2018. This difference between the State's PAYGO costs, and the actuarially determined ARC under GASB Statement 45, reduced the State's net position at the end of FY 2018 by \$3.6 billion.

GASB has no authority to require the additional costs to be funded on the State's budgetary (cash) basis, and no additional funding is assumed for this purpose in the Financial Plan. The State continues to fund these costs, along with all other employee health care expenses, on a PAYGO basis, meaning the State pays these costs as they become due.

There is no provision in the Financial Plan to fund all or a portion of the ARC for OPEB beyond what is required on a PAYGO basis. Additional funding would increase the State's reported budget gaps. However, it is not expected that the State will alter its current PAYGO funding practice.

The FY 2018 Enacted Budget included legislation creating a Retiree Health Benefit Trust Fund (the "Trust Fund") that authorizes the State to reserve money for the payment of health benefits of retired employees and their dependents. Under the legislation, the State may deposit into the Trust Fund, in any given fiscal year, up to 0.5 percent of total then-current unfunded actuarial accrued OPEB liability. The Financial Plan does not include any deposits to the Trust Fund.

The provisions of GASB Statement 75 (Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions), which amends GASB Statement 45 and GASB Statement 57, is expected to be incorporated into the State's FY 2019 Basic Financial Statements. The FY 2019 Basic Financial Statements are expected to be issued in July 2019. The GASB Statements, as amended by GASB Statement 75, alter the actuarial methods used to calculate OPEB liabilities, standardize asset smoothing and discount rates, and require the unfunded net OPEB obligation to be reported by the State in its Statement of Net Position. Reporting the unfunded OPEB liability on the Statement of Net Position, rather than as a note to the Basic Financial Statements, is expected to significantly increase the State's reported total long-term liabilities and show the State in a negative net position.

GASB Statement 75 is not expected to alter the Financial Plan cash PAYGO projections for health insurance costs. DOB's methodology for forecasting these costs over a multi-year period already incorporates factors and considerations consistent with the new actuarial methods and calculations required by the GASB Statement.

## **Litigation**

Litigation against the State may include, among other things, potential challenges to the constitutionality of various actions. The State may also be affected by adverse decisions that are the result of various lawsuits. Such adverse decisions may not meet the materiality threshold to warrant a description herein but, in the aggregate, could still adversely affect the Financial Plan. For more information, see the "Litigation" section later herein.

## Cybersecurity

New York State government, like many other large public and private entities, relies on a large and complex technology environment to conduct its operations. As a recipient and provider of personal, private, or sensitive information, the State and its public corporations and municipalities face multiple cyber threats including, but not limited to, hacking, viruses, malware and other attacks on computer and other sensitive digital networks and systems. Entities or individuals may attempt to gain unauthorized access to the State's digital systems for the purposes of misappropriating assets or information or causing operational disruption and damage. To mitigate the risk of business operations impact and/or damage from cyber incidents or cyberattacks, the State invests in multiple forms of cybersecurity and operational controls. The State's Chief Information Security Office (CISO) within the State's Office of Information Technology Services (ITS) maintains comprehensive policies and standards, programs, and services relating to the security of State government networks and geographic information systems<sup>20</sup>, and annually assesses the implementation of security policies and standards to ensure compliance through the Nationwide Cyber Security Review. In addition, the CISO maintains the New York State Cyber Command Center team, which provides a security operations center, digital forensics capabilities, and related procedures for cyber incident reporting and response, distributes real-time advisories and alerts, provides managed security services, and implements statewide information security training and exercises. While controls are routinely reviewed and tested, no assurances can be given that such security and operational control measures will be completely successful at guarding against cyber threats and attacks. The results of any such attack could impact business operations and/or damage State digital networks and systems, and the costs of remedying any such damage could be substantial.

The State has also adopted regulations designed to protect the financial services industry from cyberattacks. Banks, insurance companies and other covered entities regulated by the Department of Financial Services (DFS) are, unless eligible for limited exemptions, required to: (a) maintain a cybersecurity program, (b) create written cybersecurity policies and perform risk assessments, (c) designate a CISO with responsibility to oversee the cybersecurity program, (d) annually certify compliance with the cybersecurity regulations, and (e) report to DFS cybersecurity events that have a reasonable likelihood of materially harming any material part of the entity's normal operation(s) or for which notice is required to any government body, self-regulatory agency, or supervisory body.

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<sup>20</sup> Statewide cybersecurity policies can be found at: <https://its.ny.gov/eiso/policies/security>.

## Financial Condition of New York State Localities

The State's localities rely in part on State aid to balance their budgets and meet their cash requirements. As such, unanticipated financial need among localities can adversely affect the State's Financial Plan projections. Certain localities outside New York City, including cities and counties, have experienced financial problems and have requested and received additional State assistance during the last several State fiscal years. In 2013, the Financial Restructuring Board for Local Governments was created to aid distressed local governments. The Restructuring Board performs comprehensive reviews and provides grants and loans on the condition of implementing recommended efficiency initiatives. For additional details on the Restructuring Board, please visit [www.frb.ny.gov](http://www.frb.ny.gov).

## Bond Market

Successful implementation of the Financial Plan is dependent on the State's ability to market bonds. The State finances much of its capital spending, in the first instance, from the General Fund or the STIP, which it then reimburses with proceeds from the sale of bonds. If the State or its public authorities cannot sell bonds at the levels (or on the timetable) expected in the capital plan, the State's overall cash position and capital funding plan may be adversely affected. The success of projected public sales will be subject to prevailing market conditions and related ratings issued by national credit rating agencies, among other factors. Future developments in the financial markets, including possible changes in Federal tax law relating to the taxation of interest on municipal bonds, as well as future developments concerning the State and public discussion of such developments generally, may affect the market for outstanding State-supported and State-related debt. The TCJA adversely impacts the State and its public authorities by removing certain refunding opportunities for Federal tax-exempt financing, including advance refundings for debt service savings when interest rates are favorable.

## Debt Reform Act Limit

The Debt Reform Act of 2000 (“Debt Reform Act”) restricts the issuance of State-supported debt funding to capital purposes only and limits the maximum term of bonds to 30 years. The Act limits the amount of new State-supported debt to 4 percent of State personal income, and new State-supported debt service costs to 5 percent of All Funds receipts. The restrictions apply to all new State-supported debt issued after April 1, 2000. DOB, as administrator of the Debt Reform Act, determined that the State was in compliance with the statutory caps in the most recent calculation period (FY 2018).

Financial Plan projections indicate that debt outstanding and debt service will continue to remain below limits imposed by the Debt Reform Act. Based on the most recent personal income and debt outstanding forecasts, the available debt capacity under the debt outstanding cap is expected to decline from \$6 billion in FY 2019 to about \$107 million in FY 2024. This includes the estimated impact of funding increased capital commitment levels with State bonds. The cost of debt issued after April 1, 2000 and estimated new issuances projected at \$5.2 billion in FY 2020, or roughly \$3.5 billion below the statutory debt service limit.

| DEBT OUTSTANDING SUBJECT TO CAP<br>(millions of dollars) |                 |       |        |   |                       |                   |                      | TOTAL STATE-SUPPORTED DEBT<br>(millions of dollars) |  |
|--|-----------------|-------|--------|---|-----------------------|-------------------|----------------------|---|--|
| Year   | Personal Income | Cap % | Cap \$ | Debt Outstanding Since April 1, 2000 <sup>1</sup> | \$ Remaining Capacity | Debt as a % of PI | % Remaining Capacity | Debt Outstanding Prior to April 1, 2000             | Total State-Supported Debt Outstanding |
| FY 2019  | \$1,341,914     | 4.00% | 53,677 | 47,645  | 6,032                 | 3.55%             | 0.45%                | 5,579   | 53,224                                 |
| FY 2020  | \$1,385,968     | 4.00% | 55,439 | 52,209  | 3,230                 | 3.77%             | 0.23%                | 4,822   | 57,031                                 |
| FY 2021  | \$1,442,034     | 4.00% | 57,681 | 56,316  | 1,365                 | 3.91%             | 0.09%                | 3,396   | 59,712                                 |
| FY 2022  | \$1,501,991     | 4.00% | 60,080 | 59,459  | 621                   | 3.96%             | 0.04%                | 2,789   | 62,248                                 |
| FY 2023  | \$1,565,277     | 4.00% | 62,611 | 62,410  | 201                   | 3.99%             | 0.01%                | 2,186   | 64,596                                 |
| FY 2024  | \$1,631,049     | 4.00% | 65,242 | 65,135  | 107                   | 3.99%             | 0.01%                | 1,698   | 66,833                                 |

| DEBT SERVICE SUBJECT TO CAP<br>(millions of dollars) |                    |       |        |                                  |                       |                      |                      | TOTAL STATE-SUPPORTED DEBT SERVICE<br>(millions of dollars) |   |
|--|--------------------|-------|--------|----------------------------------|-----------------------|----------------------|----------------------|---|---|
| Year   | All Funds Receipts | Cap % | Cap \$ | Debt Service Since April 1, 2000 | \$ Remaining Capacity | DS as a % of Revenue | % Remaining Capacity | Debt Service Prior to April 1, 2000                         | Total State-Supported Debt Service <sup>2</sup> |
| FY 2019  | \$168,106          | 5.00% | 8,405  | 4,759                            | 3,646                 | 2.83%                | 2.17%                | 1,035   | 5,794   |
| FY 2020  | \$175,112          | 5.00% | 8,756  | 5,208                            | 3,548                 | 2.97%                | 2.03%                | 1,257   | 6,465   |
| FY 2021  | \$176,036          | 5.00% | 8,802  | 5,708                            | 3,094                 | 3.24%                | 1.76%                | 1,333   | 7,041   |
| FY 2022  | \$181,111          | 5.00% | 9,056  | 6,109                            | 2,947                 | 3.37%                | 1.63%                | 973   | 7,082   |
| FY 2023  | \$187,306          | 5.00% | 9,365  | 6,584                            | 2,781                 | 3.52%                | 1.48%                | 741   | 7,325   |
| FY 2024  | \$191,711          | 5.00% | 9,586  | 6,969                            | 2,617                 | 3.64%                | 1.36%                | 493   | 7,462   |

<sup>1</sup> Assumes that SUNY Dormitory Facilities lease revenue bonds will be refunded into the new SUNY Dormitory Facilities Revenue Bond credit at their call dates.

<sup>2</sup> Total State-supported debt service is adjusted for prepayments.

The projected debt capacity under the debt outstanding cap depends on expected growth in State personal income. The State uses personal income estimates published by the Federal government, specifically the Bureau of Economic Analysis (BEA), to calculate the cap on debt outstanding, as required by statute. The BEA revises these estimates on a quarterly basis and such revisions can be significant. The BEA increased its Calendar Year 2017 personal income estimate for New York by \$70 billion from March to October 2018, resulting in a \$2.8 billion increase in debt outstanding capacity. Notably, this material fluctuation in statutory debt capacity occurred between the end of FY 2018, when debt outstanding is measured, and the final compliance determination in October 2018. While, in this instance, the State benefitted from the significant increase in BEA’s estimate of New York State personal income, this volatility could have compromised the State’s ability to manage within its statutory debt cap had the personal income estimate been unexpectedly revised downward by a similar amount. Absent such swings in personal income estimates, the State traditionally has relied on adjustments to capital spending priorities and debt financing practices to preserve available debt capacity and stay within the statutory limits.

Such volatility in New York State personal income estimates has prompted DOB to reexamine the manner in which BEA calculates personal income, in particular the apportionment of income among states. For Federal reporting purposes, BEA reassigns income from the state where it was earned to the state in which a person resides, for situations where a person lives and earns income in different states (the “residency adjustment”). The BEA residency adjustment has the effect of reducing reported New York State personal income because income earned in New York by nonresidents regularly exceeds income earned in other states by New York residents. The net residency adjustment reported by BEA decreased the measure of 2017 State personal income by \$73 billion at the time of the FY 2018 debt outstanding calculation. The State taxes all personal income earned in New York, regardless of place of residency. Therefore, including the BEA personal income residency adjustment in the debt cap calculation reduces alignment with the State tax base and understates the PIT revenues available to support State-supported debt. To date, in administering the debt reform cap, DOB has used State personal income, as reduced by the BEA residency adjustment, in debt outstanding cap calculations and projections which correspondingly reduces the State’s debt capacity under the Debt Reform Act.

Changes in the State's available debt capacity, as illustrated below, reflect the impact of several factors, including personal income forecast adjustments and capital spending revisions. The State may adjust capital spending priorities and debt financing practices from time to time to preserve available debt capacity and stay within the statutory limits, as events warrant.

| <b>DEBT OUTSTANDING SUBJECT TO CAP REMAINING CAPACITY SUMMARY</b> |                |                |                  |                  |                  |                  |
|---|----------------|----------------|------------------|------------------|------------------|------------------|
| <i>(millions of dollars)</i>                                      |                |                |                  |                  |                  |                  |
|   | <b>FY 2019</b> | <b>FY 2020</b> | <b>FY 2021</b>   | <b>FY 2022</b>   | <b>FY 2023</b>   | <b>FY 2024</b>   |
|   | <b>Results</b> | <b>Enacted</b> | <b>Projected</b> | <b>Projected</b> | <b>Projected</b> | <b>Projected</b> |
| <b>FY 2020 Executive Budget Financial Plan as Amended</b>         | <b>5,831</b>   | <b>3,373</b>   | <b>2,112</b>     | <b>1,146</b>     | <b>24</b>        | <b>261</b>       |
| Personal Income Forecast Adjustment                               | 153            | (97)           | (192)            | (247)            | (293)            | (349)            |
| Capital Spending  | 48             | (46)           | (555)            | (278)            | 470              | 195              |
| <b>FY 2020 Enacted Budget Financial Plan</b>                      | <b>6,032</b>   | <b>3,230</b>   | <b>1,365</b>     | <b>621</b>       | <b>201</b>       | <b>107</b>       |

## Secured Hospital Program

Under the Secured Hospital Program, the State entered into service contracts to enable certain financially distressed not-for-profit hospitals to have tax-exempt debt issued on their behalf, to pay for upgrading their primary health care facilities. Revenues pledged to pay debt service on the bonds include hospital payments made under loan agreements between the Dormitory Authority of the State of New York (DASNY) and the hospitals, and certain reserve funds held by the applicable trustees for the bonds. In the event of revenue shortfalls to pay debt service on the Secured Hospital bonds, the service contracts obligate the State to pay debt service, subject to annual appropriations by the Legislature, on bonds issued by DASNY through the Secured Hospital Program. As of March 31, 2019, approximately \$165 million of bonds were outstanding for this program.

Three of the four remaining hospitals in the State's Secured Hospital Program are in poor financial condition. In relation to the Secured Hospital Program, the State's contingent contractual obligation was invoked to pay debt service for the first time in FY 2014. Since then the State has paid \$125 million for debt service costs. DASNY also estimates the State will pay debt service costs of approximately \$31 million both in FY 2020 and FY 2021, \$25 million in FY 2022, and \$20 million in both FY 2023 and FY 2024. These amounts are based on the actual experience to date of the participants in the program and would cover debt service costs for one hospital whose debt service obligation was discharged in bankruptcy, a second hospital which closed in 2010, and a third hospital that is currently delinquent in its payments. The State has estimated additional exposure of up to \$7 million annually, if all hospitals in the program failed to meet the terms of their agreements with DASNY, and if available reserve funds were depleted.

## SUNY Downstate Hospital and the Long Island College Hospital (LICH)

In May 2011, the New York State Supreme Court issued an order that approved the transfer of real property and other assets of LICH to a New York State not-for-profit corporation (“Holdings”), the sole member of which is SUNY. Subsequent to such transfer, Holdings leased the LICH hospital facility to SUNY University Hospital at Brooklyn. In 2012, DASNY issued tax exempt State PIT Revenue Bonds (“PIT Bonds”), to refund approximately \$120 million in outstanding debt originally incurred by LICH and assumed by Holdings.

Pursuant to a court-approved settlement in 2014, SUNY, together with Holdings, issued a request for proposals (RFP) seeking a qualified party to provide or arrange to provide health care services at LICH and to purchase the LICH property.

In accordance with the settlement, Holdings has entered into a purchase and sale agreement with (a) the Fortis Property Group (FPG) Cobble Hill Acquisitions, LLC (the “Purchaser”), an affiliate of Fortis Property Group, LLC (“Fortis”) (also party to the agreement), which proposes to purchase the LICH property, and (b) NYU Hospitals Center, which proposes to provide both interim and long-term health care services. The Fortis affiliate plans to develop a mixed-use project. The agreement was approved by the Offices of the Attorney General and the State Comptroller, and the sale of all or substantially all of the assets of Holdings was approved by the State Supreme Court in Kings County. The initial closing was held as of September 1, 2015, and on September 3, 2015 sale proceeds of approximately \$120 million were transferred to the trustee for the PIT Bonds, which were paid and legally defeased from such proceeds. Titles to 17 of the 20 properties were conveyed to the special purpose entities formed by the Purchaser to hold title.

The next closing, when title to the New Medical Site (NMS) portion of the LICH property is to be conveyed to NYU Hospitals Center (the NMS Closing), is anticipated to occur within 30 days after all buildings on the NMS are fully demolished and all environmental issues remediated by the Purchaser. The physical demolition has been completed, and final review of the environmental paperwork is nearing completion.

As the NMS Closing did not occur on or before June 30, 2016, NYU Hospitals Center has the right to terminate its obligations under the purchase and sale agreement upon 30 days prior notice to Purchaser and Holdings. There can be no assurance that NYU Hospitals Center will not exercise its right to terminate. If NYU Hospitals Center terminates its obligations under the purchase and sale agreement, it has the contractual right to close its interim emergency department services immediately, but that right would be subject to obtaining regulatory approval for the closure. Also, if NYU Hospitals Center terminates its obligations under the purchase and sale agreement, the Purchaser has the ability under the purchase and sale agreement to continue with the final closing if, among other criteria, the Purchaser can identify a replacement provider with a confirming letter of interest to provide certain of the health care services expected to be provided by NYU Hospitals Center. To date, Holdings has received no indication that NYU Hospitals Center intends to terminate its obligations under the purchase and sale agreement.

The final closing is anticipated to occur within 36 months after the NMS Closing. At the final closing, titles to the two remaining portions of the LICH properties will be conveyed to special purpose entities of Fortis, and Holdings will receive the balance of the purchase price, \$120 million less the remaining down payment. The final closing is conditioned upon completion of the New Medical Building by NYU Hospitals Center, and relocation of the emergency department to the New Medical Building.

There can be no assurance that the resolution of legal, financial, and regulatory issues surrounding LICH, including the payment of outstanding liabilities, will not have a materially adverse impact on SUNY.

## **2019 Legislative Session**

The State's regular legislative session for 2019 is scheduled to end on June 19, 2019. Bills with a fiscal impact may be approved by the Legislature during the session and later signed or vetoed by the Governor. DOB continues to evaluate the fiscal impact of the legislative session and expects to reflect, in the first quarterly update to the Financial Plan, the estimated costs associated with any bills that may be signed by the Governor, not already reflected in the Enacted Budget.

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# **State Financial Plan Multi-Year Projections**

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## Introduction

This section presents the State's multi-year Financial Plan projections for receipts and disbursements, reflecting the impact of forecast revisions in FYs 2020 through FY 2023, with an emphasis on the FY 2020 projections, which reflect the impact of the Financial Plan.

The State's cash-basis budgeting system, complex fund structure, and practice of earmarking certain tax receipts for specific purposes complicate the discussion of the State's receipts and disbursements projections. Therefore, to minimize the distortions caused by these factors and, equally important, to highlight relevant aspects of the projections, DOB has adopted the following approaches in summarizing the projections:

- **Receipts:** The detailed discussion of tax receipts covers projections for both the General Fund and State Funds (including capital projects). The State Funds perspective reflects estimated tax receipts before distribution to various funds and accounts, including tax receipts dedicated to capital projects funds (which fall outside of the General Fund and State Operating Funds accounting perspectives). DOB believes this presentation provides a clearer picture of projected receipts, trends, and forecast assumptions, by factoring out the distorting effects of earmarking tax receipts for specific purposes.
- **Disbursements:** Roughly 30 percent of projected State-financed spending for operating purposes (excluding transfers) is accounted for outside of the General Fund, concentrated primarily in the areas of health care, School Aid, higher education, and transportation. To provide a clear picture of spending commitments, the multi-year projections and growth rates are presented, where appropriate, on both a General Fund and State Operating Funds basis.

In evaluating the State's multi-year operating forecast, it should be noted that the reliability of the estimates and projections as a predictor of the State's future financial position is likely to diminish, the further removed such estimates and projections are from the date of the Financial Plan. Accordingly, in terms of outyear projections, the first "outyear" of the FY 2020 budget, FY 2021, is the most relevant from a planning perspective.

## Summary

The Financial Plan reflects 2 percent annual growth in State Operating Funds, consistent with the expectation of adherence to a 2 percent spending growth benchmark.

The projections for FY 2021 and thereafter set forth in the Financial Plan reflect savings that DOB estimates would be realized if the Governor continues to propose, and the Legislature continues to enact, balanced budgets in future years that limit annual growth in State Operating Funds spending to no greater than 2 percent. The calculations are developed using the State Operating Funds accounting perspective, as it is currently reflected in the Financial Plan. From time to time, the State has approved legislation that has affected the spending reflected in State Operating Funds.

Estimated savings are labeled on a distinct line in the Financial Plan tables as “Adherence to 2 percent Spending Benchmark.” The total disbursements in the Financial Plan tables do not assume these savings. Such savings will be developed and proposed in future budgets. If the State exceeds the 2 percent State Operating Funds spending benchmark in FY 2020, FY 2021, and/or FY 2022, the projected operating position could decline.

The following tables present the Financial Plan multi-year projections for the General Fund and State Operating Funds, as well as reconciliation between the State Operating Funds projections and the General Fund budget gaps. The tables are followed by a summary of the multi-year receipts and disbursements forecasts.

General Fund Projections

| GENERAL FUND PROJECTIONS<br>(millions of dollars)   |                    |                    |                      |                      |                      |
|---|--------------------|--------------------|----------------------|----------------------|----------------------|
|   | FY 2019<br>Results | FY 2020<br>Enacted | FY 2021<br>Projected | FY 2022<br>Projected | FY 2023<br>Projected |
| <b>RECEIPTS</b>   |                    |                    |                      |                      |                      |
| Taxes (After Debt Service)  | 63,957             | 71,360             | 74,363               | 77,329               | 81,376               |
| Miscellaneous Receipts  | 3,586              | 2,857              | 2,049                | 1,892                | 1,869                |
| Other Transfers   | 3,001              | 2,900              | 2,042                | 1,696                | 1,560                |
| <b>Total Receipts</b>   | <b>70,544</b>      | <b>77,117</b>      | <b>78,454</b>        | <b>80,917</b>        | <b>84,805</b>        |
| <b>DISBURSEMENTS</b>  |                    |                    |                      |                      |                      |
| Local Assistance  | 49,745             | 52,100             | 55,794               | 57,928               | 60,969               |
| School Aid  | 23,080             | 23,569             | 24,916               | 26,090               | 27,312               |
| Medicaid  | 14,340             | 15,751             | 16,760               | 17,606               | 18,389               |
| All Other   | 12,325             | 12,780             | 14,118               | 14,232               | 15,268               |
| State Operations  | 11,341             | 11,911             | 12,564               | 12,608               | 12,912               |
| Personal Service  | 8,719              | 9,031              | 9,513                | 9,508                | 9,713                |
| Non-Personal Service  | 2,622              | 2,880              | 3,051                | 3,100                | 3,199                |
| General State Charges   | 7,139              | 7,716              | 8,268                | 8,846                | 9,415                |
| Transfers to Other Funds  | 4,558              | 6,130              | 6,599                | 6,544                | 6,993                |
| Debt Service  | 786                | 550                | 738                  | 637                  | 612                  |
| Capital Projects  | 1,888              | 3,191              | 3,305                | 3,168                | 3,486                |
| State Share of Mental Hygiene Medicaid  | (29)               | 0                  | 0                    | 0                    | 0                    |
| SUNY Operations   | 1,020              | 1,185              | 1,259                | 1,255                | 1,255                |
| All Other   | 893                | 1,204              | 1,297                | 1,484                | 1,640                |
| <b>Total Disbursements</b>  | <b>72,783</b>      | <b>77,857</b>      | <b>83,225</b>        | <b>85,926</b>        | <b>90,289</b>        |
| <b>Use (Reservation) of Fund Balance:</b>   | <b>2,239</b>       | <b>740</b>         | <b>858</b>           | <b>867</b>           | <b>793</b>           |
| Community Projects  | 11                 | 35                 | 0                    | 0                    | 0                    |
| Labor Agreements  | (51)               | 206                | 0                    | 0                    | 0                    |
| Business Tax Refund   | 1,703              | 202                | 0                    | 0                    | 0                    |
| Rainy Day Reserves  | (250)              | (428)              | 0                    | 0                    | 0                    |
| Economic Uncertainties  | 0                  | (829)              | 0                    | 0                    | 0                    |
| Extraordinary Monetary Settlements <sup>1</sup>   | 826                | 1,554              | 858                  | 867                  | 793                  |
| <b>BUDGET SURPLUS/(GAP) PROJECTIONS<sup>2</sup></b>   | <b>0</b>           | <b>0</b>           | <b>(3,913)</b>       | <b>(4,142)</b>       | <b>(4,691)</b>       |
| <b>Adherence to 2% Spending Benchmark<sup>3</sup></b>   | <b>n/a</b>         | <b>n/a</b>         | <b>3,741</b>         | <b>5,052</b>         | <b>6,786</b>         |
| <b>BUDGET SURPLUS/(GAP) ESTIMATE AT 2%</b>  | <b>0</b>           | <b>0</b>           | <b>(172)</b>         | <b>910</b>           | <b>2,095</b>         |
| <sup>1</sup> Reflects transfers of Extraordinary Monetary Settlement funds from the General Fund to the Dedicated Infrastructure Investment Fund, the Environmental Protection Fund, and the Capital Projects Fund. |                    |                    |                      |                      |                      |
| <sup>2</sup> Before actions to adhere to the 2 percent spending growth benchmark.   |                    |                    |                      |                      |                      |
| <sup>3</sup> Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on FY 2020 estimate) and assuming all savings are made available to the General Fund.           |                    |                    |                      |                      |                      |

### State Operating Funds Projections

| STATE OPERATING FUNDS DISBURSEMENTS<br>(millions of dollars) |                    |                    |                      |                      |                      |
|--|--------------------|--------------------|----------------------|----------------------|----------------------|
|  | FY 2019<br>Results | FY 2020<br>Enacted | FY 2021<br>Projected | FY 2022<br>Projected | FY 2023<br>Projected |
| <b>RECEIPTS</b>  |                    |                    |                      |                      |                      |
| Taxes  | 74,144             | 79,885             | 84,338               | 87,751               | 91,945               |
| Miscellaneous Receipts/Federal Grants                        | 23,558             | 21,033             | 18,644               | 18,832               | 18,282               |
| <b>Total Receipts</b>  | <b>97,702</b>      | <b>100,918</b>     | <b>102,982</b>       | <b>106,583</b>       | <b>110,227</b>       |
| <b>DISBURSEMENTS</b>   |                    |                    |                      |                      |                      |
| Local Assistance   | 66,177             | 68,471             | 71,477               | 73,917               | 76,580               |
| School Aid (School Year Basis)                               | 26,843             | 27,856             | 28,957               | 30,159               | 31,382               |
| DOH Medicaid <sup>1</sup>                                    | 20,476             | 21,685             | 22,699               | 23,527               | 24,392               |
| Transportation   | 3,938              | 3,549              | 3,849                | 4,047                | 4,296                |
| STAR   | 2,423              | 2,176              | 2,073                | 1,979                | 1,858                |
| Higher Education   | 2,980              | 2,976              | 2,945                | 2,989                | 3,024                |
| Social Services  | 2,798              | 2,871              | 2,958                | 3,016                | 3,019                |
| Mental Hygiene   | 2,150              | 1,998              | 2,480                | 2,474                | 2,731                |
| All Other <sup>2</sup>                                       | 4,569              | 5,360              | 5,516                | 5,726                | 5,878                |
| State Operations   | 19,057             | 19,684             | 20,173               | 20,295               | 20,649               |
| Personal Service   | 13,687             | 14,192             | 14,627               | 14,645               | 14,929               |
| Non-Personal Service   | 5,370              | 5,492              | 5,546                | 5,650                | 5,720                |
| General State Charges  | 8,204              | 8,796              | 9,409                | 10,000               | 10,599               |
| Pension Contribution   | 2,431              | 2,472              | 2,636                | 2,830                | 2,965                |
| Health Insurance   | 4,193              | 4,312              | 4,651                | 5,001                | 5,378                |
| All Other  | 1,580              | 2,012              | 2,122                | 2,169                | 2,256                |
| Debt Service   | 6,699              | 5,166              | 6,841                | 7,082                | 7,325                |
| Capital Projects   | 0                  | 0                  | 0                    | 0                    | 0                    |
| <b>Total Disbursements<sup>3</sup></b>                       | <b>100,137</b>     | <b>102,117</b>     | <b>107,900</b>       | <b>111,294</b>       | <b>115,153</b>       |
| Net Other Financing Sources/(Uses)                           | 1,190              | (129)              | (312)                | (329)                | (637)                |
| <b>RECONCILIATION TO GENERAL FUND GAP</b>                    |                    |                    |                      |                      |                      |
| Designated Fund Balances:                                    | 1,245              | 1,328              | 1,317                | 898                  | 872                  |
| General Fund   | 2,239              | 740                | 858                  | 867                  | 793                  |
| Special Revenue Funds  | (1,082)            | 570                | 442                  | 28                   | 84                   |
| Debt Service Funds   | 88                 | 18                 | 17                   | 3                    | (5)                  |
| <b>GENERAL FUND BUDGET SURPLUS/(GAP)<sup>3</sup></b>         | <b>0</b>           | <b>0</b>           | <b>(3,913)</b>       | <b>(4,142)</b>       | <b>(4,691)</b>       |
| <b>Adherence to 2% Spending Benchmark<sup>4</sup></b>        | <b>n/a</b>         | <b>n/a</b>         | <b>3,741</b>         | <b>5,052</b>         | <b>6,786</b>         |
| <b>BUDGET SURPLUS/(GAP) ESTIMATE AT 2%</b>                   | <b>0</b>           | <b>0</b>           | <b>(172)</b>         | <b>910</b>           | <b>2,095</b>         |

<sup>1</sup> Total State share Medicaid funding excludes the utilization of tobacco MSA payments which will be directly deposited to a Medicaid Escrow Fund to cover a portion of local Medicaid growth.

<sup>2</sup> All Other includes other education, parks, environment, economic development, public safety, and reconciliation between school year and State fiscal year spending on School Aid.

<sup>3</sup> Before actions to adhere to the 2 percent spending growth benchmark.

<sup>4</sup> Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on FY 2020 estimate) and assuming all savings are made available to the General Fund.

## Receipts

Financial Plan receipts results, and projections include a variety of taxes, fees and assessments, charges for State-provided services, Federal grants, and other miscellaneous receipts. The multiyear tax and miscellaneous receipts estimates are prepared by DOB with the assistance of the DTF and other agencies which collect State receipts and are predicated on economic analysis and forecasts.

Overall base growth (i.e. growth not due to law changes) in tax receipts is dependent on many factors. In general, base tax receipts growth rates are determined by economic changes including, but not limited to, changes in interest rates, prices, wages, employment, nonwage income, capital gains realizations, taxable consumption, corporate profits, household net worth, real estate prices and gasoline prices. Federal law changes can influence taxpayer behavior, which often alters base tax receipts. State taxes account for approximately half of total All Funds receipts.

The projections of Federal receipts generally correspond to the anticipated spending levels of a variety of programs including Medicaid, public assistance, mental hygiene, education, public health, and other activities.

Where noted, certain tables in the following section display General Fund tax receipts that exclude amounts transferred to the General Fund in excess of amounts needed for certain debt service obligations (e.g., PIT receipts in excess of the amount transferred for debt service on revenue bonds).

### Overview of the Receipts Forecast

All Funds receipts in FY 2020 are projected to total \$175.1 billion, 4.2 percent above FY 2019 results.

| ALL FUNDS RECEIPTS<br>(millions of dollars) |                    |                    |             |                      |             |                      |             |                      |             |
|---|--------------------|--------------------|-------------|----------------------|-------------|----------------------|-------------|----------------------|-------------|
|   | FY 2019<br>Results | FY 2020<br>Enacted | Change      | FY 2021<br>Projected | Change      | FY 2022<br>Projected | Change      | FY 2023<br>Projected | Change      |
| Personal Income Tax                         | 48,088             | 52,150             | 8.4%        | 55,376               | 6.2%        | 58,036               | 4.8%        | 61,178               | 5.4%        |
| Consumption/Use Taxes                       | 17,357             | 18,308             | 5.5%        | 19,014               | 3.9%        | 19,548               | 2.8%        | 20,123               | 2.9%        |
| Business Taxes                              | 7,912              | 8,585              | 8.5%        | 8,979                | 4.6%        | 9,081                | 1.1%        | 9,449                | 4.1%        |
| Other Taxes                                 | 2,221              | 2,262              | 1.8%        | 2,362                | 4.4%        | 2,472                | 4.7%        | 2,581                | 4.4%        |
| <b>Total State Taxes</b>                    | <b>75,578</b>      | <b>81,305</b>      | <b>7.6%</b> | <b>85,731</b>        | <b>5.4%</b> | <b>89,137</b>        | <b>4.0%</b> | <b>93,331</b>        | <b>4.7%</b> |
| Miscellaneous Receipts                      | 31,184             | 29,013             | -7.0%       | 25,554               | -11.9%      | 25,525               | -0.1%       | 24,959               | -2.2%       |
| Federal Receipts                            | 61,344             | 64,794             | 5.6%        | 64,751               | -0.1%       | 66,449               | 2.6%        | 69,016               | 3.9%        |
| <b>Total All Funds Receipts</b>             | <b>168,106</b>     | <b>175,112</b>     | <b>4.2%</b> | <b>176,036</b>       | <b>0.5%</b> | <b>181,111</b>       | <b>2.9%</b> | <b>187,306</b>       | <b>3.4%</b> |

State tax receipts are projected to increase 7.6 percent in FY 2020, driven by underlying annual outyear growth across all tax categories, consistent with the projected growth in the State economy over the multi-year Financial Plan period.

After controlling for the impact of tax law changes, base tax revenue decreased 3 percent in FY 2019, is projected to increase by 12.4 percent in FY 2020 and by another 4 percent in FY 2021.

### Personal Income Tax

| PERSONAL INCOME TAX<br>(millions of dollars) |                    |                    |              |                      |             |                      |             |                      |             |
|--|--------------------|--------------------|--------------|----------------------|-------------|----------------------|-------------|----------------------|-------------|
|  | FY 2019<br>Results | FY 2020<br>Enacted | Change       | FY 2021<br>Projected | Change      | FY 2022<br>Projected | Change      | FY 2023<br>Projected | Change      |
| <b>STATE/ALL FUNDS</b>                       | <b>48,088</b>      | <b>52,150</b>      | <b>8.4%</b>  | <b>55,376</b>        | <b>6.2%</b> | <b>58,036</b>        | <b>4.8%</b> | <b>61,178</b>        | <b>5.4%</b> |
| Gross Collections                            | 59,175             | 64,729             | 9.4%         | 66,839               | 3.3%        | 70,797               | 5.9%        | 74,578               | 5.3%        |
| Refunds (Incl. State/City Offset)            | (11,087)           | (12,579)           | -13.5%       | (11,463)             | 8.9%        | (12,761)             | -11.3%      | (13,400)             | -5.0%       |
| <b>GENERAL FUND<sup>1</sup></b>              | <b>21,621</b>      | <b>23,899</b>      | <b>10.5%</b> | <b>25,615</b>        | <b>7.2%</b> | <b>27,039</b>        | <b>5.6%</b> | <b>28,731</b>        | <b>6.3%</b> |
| Gross Collections                            | 59,175             | 64,729             | 9.4%         | 66,839               | 3.3%        | 70,797               | 5.9%        | 74,578               | 5.3%        |
| Refunds (Incl. State/City Offset)            | (11,087)           | (12,579)           | -13.5%       | (11,463)             | 8.9%        | (12,761)             | -11.3%      | (13,400)             | -5.0%       |
| STAR   | (2,423)            | (2,176)            | 10.2%        | (2,073)              | 4.7%        | (1,979)              | 4.5%        | (1,858)              | 6.1%        |
| RBTF   | (24,044)           | (26,075)           | -8.4%        | (27,688)             | -6.2%       | (29,018)             | -4.8%       | (30,589)             | -5.4%       |

<sup>1</sup>Excludes Transfers.

All Funds PIT receipts for FY 2020 are estimated to total \$52.2 billion, an increase of \$4.1 billion (8.4 percent) from FY 2019 results. Increases in withholding, final returns, and extension payments related to the 2018 Tax Year, are partially offset by growth in expected refunds.

The following table summarizes, by component, actual receipts for FY 2019 and forecast amounts through FY 2023.

| ALL FUNDS PERSONAL INCOME TAX FISCAL YEAR COLLECTION COMPONENTS |               |               |               |               |               |
|---|---------------|---------------|---------------|---------------|---------------|
| (millions of dollars)   |               |               |               |               |               |
|   | FY 2019       | FY 2020       | FY 2021       | FY 2022       | FY 2023       |
|   | Results       | Enacted       | Projected     | Projected     | Projected     |
| <b>Receipts</b>   |               |               |               |               |               |
| Withholding   | 41,084        | 42,900        | 44,556        | 46,738        | 48,672        |
| Estimated Payments  | 14,010        | 16,972        | 17,169        | 18,751        | 20,391        |
| Current Year  | 10,481        | 10,956        | 11,579        | 12,433        | 13,276        |
| Prior Year <sup>1</sup>   | 3,529         | 6,016         | 5,590         | 6,318         | 7,115         |
| Final Returns   | 2,685         | 3,348         | 3,508         | 3,632         | 3,789         |
| Current Year  | 344           | 301           | 316           | 331           | 346           |
| Prior Year <sup>1</sup>   | 2,341         | 3,047         | 3,192         | 3,301         | 3,443         |
| Delinquent  | 1,396         | 1,509         | 1,606         | 1,676         | 1,726         |
| Gross Receipts  | 59,175        | 64,729        | 66,839        | 70,797        | 74,578        |
| <b>Refunds</b>  |               |               |               |               |               |
| Prior Year <sup>1</sup>   | 6,034         | 6,448         | 6,841         | 7,827         | 8,147         |
| Previous Years  | 589           | 658           | 688           | 719           | 750           |
| Current Year <sup>1</sup>                                       | 2,249         | 2,250         | 1,750         | 1,750         | 1,750         |
| Advanced Credit Payment   | 1,080         | 1,924         | 760           | 916           | 1,079         |
| State/City Offset <sup>1</sup>                                  | 1,135         | 1,299         | 1,424         | 1,549         | 1,674         |
| Total Refunds   | 11,087        | 12,579        | 11,463        | 12,761        | 13,400        |
| <b>Net Receipts</b>   | <b>48,088</b> | <b>52,150</b> | <b>55,376</b> | <b>58,036</b> | <b>61,178</b> |

<sup>1</sup>These components, collectively, are known as the "settlement" on the prior year's tax liability.

FY 2020 withholding is estimated to be \$1.8 billion (4.4 percent) higher than FY 2019 results, driven by wage growth of 3.8 percent. Extension payments related to TY 2018 are expected to increase by \$2.5 billion (70.5 percent), primarily due to a behavioral response to the Federal TCJA. Taxpayers, who otherwise would have made more substantial estimated payments in December 2018, opted to pay a greater percentage of their liabilities through extensions and final payments in April 2019. Estimated payments attributable to TY 2019 are expected to increase by \$475 million (4.5 percent), suppressed by a 1.5 percent decline in nonwage income. FY 2020 final return payments are estimated to increase by \$663 million (24.7 percent), due to the aforementioned behavioral response to the TCJA, and delinquencies are expected to increase by \$113 million (8.1 percent).

Estimated growth in total refunds of \$1.5 billion (13.5 percent) in FY 2020 includes increases of \$844 million (78.1 percent) in advanced credit payments related to Tax Year 2019, \$69 million (11.7 percent) in previous tax year (2017 and earlier) refunds, \$164 million (14.4 percent) in the state-city offset, and \$414 million (6.9 percent) in prior tax year (2018) refunds. The administrative January-March refund cap is expected to remain at the higher level in FY 2020, virtually unchanged from FY 2019 results. General Fund PIT receipts are net of deposits to the STAR Fund, which provides property tax relief, and the RBTF, which supports debt service payments on State PIT revenue bonds. General Fund PIT receipts for FY 2020 of \$23.9 billion are estimated to increase by \$2.3 billion (10.5 percent) from FY 2019 results, reflecting the increase in All Funds receipts noted above. The FY 2020 STAR transfer is expected to be nearly \$2.2 billion.

All Funds PIT receipts for FY 2021 of \$55.4 billion are projected to increase by \$3.2 billion (6.2 percent) from FY 2020 estimates. Gross PIT receipts are projected to increase 3.3 percent, reflecting increases of \$1.7 billion (3.9 percent) in withholding, \$623 million (5.7 percent) in estimated payments related to tax year 2020, \$160 million (4.8 percent) in final returns, and \$97 million (6.4 percent) in delinquencies, partially offset by a decline of \$426 million (7.1 percent) in extension payments related to tax year 2019. Total refunds are projected to decline \$1.1 billion (8.9 percent), due to declines of nearly \$1.2 billion (60.5 percent) in advanced credit payments and \$500 million (22.2 percent) in the administrative January-March refund cap, partially offset by increases of \$125 million (9.6 percent) in the state-city offset, \$393 million (6.1 percent) in prior tax year (2019) refunds, and \$30 million (4.6 percent) in previous tax year (2018 and earlier) refunds. General Fund PIT receipts for FY 2021 of \$25.6 billion are projected to increase by \$1.7 billion (7.2 percent), mainly reflecting the increase in All Funds receipts noted above. RBTF deposits are projected to be \$27.7 billion, and the STAR transfer is projected to be \$2.1 billion.

All Funds PIT receipts for FY 2022 of \$58 billion are projected to increase by \$2.7 billion (4.8 percent) from FY 2021 projections. Gross PIT receipts are projected to increase 5.9 percent, reflecting projected increases of \$2.2 billion (4.9 percent) in withholding and \$1.6 billion (9.2 percent) in total estimated payments, partially offset by a projected increase in total refunds of \$1.3 billion (11.3 percent).

General Fund PIT receipts for FY 2022 of \$27 billion are projected to increase by \$1.4 billion (5.6 percent). RBTF deposits are projected to be \$29 billion, and the STAR transfer is projected to be \$2 billion.

All Funds PIT receipts in FY 2023 are projected to increase by \$3.1 billion from FY 2022 projections to reach \$61.2 billion, while General Fund PIT receipts are projected to total \$28.7 billion in FY 2023.

## Consumption/Use Taxes

| CONSUMPTION/USE TAXES<br>(millions of dollars) |               |               |             |               |             |               |             |               |             |
|--|---------------|---------------|-------------|---------------|-------------|---------------|-------------|---------------|-------------|
|  | FY 2019       | FY 2020       | FY 2021     |               | FY 2022     |               | FY 2023     |               |             |
|  | Results       | Enacted       | Change      | Projected     | Change      | Projected     | Change      | Projected     | Change      |
| <b>STATE/ALL FUNDS</b>                         | <b>17,357</b> | <b>18,308</b> | <b>5.5%</b> | <b>19,014</b> | <b>3.9%</b> | <b>19,548</b> | <b>2.8%</b> | <b>20,123</b> | <b>2.9%</b> |
| Sales Tax                                      | 15,128        | 16,158        | 6.8%        | 16,849        | 4.3%        | 17,419        | 3.4%        | 18,027        | 3.5%        |
| Cigarette and Tobacco Taxes                    | 1,108         | 1,041         | -6.0%       | 981           | -5.8%       | 936           | -4.6%       | 895           | -4.4%       |
| Vapor Excise Tax                               | 0             | 10            | n/a         | 39            | 290.0%      | 39            | 0.0%        | 39            | 0.0%        |
| Motor Fuel Tax                                 | 528           | 515           | -2.5%       | 515           | 0.0%        | 515           | 0.0%        | 515           | 0.0%        |
| Highway Use Tax                                | 145           | 141           | -2.8%       | 143           | 1.4%        | 145           | 1.4%        | 146           | 0.7%        |
| Alcoholic Beverage Taxes                       | 262           | 265           | 1.1%        | 269           | 1.5%        | 272           | 1.1%        | 275           | 1.1%        |
| Opioid Excise Tax                              | 0             | 66            | n/a         | 100           | 51.5%       | 100           | 0.0%        | 100           | 0.0%        |
| Medical Cannabis Excise Tax                    | 4             | 4             | 0.0%        | 4             | 0.0%        | 4             | 0.0%        | 4             | 0.0%        |
| Adult Use Cannabis Tax                         | 0             | 0             | 0.0%        | 0             | 0.0%        | 0             | 0.0%        | 0             | 0.0%        |
| Taxicab Surcharge <sup>2</sup>                 | 52            | 0             | -100.0%     | 0             | 0.0%        | 0             | 0.0%        | 0             | 0.0%        |
| Auto Rental Tax <sup>2</sup>                   | 130           | 108           | -16.9%      | 114           | 5.6%        | 118           | 3.5%        | 122           | 3.4%        |
| <b>GENERAL FUND<sup>1</sup></b>                | <b>7,681</b>  | <b>8,209</b>  | <b>6.9%</b> | <b>8,558</b>  | <b>4.3%</b> | <b>8,817</b>  | <b>3.0%</b> | <b>9,095</b>  | <b>3.2%</b> |
| Sales Tax                                      | 7,091         | 7,568         | 6.7%        | 7,893         | 4.3%        | 8,160         | 3.4%        | 8,445         | 3.5%        |
| Cigarette and Tobacco Taxes                    | 328           | 310           | -5.5%       | 296           | -4.5%       | 285           | -3.7%       | 275           | -3.5%       |
| Alcoholic Beverage Taxes                       | 262           | 265           | 1.1%        | 269           | 1.5%        | 272           | 1.1%        | 275           | 1.1%        |
| Opioid Excise Tax                              | 0             | 66            | n/a         | 100           | 51.5%       | 100           | 0.0%        | 100           | 0.0%        |

<sup>1</sup>Excludes Transfers.  
<sup>2</sup>FY 2020 estimates and outyear projections no longer include MTA receipts as the Enacted Budget provided that they be remitted to the MTA without an appropriation beginning in FY 2020.

All Funds consumption/use tax receipts for FY 2020 are estimated to total \$18.3 billion, a \$951 million (5.5 percent) increase from FY 2019 results. Sales tax receipts are estimated to increase by over \$1 billion (6.8 percent) from FY 2019 results, reflecting tax base growth of 3.4 percent and an additional \$346 million in projected revenue related to FY 2020 Enacted Budget legislation. A partially phased-in excise tax on the first sale of opioids within the state and on vapor products is projected to generate \$66 million and \$10 million, respectively. Cigarette and tobacco tax collections are projected to decrease by \$67 million (6 percent), reflecting a continuing decline in taxable cigarette consumption. Highway Use Tax (HUT) collections are estimated to decrease by \$4 million (2.8 percent) reflecting a non-triennial year. Motor fuel tax receipts are estimated to decrease by \$13 million (2.5 percent) reflecting an estimated return to typical fuel consumption. Due to the shifting of certain MTA receipts directly to the MTA without appropriation, taxicab surcharge receipts are projected to decrease by \$52 million (100 percent), while auto rental tax receipts are projected to decrease by \$22 million (16.9 percent). The projected decline in auto rental tax receipts is partially offset by \$19.5 million in new revenue related to enacted legislation that expands the auto rental surcharge within the Metropolitan Commuter Transportation District (MCTD) to the entire state.

A portion of sales tax receipts is initially deposited to the Local Government Assistance Tax Fund (25 percent), and the Sales Tax Revenue Bond Fund (25 percent), which support debt service payments on bonds issued under the LGAC and State Sales Tax Revenue Bond programs. Receipts in excess of the debt service requirements of these funds and the local assistance payments to New York City, or its assignee, are subsequently transferred to the General Fund.

General Fund consumption/use tax receipts for FY 2020 are estimated to total \$8.2 billion, a \$528 million (6.9 percent) increase from FY 2019 results. This increase largely reflects the All Funds sales and use tax and cigarette tax trends noted above.

FY 2021 All Funds consumption/use tax receipts are projected to increase to \$19 billion, a \$706 million (3.9 percent) increase from FY 2020 estimates. Increases in sales tax receipts reflect base growth of 3.3 percent, and an additional \$494 million in projected revenue related to enacted legislation and guidance associated with the U.S. Supreme Court Wayfair ruling, implemented by DTF. When fully phased-in, the excise tax on vapor products and opioids is projected to generate an additional \$29 million and \$34 million, respectively. These increases are partially offset by a continued decline in taxable cigarette consumption. FY 2021 General Fund consumption/use tax receipts are projected to increase to nearly \$8.6 billion, a \$349 million (4.3 percent) increase from FY 2020 estimates.

FY 2022 All Funds consumption/use tax receipts are projected to increase to over \$19.5 billion (2.8 percent growth), largely representing base growth in sales tax receipts, which is slightly offset by a continued decline in taxable cigarette consumption. General Fund consumption/use tax receipts are projected to increase to \$8.8 billion (3 percent growth) in FY 2022.

FY 2023 All Funds consumption/use tax receipts are projected to increase to \$20.1 billion (2.9 percent growth), largely representing base growth in sales tax receipts, slightly offset by a continued decline in taxable cigarette consumption. General Fund consumption/use tax receipts are projected to increase to \$9.1 billion (3.2 percent growth) in FY 2023.

## Business Taxes

| BUSINESS TAXES<br>(millions of dollars) |              |              |              |              |             |              |             |              |             |
|---|--------------|--------------|--------------|--------------|-------------|--------------|-------------|--------------|-------------|
|   | FY 2019      | FY 2020      | FY 2021      |              | FY 2022     |              | FY 2023     |              |             |
|   | Results      | Enacted      | Change       | Projected    | Change      | Projected    | Change      | Projected    | Change      |
| <b>STATE/ALL FUNDS</b>                  | <b>7,912</b> | <b>8,585</b> | <b>8.5%</b>  | <b>8,979</b> | <b>4.6%</b> | <b>9,081</b> | <b>1.1%</b> | <b>9,449</b> | <b>4.1%</b> |
| Corporate Franchise Tax                 | 4,297        | 4,277        | -0.5%        | 4,820        | 12.7%       | 4,865        | 0.9%        | 5,109        | 5.0%        |
| Corporation and Utilities Tax           | 672          | 729          | 8.5%         | 706          | -3.2%       | 713          | 1.0%        | 724          | 1.5%        |
| Insurance Tax                           | 1,837        | 2,251        | 22.5%        | 2,344        | 4.1%        | 2,413        | 2.9%        | 2,541        | 5.3%        |
| Bank Tax                                | (60)         | 167          | 378.3%       | 0            | -100.0%     | 0            | 0.0%        | 0            | 0.0%        |
| Petroleum Business Tax                  | 1,166        | 1,161        | -0.4%        | 1,109        | -4.5%       | 1,090        | -1.7%       | 1,075        | -1.4%       |
| <b>GENERAL FUND</b>                     | <b>5,501</b> | <b>6,104</b> | <b>11.0%</b> | <b>6,510</b> | <b>6.7%</b> | <b>6,577</b> | <b>1.0%</b> | <b>6,898</b> | <b>4.9%</b> |
| Corporate Franchise Tax                 | 3,410        | 3,390        | -0.6%        | 3,881        | 14.5%       | 3,882        | 0.0%        | 4,080        | 5.1%        |
| Corporation and Utilities Tax           | 495          | 557          | 12.5%        | 537          | -3.6%       | 543          | 1.1%        | 552          | 1.7%        |
| Insurance Tax                           | 1,638        | 2,017        | 23.1%        | 2,092        | 3.7%        | 2,152        | 2.9%        | 2,266        | 5.3%        |
| Bank Tax                                | (42)         | 140          | 433.3%       | 0            | -100.0%     | 0            | 0.0%        | 0            | 0.0%        |
| Petroleum Business Tax                  | 0            | 0            | 0.0%         | 0            | 0.0%        | 0            | 0.0%        | 0            | 0.0%        |

FY 2020 All Funds business tax receipts are estimated to total nearly \$8.6 billion, an increase of \$673 million (8.5 percent) from FY 2019 results. The estimate reflects increases in insurance tax, bank tax and utilities tax receipts.

Corporation franchise tax receipts are estimated to decrease \$20 million (0.5 percent) from FY 2019 results, reflecting a large increase in refunds and lower growth in gross receipts. Several refunds that were initially expected to be paid in FY 2019 were not and are now expected to be paid in FY 2020. The significant growth in gross receipts in FY 2019 (29.3 percent) is not expected to recur in FY 2020. Audit receipts in FY 2019 were lower than recent history and are expected to increase to recent trend levels in FY 2020.

Corporation and utilities tax receipts for FY 2020 are estimated to increase by \$57 million (8.5 percent) from FY 2019 results. This is primarily due to increases in gross receipts and audits. Utility gross receipts are expected to grow at modest levels compared to the prior year. Mandatory 2019 liability first installment payments for telecommunications companies were less than expected in FY 2019 but are expected to be paid in FY 2020, resulting in estimated gross receipts growth year-over-year. Gross receipts from telecommunications companies for 2019 liability are expected to be flat over 2018 due to industry competitiveness and the movement of most communications to non-taxable internet-based solutions.

Insurance tax receipts for FY 2020 are estimated to increase \$414 million (22.5 percent) from FY 2019 results. The estimated increase is primarily due to conversion of a not-for-profit health insurer to a for-profit health insurer, and growing insurance tax premiums. FY 2019 Audit receipts were significantly lower than recent history but are expected to return to trend levels in FY 2020, while refunds are estimated to grow slightly over the previous fiscal year.

Receipts from the repealed bank tax (all from prior liability periods) in FY 2020 are estimated to increase by \$227 million (378.3 percent) from FY 2019 results, primarily due to an estimated significant decrease in refunds and a significant increase in audit receipts. PBT receipts are estimated to decrease \$5 million (0.4 percent) from FY 2019 results, due to a combination of lower fuel demand and a projected 5 percent decline to the PBT rates in calendar year 2020.

General Fund business tax receipts for FY 2020 of \$6.1 billion are estimated to increase by \$603 million (11 percent) from FY 2019 results, reflecting the All Funds trends discussed above.

All Funds business tax receipts for FY 2021 of nearly \$9 billion are projected to increase by \$394 million (4.6 percent), and General Fund business tax receipts are projected to increase to \$6.5 billion (6.7 percent growth) from FY 2020 estimates. The increase primarily reflects growth in corporation franchise tax receipts driven by higher gross receipts and lower refunds. An increase in projected insurance tax receipts is partially offset by a decline in projected corporation and utilities tax, bank tax and PBT receipts.

All Funds business tax receipts for FY 2022 of nearly \$9.1 billion are projected to increase by \$102 million (1.1 percent), and General Fund business tax receipts are projected to increase to nearly \$6.6 billion (1 percent) from FY 2021 projections. The increase primarily reflects growth in insurance tax and corporation franchise tax receipts driven by higher gross receipts. A decline in PBT receipts is partially offset by a modest increase in corporation and utilities tax receipts.

All Funds business tax receipts for FY 2023 reflect projected trends in corporate profits, taxable insurance premiums, electric utility consumption and prices, consumption of taxable telecommunications services, and automobile fuel consumption and fuel prices. In FY 2023, All Funds business tax receipts are projected to increase to over \$9.4 billion (4.1 percent growth), and General Fund business tax receipts are projected to increase to \$6.9 billion (4.9 percent growth).

## Other Taxes

| OTHER TAXES<br>(millions of dollars)  |                    |                    |             |                      |             |                      |             |                      |             |
|---------------------------------------|--------------------|--------------------|-------------|----------------------|-------------|----------------------|-------------|----------------------|-------------|
|                                       | FY 2019<br>Results | FY 2020<br>Enacted | Change      | FY 2021<br>Projected | Change      | FY 2022<br>Projected | Change      | FY 2023<br>Projected | Change      |
| <b>STATE/ALL FUNDS</b>                | <b>2,221</b>       | <b>2,262</b>       | <b>1.8%</b> | <b>2,362</b>         | <b>4.4%</b> | <b>2,472</b>         | <b>4.7%</b> | <b>2,581</b>         | <b>4.4%</b> |
| Estate Tax                            | 1,068              | 1,094              | 2.4%        | 1,153                | 5.4%        | 1,214                | 5.3%        | 1,277                | 5.2%        |
| Real Estate Transfer Tax              | 1,135              | 1,148              | 1.1%        | 1,183                | 3.0%        | 1,219                | 3.0%        | 1,263                | 3.6%        |
| Employer Compensation Expense Program | 0                  | 2                  | n/a         | 8                    | 300.0%      | 21                   | 162.5%      | 23                   | 9.5%        |
| Pari-Mutuel Taxes                     | 15                 | 15                 | 0.0%        | 15                   | 0.0%        | 15                   | 0.0%        | 15                   | 0.0%        |
| All Other Taxes                       | 3                  | 3                  | 0.0%        | 3                    | 0.0%        | 3                    | 0.0%        | 3                    | 0.0%        |
| <b>GENERAL FUND<sup>1</sup></b>       | <b>1,086</b>       | <b>1,113</b>       | <b>2.5%</b> | <b>1,175</b>         | <b>5.6%</b> | <b>1,242</b>         | <b>5.7%</b> | <b>1,306</b>         | <b>5.2%</b> |
| Estate Tax                            | 1,068              | 1,094              | 2.4%        | 1,153                | 5.4%        | 1,214                | 5.3%        | 1,277                | 5.2%        |
| Employer Compensation Expense Program | 0                  | 1                  | n/a         | 4                    | 300.0%      | 10                   | 150.0%      | 11                   | 10.0%       |
| Pari-Mutuel Taxes                     | 15                 | 15                 | 0.0%        | 15                   | 0.0%        | 15                   | 0.0%        | 15                   | 0.0%        |
| All Other Taxes                       | 3                  | 3                  | 0.0%        | 3                    | 0.0%        | 3                    | 0.0%        | 3                    | 0.0%        |

<sup>1</sup>Excludes Transfers.

All Funds other tax receipts for FY 2020 are estimated to total nearly \$2.3 billion, an increase of \$41 million (1.8 percent) from FY 2019 results. This is primarily due to an estimated \$26 million (2.4 percent) increase in estate tax receipts resulting from relatively weak estimated growth in household net worth. Real estate transfer tax receipts are expected to increase by \$13 million (1.1 percent), consistent with estimated growth in housing starts and housing prices.

General Fund other tax receipts are estimated to be just over \$1.1 billion in FY 2020, an increase of \$27 million (2.5 percent) from FY 2019 results, reflecting the estimated increase in estate tax receipts noted above.

All Funds other tax receipts for FY 2021 are projected to total nearly \$2.4 billion, a \$100 million (4.4 percent) increase from FY 2020 estimates. Estate tax receipts are projected to increase by \$59 million (5.4 percent) in FY 2021, reflecting projected growth in household net worth. The \$35 million (3 percent) projected increase in real estate transfer tax receipts in FY 2021 reflects projected growth in housing starts and prices.

General Fund other tax receipts for FY 2021 are projected to be almost \$1.2 billion, an increase of \$62 million (5.6 percent) from FY 2020 estimates, resulting from the projected increase in estate tax receipts noted above.

All Funds other tax receipts for FY 2022 are projected to be nearly \$2.5 billion, a \$110 million (4.7 percent) increase from FY 2021 projections. Estate tax receipts are projected to increase by \$61 million (5.3 percent) in FY 2022, reflecting projected growth in household net worth. The \$36 million (3 percent) projected increase in real estate transfer tax receipts in FY 2022 reflects projected growth in housing starts and prices.

General Fund other tax receipts for FY 2022 are projected to total \$1.2 billion, an increase of \$67 million (5.7 percent), resulting from the projected increase in estate tax receipts noted above.

All Funds other tax receipts are projected to be nearly \$2.6 billion in FY 2023, an increase of \$109 million (4.4 percent) from FY 2022 projections, which reflects projected trend growth in household net worth, housing starts, and housing prices.

General Fund other tax receipts are projected to be \$1.3 billion in FY 2023, an increase of \$64 million (5.2 percent).

### Miscellaneous Receipts

All Funds miscellaneous receipts include moneys received from HCRA financing sources, SUNY tuition and patient income, lottery receipts for education, assessments on regulated industries, Tribal-State compact revenue, Extraordinary Monetary Settlements and a variety of fees. As such, miscellaneous receipts are driven in part by year-to-year variations in health care surcharges and other HCRA resources, bond proceeds, tuition income revenue and other miscellaneous receipts.

| MISCELLANEOUS RECEIPTS<br>(millions of dollars) |               |               |              |               |               |               |              |               |              |
|---|---------------|---------------|--------------|---------------|---------------|---------------|--------------|---------------|--------------|
|   | FY 2019       | FY 2020       | FY 2021      |               | FY 2022       |               | FY 2023      |               |              |
|   | Results       | Enacted       | Change       | Projected     | Change        | Projected     | Change       | Projected     | Change       |
| <b>ALL FUNDS</b>                                | <b>31,184</b> | <b>29,013</b> | <b>-7.0%</b> | <b>25,554</b> | <b>-11.9%</b> | <b>25,525</b> | <b>-0.1%</b> | <b>24,959</b> | <b>-2.2%</b> |
| General Fund                                    | 3,586         | 2,857         | -20.3%       | 2,049         | -28.3%        | 1,892         | -7.7%        | 1,869         | -1.2%        |
| Special Revenue Funds                           | 19,668        | 17,909        | -8.9%        | 16,332        | -8.8%         | 16,679        | 2.1%         | 16,156        | -3.1%        |
| Capital Projects Funds                          | 7,497         | 7,853         | 4.7%         | 6,779         | -13.7%        | 6,561         | -3.2%        | 6,542         | -0.3%        |
| Debt Service Funds                              | 433           | 394           | -9.0%        | 394           | 0.0%          | 393           | -0.3%        | 392           | -0.3%        |

All Funds miscellaneous receipts are projected to total \$29 billion in FY 2020, a decrease of 7 percent from FY 2019 results. This decrease is primarily due to the loss of one-time Extraordinary Monetary Settlements in the General Fund, which totaled over \$1.1 billion in FY 2019, paired with declines in bond-financed capital spending on a year-over-year basis. Bond-financed capital expenses are paid from the General Fund (or STIP) in the first instance and subsequently reimbursed with PIT or Sales Tax Revenue Bond proceeds.

All Funds miscellaneous receipts are projected to decline annually after FY 2020, reflecting the impact of Extraordinary Monetary Settlements received and a decrease in bond proceed reimbursements in later years, which corresponds to prior-year capital expenses.

**Federal Grants**

| FEDERAL GRANTS<br>(millions of dollars) |               |               |             |               |              |               |             |               |             |
|---|---------------|---------------|-------------|---------------|--------------|---------------|-------------|---------------|-------------|
|   | FY 2019       | FY 2020       | FY 2021     |               | FY 2022      |               | FY 2023     |               |             |
|   | Results       | Enacted       | Change      | Projected     | Change       | Projected     | Change      | Projected     | Change      |
| <b>ALL FUNDS</b>                        | <b>61,344</b> | <b>64,794</b> | <b>5.6%</b> | <b>64,751</b> | <b>-0.1%</b> | <b>66,449</b> | <b>2.6%</b> | <b>69,016</b> | <b>3.9%</b> |
| General Fund                            | 0             | 0             | 0.0%        | 0             | 0.0%         | 0             | 0.0%        | 0             | 0.0%        |
| Special Revenue Funds                   | 58,920        | 62,491        | 6.1%        | 62,491        | 0.0%         | 64,190        | 2.7%        | 66,760        | 4.0%        |
| Capital Projects Funds                  | 2,350         | 2,229         | -5.1%       | 2,187         | -1.9%        | 2,187         | 0.0%        | 2,187         | 0.0%        |
| Debt Service Funds                      | 74            | 74            | 0.0%        | 73            | -1.4%        | 72            | -1.4%       | 69            | -4.2%       |

Aid from the Federal government helps to pay for a variety of programs including Medicaid, public assistance, mental hygiene, School Aid, public health, transportation, and other activities. Annual changes to Federal grants generally correspond to changes in Federally-reimbursed spending. Accordingly, DOB typically projects Federal reimbursements will be received in the State fiscal year in which spending occurs, but due to the variable timing of Federal grant receipts, actual results often differ from projections.

All Funds Federal grants projections primarily reflect the continuation of growth in Federal Medicaid spending related to Federal health care transformation initiatives, partly offset by the projected phase-down of Federal disaster assistance aid. All Federal receipts are subject to Congressional authorization, appropriations and budget action.

Under the Trump administration and the current Congress, many of the policies that drive Federal aid may be subject to change. At this time, it is not possible to assess the potential fiscal impact of future policies that may be proposed and adopted. If Federal funding to the State were reduced, this could have a materially adverse impact on the Financial Plan.

## Disbursements

In FY 2020, disbursements from the State's General Fund, including transfers, are expected to total \$77.9 billion, and disbursements from State Operating Funds are expected to total \$102 billion. School Aid, Medicaid, pensions, debt service, and health benefits are significant drivers of annual spending growth, as further described in this section.

The multi-year disbursements projections consider various factors including statutorily-indexed rates, agency staffing levels, program caseloads, inflation, and funding formulas contained in State and Federal law. Factors that affect spending estimates vary by program. For example, public assistance spending is based primarily on anticipated caseloads that are estimated by analyzing historical trends and projected economic conditions. Projections also account for the timing of payments, since not all of the amounts appropriated are disbursed in the same fiscal year. Consistent with past years, the aggregate spending projections (i.e., the sum of all projected spending by individual agencies) in State Special Revenue Funds have been adjusted downward in all fiscal years, based on typical spending patterns and the observed variance between estimated and actual results over time. A corresponding downward adjustment is also made to miscellaneous receipts.

## Local Assistance Grants

Local assistance spending includes payments to local governments, school districts, health care providers, and other entities, as well as financial assistance to, or on behalf of, individuals, families and not-for-profit organizations. Local assistance spending in State Operating Funds is estimated at \$68 billion in FY 2020, approximately two-thirds of total State Operating Funds spending. Education and health care spending account for nearly three-quarters of State Operating Funds local assistance spending.

Certain major factors considered in preparing the spending projections for the State's major local assistance programs and activities are summarized below.

| FORECAST FOR SELECTED PROGRAM MEASURES AFFECTING OPERATING ACTIVITIES<br>(millions of dollars)  |                                 |                    |                      |                      |                      |
|---|---------------------------------|--------------------|----------------------|----------------------|----------------------|
|   | FY 2019<br>Results <sup>1</sup> | Forecast           |                      |                      |                      |
|   |                                 | FY 2020<br>Enacted | FY 2021<br>Projected | FY 2022<br>Projected | FY 2023<br>Projected |
| <b>HEALTH CARE</b>  |                                 |                    |                      |                      |                      |
| Medicaid - Individuals Covered  | 6,243,498                       | 6,268,035          | 6,280,303            | 6,286,437            | 6,289,504            |
| Essential Plan - Individuals Covered  | 773,584                         | 778,944            | 784,341              | 789,775              | 795,247              |
| Child Health Plus - Individuals Covered   | 396,351                         | 411,651            | 419,391              | 423,423              | 425,175              |
| State Takeover of County/NYC Costs <sup>2</sup>   | \$3,772                         | \$4,115            | \$4,467              | \$4,818              | \$5,179              |
| CY 2005 Local Medicaid Cap  | \$2,855                         | \$3,015            | \$3,184              | \$3,353              | \$3,531              |
| FY 2013 Local Takeover Costs  | \$917                           | \$1,100            | \$1,283              | \$1,465              | \$1,648              |
| <b>EDUCATION</b>  |                                 |                    |                      |                      |                      |
| School Aid (School Year Basis Funding)  | \$26,843                        | \$27,856           | \$28,957             | \$30,159             | \$31,382             |
| <b>HIGHER EDUCATION</b>   |                                 |                    |                      |                      |                      |
| Public Higher Education Enrollment (FTEs)   | 558,135                         | 557,950            | 557,525              | 557,220              | 557,100              |
| Tuition Assistance Program (Recipients)   | 273,884                         | 274,148            | 274,148              | 274,148              | 274,148              |
| <b>PUBLIC ASSISTANCE</b>  |                                 |                    |                      |                      |                      |
| Family Assistance Program (Families)  | 206,170                         | 201,673            | 198,774              | 195,823              | 192,967              |
| Safety Net Program (Families)   | 120,580                         | 117,775            | 115,903              | 114,041              | 112,256              |
| Safety Net Program (Singles)  | 211,438                         | 212,716            | 215,224              | 217,332              | 219,622              |
| <b>MENTAL HYGIENE</b>   |                                 |                    |                      |                      |                      |
| OMH Community Beds  | 44,819                          | 47,040             | 48,321               | 49,038               | 50,069               |
| OPWDD Community Beds  | 43,193                          | 43,542             | 43,893               | 44,247               | 44,604               |
| OASAS Community Beds  | 13,425                          | 13,739             | 13,840               | 13,974               | 14,205               |
| Total   | 101,437                         | 104,321            | 106,054              | 107,259              | 108,878              |
| <b>PRISON POPULATION</b>  |                                 |                    |                      |                      |                      |
|   | 47,400                          | 47,400             | 47,400               | 47,400               | 47,400               |
| <sup>1</sup> Reflects preliminary unaudited results   |                                 |                    |                      |                      |                      |
| <sup>2</sup> Reflects the total State cost of taking over the local share of Medicaid growth, which was initially capped at approximately 3 percent annually, then phased-out completely as of calendar year 2015. A portion of the State takeover costs are funded from Master Settlement Agreement resources. |                                 |                    |                      |                      |                      |

### Education

#### School Aid

School Aid supports elementary and secondary education for New York pupils enrolled in the 674 major school districts. State aid is provided to districts based on statutory aid formulas and through reimbursement of categorical expenses, such as prekindergarten programs, education of homeless children, and bilingual education. State funding for schools assists districts in meeting locally defined needs, supports the construction of school facilities, and finances school transportation for nearly three million students statewide.

#### School Year (July 1 – June 30)

School Aid is expected to total \$27.9 billion in SY 2020, an annual increase of \$1,013 million (3.8 percent), including a \$618 million Foundation Aid increase. A Community Schools set-aside of \$250 million within Foundation Aid (a \$50 million increase from the prior year) provides funds intended to facilitate the transformation of schools into community hubs. In addition, another \$345 million supports increased reimbursement in expense-based and categorical aid programs such as transportation, Boards of Cooperative Educational Services (BOCES), school construction, and other miscellaneous aid categories.

The Financial Plan provides \$50 million for new competitive grant programs, including a \$15 million investment to expand prekindergarten programs for three- and four-year-old students, targeted to high-need school districts, and \$10 million to expand the Empire State After-School Program, helping to keep young people safe and engaged during after-school hours. The State provides over \$800 million in recurring annual support for three- and four-year old prekindergarten programs, including \$340 million for the Statewide Universal Full-Day Prekindergarten (SUFPK) programs.

Since FY 2013, projections have assumed that year-over-year growth in School Aid disbursements would not exceed the annual percent growth in NYS personal income. However, from FY 2014 to FY 2019, the State annually authorized School Aid increases above the PIGI. The Enacted Budget amends the School Aid growth cap to the 10-year average of the State PIGI, beginning in FY 2021. The use of a School Aid growth cap based on a ten-year average is expected to reduce the volatility associated with a one-year average growth cap, limit the impact of the BEA’s frequent revisions to NYS personal income growth estimates, and better align Executive School Aid proposals with the State’s Enacted School Aid increases.

| SCHOOL AID - SCHOOL YEAR BASIS (JULY 1 - JUNE 30) |                |                |               |                |               |                |               |                |               |
|---|----------------|----------------|---------------|----------------|---------------|----------------|---------------|----------------|---------------|
| (millions of dollars)                             |                |                |               |                |               |                |               |                |               |
|   | <u>SY 2019</u> | <u>SY 2020</u> | <u>Change</u> | <u>SY 2021</u> | <u>Change</u> | <u>SY 2022</u> | <u>Change</u> | <u>SY 2023</u> | <u>Change</u> |
| Total   | 26,843         | 27,856         | 1,013<br>3.8% | 28,957         | 1,101<br>4.0% | 30,159         | 1,202<br>4.2% | 31,382         | 1,223<br>4.1% |

### State Fiscal Year

The State finances School Aid from the General Fund, commercial gaming receipts and Lottery Fund receipts, including video lottery terminals (VLTs). Commercial gaming and Lottery Fund receipts are accounted for and disbursed from dedicated accounts. Because the State fiscal year begins on April 1 and the school year begins on July 1, the State typically pays approximately 70 percent of the annual school year commitment during the initial State fiscal year and the remaining 30 percent in the first three months of the following State fiscal year.

The table below summarizes the projected sources of School Aid spending on a State fiscal year basis.

| SCHOOL AID - STATE FISCAL YEAR BASIS<br>(millions of dollars) |               |               |             |               |             |               |             |               |             |
|---|---------------|---------------|-------------|---------------|-------------|---------------|-------------|---------------|-------------|
|   | FY 2019       | FY 2020       |             | FY 2021       |             | FY 2022       |             | FY 2023       |             |
|   | Results       | Enacted       | Change      | Projected     | Change      | Projected     | Change      | Projected     | Change      |
| <b>TOTAL STATE OPERATING FUNDS</b>                            | <b>26,403</b> | <b>27,415</b> | <b>3.8%</b> | <b>28,496</b> | <b>3.9%</b> | <b>29,669</b> | <b>4.1%</b> | <b>30,885</b> | <b>4.1%</b> |
| General Fund Local Assistance                                 | 22,927        | 23,491        | 2.5%        | 24,838        | 5.7%        | 26,012        | 4.7%        | 27,234        | 4.7%        |
| Medicaid  | 153           | 78            | -49.0%      | 78            | 0.0%        | 78            | 0.0%        | 78            | 0.0%        |
| Lottery Aid   | 2,294         | 2,709         | 18.1%       | 2,457         | -9.3%       | 2,457         | 0.0%        | 2,457         | 0.0%        |
| VLT Lottery Aid   | 907           | 975           | 7.5%        | 968           | -0.7%       | 961           | -0.7%       | 961           | 0.0%        |
| Commercial Gaming   | 122           | 162           | 32.8%       | 155           | -4.3%       | 161           | 3.9%        | 155           | -3.7%       |

State fiscal year spending for School Aid is projected to total \$27.4 billion in FY 2020, a 3.8 percent increase over FY 2019. Over the multi-year Financial Plan, the share of School Aid spending projected to be financed by the General Fund is expected to increase as lottery, video lottery and commercial gaming revenues are expected to remain largely flat beginning in FY 2021. In addition to State aid, school districts currently receive more than \$3 billion annually in Federal aid.

State aid payments for School Aid are supplemented by commercial gaming revenues shared with the State by commercial gaming facilities. These receipts are expected to decline slightly by \$7 million in FY 2021, increase by \$6 million in FY 2022, and decline by \$6 million in FY 2023. Pursuant to State Gaming Commission approval, four casinos were awarded licenses and are now operational. In April 2019, the Monticello Casino and Raceway ceased its VLT operations. The Financial Plan assumes a significant amount of current gaming activity at Monticello will shift to nearby Resorts World Catskills Casino. This closure and anticipated shift in gaming activity are expected to have a limited net impact on the State's projected combined VLT and casino revenue resources in FY 2020 and thereafter.

If casino revenue resources do not materialize at the level expected, or as timely as expected, then the additional School Aid projected to be funded from casino revenue resources must be paid from the General Fund.

### Other Education Funding

The State also provides funding and support for various other education-related programs. These include: special education services; programs administered by the Office of Prekindergarten through Grade 12 Education; cultural education; higher and professional education programs; and adult career and continuing education services.

| OTHER EDUCATION FUNDING<br>(millions of dollars) |                    |                    |              |                      |             |                      |             |                      |             |
|--|--------------------|--------------------|--------------|----------------------|-------------|----------------------|-------------|----------------------|-------------|
|  | FY 2019<br>Results | FY 2020<br>Enacted | Change       | FY 2021<br>Projected | Change      | FY 2022<br>Projected | Change      | FY 2023<br>Projected | Change      |
| <b>TOTAL STATE OPERATING FUNDS</b>               | <b>2,143</b>       | <b>2,402</b>       | <b>12.1%</b> | <b>2,405</b>         | <b>0.1%</b> | <b>2,473</b>         | <b>2.8%</b> | <b>2,569</b>         | <b>3.9%</b> |
| Special Education                                | 1,291              | 1,351              | 4.6%         | 1,418                | 5.0%        | 1,484                | 4.7%        | 1,551                | 4.5%        |
| All Other Education                              | 852                | 1,051              | 23.4%        | 987                  | -6.1%       | 989                  | 0.2%        | 1,018                | 2.9%        |

The State helps fund special education services for approximately 500,000 students with disabilities, from ages 3 to 21. Major programs under the Office of Prekindergarten through Grade 12 address specialized student needs or reimburse school districts for education-related services, including the school breakfast and lunch programs, after-school programs and other educational grant programs. Cultural education includes aid for operating expenses of the major cultural institutions, State Archives, State Library, and State Museum, as well as support for the Office of Educational Television and Public Broadcasting. Higher and professional education programs monitor the quality and availability of post-secondary education programs, and license and regulate over 50 professions. Adult career and continuing education services focus on the education and employment needs of the State's adult citizens, ensuring that such individuals have access to a one-stop source for all their employment needs, and are made aware of the full range of services available in other agencies.

The increase in Special Education spending in FY 2020 and thereafter is primarily attributable to increased State reimbursement to special education providers for minimum wage costs and projected enrollment and cost growth in preschool and summer school special education programs.

The projected increase in All Other Education spending in FY 2020 is primarily attributable to the timing of FY 2019 payments for various programs such as nonpublic school payments, increased support for nonpublic and charter school programs, and one-time savings from FY 2019 underspending across multiple programs. The decrease in FY 2021 primarily reflects the addition of one-time aid and grants in FY 2020. The projected increase in FY 2023 is largely due to continued growth in charter school supplemental tuition, facilities aid payments for charter schools in New York City, and payments to nonpublic schools.

## School Tax Relief Program

The STAR program provides school tax relief to taxpayers by exempting the first \$30,000 of every eligible homeowner's property value from the local school tax levy. Lower-income senior citizens will receive a \$68,700 exemption in FY 2020. The DTF oversees local property assessment administration and is responsible for establishing STAR property tax exemption amounts.

The three program components are: the basic school property tax exemption (homeowners with incomes under \$250,000) or credit (homeowners with incomes between \$250,000 and \$500,000); enhanced school property tax exemption or credit for senior citizen homeowners with incomes under \$86,300; and a credit for income-eligible resident NYC personal income taxpayers.

The NYC PIT rate reduction was converted into a PIT tax credit starting with the 2017 tax year. As of FY 2019, New York City STAR payments are no longer a component of State Operating Funds spending. This change has no impact on the value of the STAR benefit received by taxpayers.

Spending on STAR property tax exemptions reflects reimbursements made to school districts to offset the reduction in the amount of property tax revenue collected from homeowners. Since FY 2017, the STAR exemption program has been gradually transitioned from a spending program to an advance refundable PIT credit program. As a result, first-time homebuyers and homeowners who move receive a refundable PIT credit in lieu of a property tax exemption. This change has no impact on the value of the STAR benefit received by homeowners.

The Budget encourages further transition to the advance credit by limiting the exemption program for homeowners with incomes below \$250,000 and holding a homeowner's Basic and Enhanced exemption benefit to a maximum of their FY 2019 levels. These changes are not applicable to STAR credit benefits. The value of an exemption program homeowner's STAR benefit will not be impacted by these actions if they transition to the credit program. The majority of the spending decline projected in FYs 2020 through 2023 can be attributed to these actions. By shifting taxpayers to the credit program, the State is able to more efficiently administer the program while strengthening its ability to prevent abuse.

| SCHOOL TAX RELIEF (STAR) - REVENUE REDUCTION RESULTING FROM STAR ACTIONS |                    |                    |               |                      |              |                      |              |                      |              |
|--|--------------------|--------------------|---------------|----------------------|--------------|----------------------|--------------|----------------------|--------------|
| (millions of dollars)  |                    |                    |               |                      |              |                      |              |                      |              |
|  | FY 2019<br>Results | FY 2020<br>Enacted | Change        | FY 2021<br>Projected | Change       | FY 2022<br>Projected | Change       | FY 2023<br>Projected | Change       |
| <b>TOTAL STATE OPERATING FUNDS</b>                                       | <b>2,423</b>       | <b>2,176</b>       | <b>-10.2%</b> | <b>2,073</b>         | <b>-4.7%</b> | <b>1,979</b>         | <b>-4.5%</b> | <b>1,858</b>         | <b>-6.1%</b> |
| Gross Program Costs  | 3,361              | 3,416              | 1.6%          | 3,489                | 2.1%         | 3,569                | 2.3%         | 3,627                | 1.6%         |
| Personal Income Tax Credit   | (938)              | (1,240)            | -32.2%        | (1,416)              | -14.2%       | (1,590)              | -12.3%       | (1,769)              | -11.3%       |
| Basic Exemption  | 1,525              | 1,366              | -10.4%        | 1,306                | -4.4%        | 1,246                | -4.6%        | 1,170                | -6.1%        |
| Gross Program Costs  | 1,785              | 1,858              | 4.1%          | 1,901                | 2.3%         | 1,942                | 2.2%         | 1,972                | 1.5%         |
| Personal Income Tax Credit   | (260)              | (492)              | -89.2%        | (595)                | -20.9%       | (696)                | -17.0%       | (802)                | -15.2%       |
| Enhanced (Senior) Exemption  | 898                | 810                | -9.8%         | 767                  | -5.3%        | 733                  | -4.4%        | 688                  | -6.1%        |
| Gross Program Costs  | 950                | 918                | -3.4%         | 932                  | 1.5%         | 954                  | 2.4%         | 965                  | 1.2%         |
| Personal Income Tax Credit   | (52)               | (108)              | -107.7%       | (165)                | -52.8%       | (221)                | -33.9%       | (277)                | -25.3%       |
| New York City PIT  | 0                  | 0                  | 0.0%          | 0                    | 0.0%         | 0                    | 0.0%         | 0                    | 0.0%         |
| Gross Program Costs  | 626                | 640                | 2.2%          | 656                  | 2.5%         | 673                  | 2.6%         | 689                  | 2.4%         |
| Personal Income Tax Credit   | (626)              | (640)              | -2.2%         | (656)                | -2.5%        | (673)                | -2.6%        | (689)                | -2.4%        |

### Higher Education

Local assistance for higher education spending includes funding for CUNY, SUNY, and the HESC.

| HIGHER EDUCATION<br>(millions of dollars) |                    |                    |              |                      |              |                      |             |                      |              |
|---|--------------------|--------------------|--------------|----------------------|--------------|----------------------|-------------|----------------------|--------------|
|   | FY 2019<br>Results | FY 2020<br>Enacted | Change       | FY 2021<br>Projected | Change       | FY 2022<br>Projected | Change      | FY 2023<br>Projected | Change       |
| <b>TOTAL STATE OPERATING FUNDS</b>        | <b>2,980</b>       | <b>2,976</b>       | <b>-0.1%</b> | <b>2,945</b>         | <b>-1.0%</b> | <b>2,989</b>         | <b>1.5%</b> | <b>3,024</b>         | <b>1.2%</b>  |
| <b>City University</b>                    | <b>1,508</b>       | <b>1,537</b>       | <b>1.9%</b>  | <b>1,577</b>         | <b>2.6%</b>  | <b>1,611</b>         | <b>2.2%</b> | <b>1,645</b>         | <b>2.1%</b>  |
| Senior Colleges                           | 1,249              | 1,287              | 3.0%         | 1,323                | 2.8%         | 1,357                | 2.6%        | 1,392                | 2.6%         |
| Community College                         | 259                | 250                | -3.5%        | 254                  | 1.6%         | 254                  | 0.0%        | 253                  | -0.4%        |
| <b>Higher Education Services</b>          | <b>984</b>         | <b>956</b>         | <b>-2.8%</b> | <b>881</b>           | <b>-7.8%</b> | <b>891</b>           | <b>1.1%</b> | <b>893</b>           | <b>0.2%</b>  |
| Tuition Assistance Program                | 816                | 784                | -3.9%        | 742                  | -5.4%        | 751                  | 1.2%        | 753                  | 0.3%         |
| Scholarships/Awards                       | 159                | 160                | 0.6%         | 127                  | -20.6%       | 128                  | 0.8%        | 128                  | 0.0%         |
| Aid for Part-Time Study                   | 9                  | 12                 | 33.3%        | 12                   | 0.0%         | 12                   | 0.0%        | 12                   | 0.0%         |
| <b>State University</b>                   | <b>488</b>         | <b>483</b>         | <b>-1.0%</b> | <b>487</b>           | <b>0.8%</b>  | <b>487</b>           | <b>0.0%</b> | <b>486</b>           | <b>-0.2%</b> |
| Community College                         | 482                | 479                | -0.6%        | 483                  | 0.8%         | 483                  | 0.0%        | 482                  | -0.2%        |
| Other/Cornell                             | 6                  | 4                  | -33.3%       | 4                    | 0.0%         | 4                    | 0.0%        | 4                    | 0.0%         |

SUNY and CUNY operate 47 four-year colleges and graduate schools with a total enrollment of more than 410,000 full- and part-time students. SUNY and CUNY also operate 37 community colleges, serving approximately 309,000 students. The State provides funding for a significant portion of SUNY and CUNY operations. In addition to the spending reflected in the table above, the State provides SUNY more than \$1 billion annually via a General Fund transfer and another \$2 billion via direct payment of fringe benefits for SUNY employees. The State also pays \$1.2 billion in debt service for bond-financed capital projects at SUNY and CUNY.

HESC is New York State's student financial aid agency. It oversees numerous State-funded financial aid programs including the Excelsior Scholarship, TAP, Aid for Part-Time Study program, and 26 other scholarship and loan forgiveness programs. State funded tuition assistance provides financial aid to approximately 400,000 students and will allow approximately 55 percent of full-time SUNY and CUNY in-state students to attend college tuition-free when it is fully phased in.

The Financial Plan includes funding to implement the DREAM Act which will give undocumented students access to the Excelsior Scholarship, TAP, as well as other state-administered scholarships. The Financial Plan also includes for the third and final phase of the Excelsior Scholarship, increasing the family income eligibility threshold to \$125,000, and provides new funding to implement a Family Empowerment Pilot Program at SUNY and CUNY community colleges. The Family Empowerment Pilot Program will enable single parents to receive financial and academic supports, including on-campus childcare aligned with the nationally recognized Accelerated Study in Associate Program (ASAP).

Higher education spending is projected to decrease by \$4 million, or 0.1 percent, from FY 2019 to FY 2020, and by \$31 million, or 1 percent, from FY 2020 to FY 2021. This decrease reflects accounting changes for tuition assistance payments from HESC to State-operated SUNY campuses, whereby these payments will now be reflected as a HESC transfer instead of a disbursement. Projected spending growth in later years is largely due to employee fringe benefit growth for CUNY Senior Colleges.

### Health Care

Local assistance for health care-related spending includes Medicaid, statewide public health programs and a variety of mental hygiene programs. The DOH works with local health departments and social services departments, including those located in New York City, to coordinate and administer statewide health insurance programs and activities. The majority of government-financed health care programs are included under DOH, but a number of programs are also supported through multi-agency efforts.

DOH is also engaged in a multi-year initiative to implement the DSRIP program through an approved Federal waiver amendment to reinvest \$8 billion in Federal savings generated by the MRT reforms. The DSRIP program will promote community-level collaborations and focus on system reform, with the goal of achieving a 25 percent reduction in avoidable hospital use over five years. The Financial Plan reflects spending related to the DSRIP program (nearly \$8 billion through FY 2020), with the remaining funds expected to be disbursed in FY 2021. A portion of DSRIP funding flows through the SUNY hospital system and other State-operated health care facilities.

### Medicaid

Medicaid is a means-tested program that finances health care services for low-income individuals and long-term care services for the elderly and disabled, primarily through payments to health care providers. The Medicaid program is financed jointly by the State, Federal government, and local governments. Eligible services include inpatient hospital care, outpatient hospital services, clinics, nursing homes, managed care, prescription drugs, home care and services provided in a variety of community-based settings (including mental health, substance abuse treatment, developmental disabilities services, school-based services and foster care services).

In FY 2012, legislation was enacted to limit the year-to-year growth in DOH State funded Medicaid spending to the ten-year rolling average of the medical component of the CPI. The statutory provisions of the Medicaid spending cap (or “Global Cap”) also allow for flexibility in adjusting Medicaid projections to meet unanticipated costs resulting from a disaster. Certain authorizations exist which allow the Governor to take actions to reduce Medicaid spending in order to maintain spending within the Global Cap limit.

The State has, at times, taken actions to manage the timing of Medicaid payments to ensure compliance with the Global Cap. Between FY 2015 and FY 2018, DOH managed the timing of payments across State fiscal years that ranged from \$50 million to roughly \$435 million. In FY 2019, DOH deferred, for three business days, the final cycle payment to Medicaid Managed Care Organizations, as well as other payments. The FY 2019 deferral had a State-share value of \$1.7 billion and was paid utilizing cash on hand in April 2019, consistent with contractual obligations and had no impact on provider services. Absent the deferral, Medicaid spending under the Global Cap would have exceeded the statutorily indexed rate of FY 2019. This higher spending in FY 2019 appears to reflect growth in managed care enrollment and costs above projections, as well as certain savings actions and offsets that were not processed by year-end. The Financial Plan

assumes Medicaid spending in FY 2020 will comply with the Global Cap. As such, DOB and DOH will continue to develop options to reduce spending within the Global Cap and/or continue to manage the timing of payments, which may include a deferral to FY 2021 if spending is not reduced to levels that adhere to the Global Cap. Options to reduce spending include the execution of the statutory powers granted to the Commissioner of Health to limit spending. Efforts to maintain Medicaid spending levels within the Global Cap may have implications on the State’s financial position. If spending levels continue to exceed the Global Cap and/or further payment deferrals are made, there could be an impact to State finances.

The Financial Plan reflects the continuation of the “Global Cap” through FY 2023, and the projections assume that statutory authority will be extended in subsequent years. Allowable growth under the cap for medical services is 3.3 percent in FY 2019. Reflecting updated projections for the medical CPI growth, DOB currently forecasts allowable cap growth at 3 percent for FYs 2020 and 2021, and 2.9 percent for FYs 2022 and 2023.

| MEDICAID GLOBAL CAP FORECAST<br>(millions of dollars) |               |               |               |               |               |
|---|---------------|---------------|---------------|---------------|---------------|
|   | FY 2019       | FY 2020       | FY 2021       | FY 2022       | FY 2023       |
| <b>Global Medicaid Cap<sup>1</sup></b>                | <b>18,865</b> | <b>19,433</b> | <b>20,006</b> | <b>20,594</b> | <b>21,200</b> |
| Annual \$ Change                                      |               | 568           | 573           | 588           | 606           |
| Annual % Change                                       |               | 3.0%          | 3.0%          | 2.9%          | 2.9%          |

<sup>1</sup> Under the Global Cap, forecasted Medicaid services growth is indexed to the 10-year average of the medical component of the CPI.

The indexed provisions of the Global Cap apply to a majority of the State share of Medicaid spending budgeted and expended principally through DOH. The Global Cap does not include State costs associated with the takeover of local Medicaid growth and the multi-year assumption of local Medicaid administration costs, increased FFP pursuant to the ACA (effective in January 2014), and statewide minimum wage increases. State share Medicaid spending also appears in the Financial Plan estimates for other State agencies and programs, including the mental hygiene agencies, child welfare programs, education aid and corrections.

| <b>TOTAL STATE-SHARE MEDICAID DISBURSEMENTS<sup>1</sup></b><br>(millions of dollars) |                |                |                  |                  |                  |
|--|----------------|----------------|------------------|------------------|------------------|
|  | <b>FY 2019</b> | <b>FY 2020</b> | <b>FY 2021</b>   | <b>FY 2022</b>   | <b>FY 2023</b>   |
|  | <b>Results</b> | <b>Enacted</b> | <b>Projected</b> | <b>Projected</b> | <b>Projected</b> |
| Department of Health Medicaid  | <u>20,293</u>  | <u>21,642</u>  | <u>22,597</u>    | <u>23,427</u>    | <u>24,291</u>    |
| Local Assistance   | 20,476         | 21,685         | 22,699           | 23,527           | 24,392           |
| State Operations   | 261            | 272            | 269              | 271              | 270              |
| MSA Payments (Share of Local Growth) <sup>2</sup>                                    | (444)          | (315)          | (371)            | (371)            | (371)            |
| Other State Agency Medicaid Spending   | <u>3,010</u>   | <u>2,738</u>   | <u>3,233</u>     | <u>3,190</u>     | <u>3,398</u>     |
| Mental Hygiene   | 2,785          | 2,577          | 3,061            | 3,016            | 3,224            |
| Foster Care  | 72             | 81             | 92               | 96               | 96               |
| Education  | 153            | 78             | 78               | 78               | 78               |
| Corrections  | 0              | 2              | 2                | 0                | 0                |
| <b>Total State Share Medicaid (All Agencies)</b>                                     | <b>23,303</b>  | <b>24,380</b>  | <b>25,830</b>    | <b>26,617</b>    | <b>27,689</b>    |
| Annual \$ Change   |                | 1,077          | 1,450            | 787              | 1,072            |
| Annual % Change  |                | 4.6%           | 5.9%             | 3.0%             | 4.0%             |
| <b>Essential Plan<sup>3</sup></b>  | <b>77</b>      | <b>84</b>      | <b>79</b>        | <b>76</b>        | <b>72</b>        |
| Local Assistance   | 0              | 0              | 0                | 0                | 0                |
| State Operations   | 77             | 84             | 79               | 76               | 72               |

<sup>1</sup> DOH spending in the Financial Plan includes certain items that are excluded from the indexed provisions of the Medicaid Global Cap. This includes administrative costs, such as the takeover of local administrative responsibilities; the decision of Monroe County to participate in the Medicaid local cap program, rather than continuing the sales tax intercept option; increased Federal Financial Participation that became effective in January 2014; and a share of minimum wage increases.

<sup>2</sup> MSA payments will be deposited directly to a Medicaid Escrow Fund to cover a portion of the State share for Medicaid.

<sup>3</sup> The EP is not a Medicaid program; however, State-funded resources for the EP are managed under the Medicaid Global Cap.

The State share of DOH Medicaid spending is financed by a combination of the General Fund, HCRA resources, indigent care support, provider assessment revenue, and tobacco settlement proceeds. The following table provides information on financing sources for State Medicaid spending.

| DEPARTMENT OF HEALTH MEDICAID<br>(millions of dollars)         |                    |                    |               |                      |              |                      |             |                      |             |
|--|--------------------|--------------------|---------------|----------------------|--------------|----------------------|-------------|----------------------|-------------|
|  | FY 2019<br>Results | FY 2020<br>Enacted | Change        | FY 2021<br>Projected | Change       | FY 2022<br>Projected | Change      | FY 2023<br>Projected | Change      |
| <b>STATE OPERATING FUNDS</b>                                   | <b>23,380</b>      | <b>24,464</b>      | <b>4.6%</b>   | <b>25,909</b>        | <b>5.9%</b>  | <b>26,693</b>        | <b>3.0%</b> | <b>27,761</b>        | <b>4.0%</b> |
| <b>Department of Health Medicaid</b>                           | <b>20,370</b>      | <b>21,726</b>      | <b>6.7%</b>   | <b>22,676</b>        | <b>4.4%</b>  | <b>23,503</b>        | <b>3.6%</b> | <b>24,363</b>        | <b>3.7%</b> |
| General Fund - DOH Medicaid Local                              | 14,340             | 15,751             | 9.8%          | 16,760               | 6.4%         | 17,606               | 5.0%        | 18,389               | 4.4%        |
| DOH Medicaid   | 11,511             | 11,801             | 2.5%          | 12,718               | 7.8%         | 13,024               | 2.4%        | 13,553               | 4.1%        |
| Non-DOH Medicaid <sup>1</sup>                                  | 1,653              | 2,034              | 23.0%         | 1,923                | -5.5%        | 2,201                | 14.5%       | 2,201                | 0.0%        |
| Minimum Wage   | 703                | 1,131              | 60.9%         | 1,207                | 6.7%         | 1,287                | 6.6%        | 1,358                | 5.5%        |
| Local Takeover Cost <sup>2</sup>                               | 917                | 1,100              | 20.0%         | 1,283                | 16.6%        | 1,465                | 14.2%       | 1,648                | 12.5%       |
| MSA Payments (Share of Local Growth) <sup>3</sup>              | (444)              | (315)              | 29.1%         | (371)                | -17.8%       | (371)                | 0.0%        | (371)                | 0.0%        |
| General Fund - DOH Medicaid State Ops                          | 261                | 272                | 4.2%          | 269                  | -1.1%        | 271                  | 0.7%        | 270                  | -0.4%       |
| General Fund - Essential Plan                                  | 77                 | 84                 | 9.1%          | 79                   | -6.0%        | 76                   | -3.8%       | 72                   | -5.3%       |
| Local Assistance   | 0                  | 0                  | 0.0%          | 0                    | 0.0%         | 0                    | 0.0%        | 0                    | 0.0%        |
| State Operations   | 77                 | 84                 | 9.1%          | 79                   | -6.0%        | 76                   | -3.8%       | 72                   | -5.3%       |
| Other State Funds - DOH Medicaid Local                         | 5,692              | 5,619              | -1.3%         | 5,568                | -0.9%        | 5,550                | -0.3%       | 5,632                | 1.5%        |
| HCRA Financing   | 4,029              | 3,881              | -3.7%         | 3,800                | -2.1%        | 3,750                | -1.3%       | 3,801                | 1.4%        |
| Indigent Care Support  | 777                | 892                | 14.8%         | 892                  | 0.0%         | 892                  | 0.0%        | 892                  | 0.0%        |
| Provider Assessment Revenue                                    | 886                | 844                | -4.7%         | 874                  | 3.6%         | 906                  | 3.7%        | 937                  | 3.4%        |
| Medical Indemnity Fund   | 0                  | 2                  | 0.0%          | 2                    | 0.0%         | 2                    | 0.0%        | 2                    | 0.0%        |
| Other State Agency Medicaid Spending                           | 3,010              | 2,738              | -9.0%         | 3,233                | 18.1%        | 3,190                | -1.3%       | 3,398                | 6.5%        |
| <b>USE OF MSA PAYMENTS (Share of Local Growth)<sup>3</sup></b> | <b>444</b>         | <b>315</b>         | <b>-29.1%</b> | <b>371</b>           | <b>17.8%</b> | <b>371</b>           | <b>0.0%</b> | <b>371</b>           | <b>0.0%</b> |
| <b>LOCAL SHARE OF MEDICAID<sup>4</sup></b>                     | <b>8,516</b>       | <b>7,328</b>       | <b>-14.0%</b> | <b>7,036</b>         | <b>-4.0%</b> | <b>7,204</b>         | <b>2.4%</b> | <b>7,212</b>         | <b>0.1%</b> |
| <b>FEDERAL SHARE OF MEDICAID</b>                               | <b>44,190</b>      | <b>47,802</b>      | <b>8.2%</b>   | <b>47,286</b>        | <b>-1.1%</b> | <b>48,883</b>        | <b>3.4%</b> | <b>51,359</b>        | <b>5.1%</b> |
| DOH Medicaid   | 40,183             | 42,526             | 5.8%          | 42,462               | -0.2%        | 44,031               | 3.7%        | 46,486               | 5.6%        |
| Essential Plan   | 4,007              | 5,276              | 31.7%         | 4,824                | -8.6%        | 4,852                | 0.6%        | 4,873                | 0.4%        |
| <b>ALL FUNDING SOURCES</b>                                     | <b>76,530</b>      | <b>79,909</b>      | <b>4.4%</b>   | <b>80,602</b>        | <b>0.9%</b>  | <b>83,151</b>        | <b>3.2%</b> | <b>86,703</b>        | <b>4.3%</b> |

<sup>1</sup> The DOH Medicaid budget includes resources to fund a portion of Medicaid-related Mental Hygiene program costs under the Global Cap.

<sup>2</sup> Beginning in FY 2013, the State began phasing (3-2-1-0) in takeover of local government share of growth. As of County Year (CY) 2015 the State pays the full share of Medicaid program growth on behalf of local governments.

<sup>3</sup> MSA payments will be deposited directly to a Medicaid Escrow Fund to cover a portion of the State's share of local Medicaid growth.

<sup>4</sup> The Local Share of Medicaid is paid by the Local Social Service Districts (counties), and is not included in the State's All Governmental Funds disbursement totals. Fluctuation in the local share of Medicaid is related to certain supplemental payments made by local districts. Local Medicaid services payments are capped at CY 2015 levels.

The Financial Plan includes \$440 million in annual savings from the Medicaid Global Cap. To achieve savings within the Global Cap, DOH will continue to implement various MRT actions to improve efficiency and effective delivery of the statewide Medicaid program. These actions will reduce Pharmacy Benefit Manager (PBM) costs by narrowing the gap between Managed Care Organization payments to pharmacies and the costs to the Medicaid program; consolidating and establishing uniform reimbursement for Fiscal Intermediaries providing support in the consumer-directed Personal Care Program; transforming the nursing home patient acuity data collection process to provide improved rate adequacy; and increasing managed care audit recoveries.

In FY 2018, bonds secured by annual payments from tobacco manufacturers under the Master Settlement Agreement (MSA) were retired, with no remaining debt service requirements to be paid on these bonds. DOB expects payments under the MSA of approximately \$315 million in FY 2020 and additional payments to be available in subsequent years. Existing statutes direct these payments be used to help defray costs of the State's takeover of Medicaid costs for counties and New York City. The State takeover, in which local Medicaid costs are capped permanently at 2015 calendar year levels, is expected to cost the State \$917 million in FY 2019 and \$1.1 billion in FY 2020. Consistent with State law, DOB expects MSA payments to be deposited directly to a Medicaid Payment Escrow Fund to offset the non-Federal share of annual Medicaid growth, formerly borne by local governments, which the State now pays on behalf of local governments. The deposit mechanism has no impact on overall Medicaid spending funded with State resources but does reduce reported State-supported Medicaid spending accounted for in State Operating Funds. The Financial Plan assumes that the MSA payments will lower annual General Fund Medicaid disbursements. The table below displays the adjusted funding shares.

| FUNDING SOURCES FOR STATE MEDICAID CONTRIBUTIONS<br>(millions of dollars) |                      |                      |                      |                      |                      |
|---|----------------------|----------------------|----------------------|----------------------|----------------------|
|   | FY 2019<br>Results   | FY 2020<br>Enacted   | FY 2021<br>Projected | FY 2022<br>Projected | FY 2023<br>Projected |
| <b>State Share Support</b>  | <b><u>23,824</u></b> | <b><u>24,779</u></b> | <b><u>26,280</u></b> | <b><u>27,064</u></b> | <b><u>28,132</u></b> |
| State Funds Medicaid Disbursements  | 23,380               | 24,464               | 25,909               | 26,693               | 27,761               |
| MSA Payments (Local Growth)   | 444                  | 315                  | 371                  | 371                  | 371                  |

The Financial Plan maintains additional General Fund support for costs associated with the regionally-based, multi-year increase in the statewide minimum wage, including the impact of legislation (Chapter 56 of the Laws of 2016) which ensures that rates for the total compensation for home health care workers in New York City, and Westchester, Nassau, and Suffolk counties will be increased commensurate with the schedule of statutory minimum wage increases.<sup>21</sup> These minimum wage initiatives are projected to increase annual Medicaid spending above statutory Global Cap limits by \$1.1 billion in FY 2020, \$1.2 billion in FY 2021, \$1.3 billion in FY 2022, and \$1.4 billion in FY 2023.

Fluctuation in enrollment, costs of provider health care services, and health care utilization levels are among the factors that drive higher Medicaid spending within the Global Cap. The number of Medicaid recipients is expected to reach about 6.3 million by the end of FY 2020, a slight increase from FY 2019. This increase is partly driven by an increase in elderly enrollees in the Medicaid program.

Rising costs within the Medicaid Global Cap are expected to be offset through the Medicaid Integrity and Efficiency Initiative, which was authorized in the FY 2017 Enacted Budget. Local service districts who voluntarily elect to participate in this initiative, work with DOH to formulate a plan to achieve new audit recoveries, efficiencies and other cost-avoidance measures. Savings associated with this initiative are realized through the Mental Hygiene Global Cap Adjustment, which allows for a portion of the Office for People with Developmental Disabilities (OPWDD) and Office of Mental Health (OMH) Medicaid costs to be paid for under the Global Cap.

### **Local Medicaid Cap**

The Local Medicaid Cap was designed to relieve pressure on county property taxes and the NYC budget by capping local costs and having the State absorb all local program growth above a fixed statutory inflation rate. Beginning in January 2006, counties Medicaid cost contributions were capped based on 2005 expenditures that were indexed at a growth rate of 3.5 percent in 2006, 3.25 percent in 2007, and 3 percent per year thereafter. In FY 2013, the State committed to phasing out all growth in the local share of Medicaid costs over a three-year period. The takeover of local Medicaid costs by the State saves local districts nearly \$4.1 billion in FY 2020 including \$2.1 billion for counties outside New York City and \$1.9 billion for New York City.

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<sup>21</sup> Home health care workers in New York City and certain counties receive supplemental benefits in addition to their base wage (\$4.09 for New York City; \$3.22 for Westchester, Nassau, and Suffolk counties). These benefits include paid leave, differentials, premiums for certain shifts, education and fringe benefits. The supplemental benefits typically can be satisfied by increasing the base cash wage by a corresponding amount. As a result, wages for home health care workers in these regions exceed minimum wage levels. The legislation exempts the supplemental wages portion of total compensation from the minimum wage calculation to ensure home health care workers in these counties receive incremental growth in wage compensation commensurate with the new minimum wage schedule. The cost of this legislation in FY 2019 totaled \$703 million.

| LOCAL GOVERNMENT SAVINGS<br>STATE TAKEOVER OF LOCAL MEDICAID COSTS (2005 CAP AND GROWTH TAKEOVER)<br>FY 2019 to FY 2023<br>(in dollars) |                      |                      |                      |                      |                      |
|---|----------------------|----------------------|----------------------|----------------------|----------------------|
| County  | FY 2019              | FY 2020              | FY 2021              | FY 2022              | FY 2023              |
| Albany  | 39,548,120           | 42,689,168           | 45,924,447           | 49,145,707           | 52,460,384           |
| Allegany  | 6,277,130            | 6,772,552            | 7,282,837            | 7,790,910            | 8,313,717            |
| Broome  | 42,565,827           | 45,031,526           | 47,571,195           | 50,099,859           | 52,701,854           |
| Cattaraugus   | 14,185,669           | 15,132,371           | 16,107,474           | 17,078,352           | 18,077,385           |
| Cayuga  | 14,678,793           | 15,561,190           | 16,470,059           | 17,374,989           | 18,306,163           |
| Chautauqua  | 28,704,716           | 30,536,154           | 32,422,534           | 34,300,740           | 36,233,414           |
| Chemung   | 15,404,408           | 16,488,992           | 17,606,113           | 18,718,393           | 19,862,930           |
| Chenango  | 8,096,080            | 8,645,524            | 9,211,451            | 9,774,926            | 10,354,742           |
| Clinton   | 12,218,371           | 13,123,058           | 14,054,886           | 14,982,677           | 15,937,373           |
| Columbia  | 12,132,997           | 12,839,564           | 13,567,329           | 14,291,940           | 15,037,564           |
| Cortland  | 8,247,736            | 8,805,834            | 9,380,674            | 9,953,023            | 10,541,971           |
| Delaware  | 8,378,337            | 8,898,054            | 9,433,363            | 9,966,352            | 10,514,798           |
| Dutchess  | 53,497,242           | 56,414,674           | 59,419,628           | 62,411,561           | 65,490,261           |
| Erie  | 166,050,848          | 177,505,131          | 189,303,042          | 201,049,829          | 213,137,272          |
| Essex   | 5,258,899            | 5,624,785            | 6,001,647            | 6,376,876            | 6,762,988            |
| Franklin  | 8,036,911            | 8,587,732            | 9,155,077            | 9,719,964            | 10,301,233           |
| Fulton  | 9,949,620            | 10,673,940           | 11,419,990           | 12,162,806           | 12,927,165           |
| Genesee   | 8,474,616            | 9,025,263            | 9,592,429            | 10,157,138           | 10,738,223           |
| Greene  | 8,985,845            | 9,557,304            | 10,145,907           | 10,731,959           | 11,335,007           |
| Hamilton  | 647,678              | 687,021              | 727,545              | 767,892              | 809,410              |
| Herkimer  | 11,486,629           | 12,250,594           | 13,037,477           | 13,820,950           | 14,627,145           |
| Jefferson   | 17,154,322           | 18,285,842           | 19,451,308           | 20,611,724           | 21,805,792           |
| Lewis   | 3,968,424            | 4,243,589            | 4,527,009            | 4,809,201            | 5,099,576            |
| Livingston  | 8,989,187            | 9,545,038            | 10,117,564           | 10,687,610           | 11,274,187           |
| Madison   | 9,968,264            | 10,611,590           | 11,274,217           | 11,933,972           | 12,612,860           |
| Monroe  | 152,181,600          | 162,292,163          | 172,706,043          | 183,074,797          | 193,744,244          |
| Montgomery  | 12,537,694           | 13,283,037           | 14,050,740           | 14,815,117           | 15,601,660           |
| Nassau  | 222,591,440          | 236,493,602          | 250,812,829          | 265,070,006          | 279,740,641          |
| Niagara   | 36,982,139           | 39,497,776           | 42,088,881           | 44,668,758           | 47,323,452           |
| Oneida  | 46,957,380           | 50,086,271           | 53,309,028           | 56,517,821           | 59,819,668           |
| Onondaga  | 94,951,763           | 100,968,739          | 107,166,225          | 113,336,855          | 119,686,433          |
| Ontario   | 15,319,097           | 16,280,759           | 17,271,271           | 18,257,491           | 19,272,311           |
| Orange  | 85,598,504           | 90,379,187           | 95,303,291           | 100,206,057          | 105,251,004          |
| Orleans   | 7,594,776            | 8,078,898            | 8,577,544            | 9,074,029            | 9,584,912            |
| Oswego  | 24,030,993           | 25,520,345           | 27,054,376           | 28,581,761           | 30,153,439           |
| Otsego  | 7,973,046            | 8,536,571            | 9,117,002            | 9,694,918            | 10,289,593           |
| Putnam  | 10,785,855           | 11,406,609           | 12,045,986           | 12,682,592           | 13,337,660           |
| Rensselaer  | 22,813,236           | 24,542,662           | 26,323,971           | 28,097,561           | 29,922,585           |
| Rockland  | 79,384,633           | 83,821,671           | 88,391,821           | 92,942,167           | 97,624,473           |
| St. Lawrence  | 16,956,868           | 18,202,037           | 19,484,562           | 20,761,529           | 22,075,528           |
| Saratoga  | 25,409,699           | 26,933,877           | 28,503,780           | 30,066,880           | 31,675,310           |
| Schenectady   | 35,341,258           | 37,450,843           | 39,623,716           | 41,787,173           | 44,013,370           |
| Schoharie   | 4,843,628            | 5,166,051            | 5,498,147            | 5,828,803            | 6,169,049            |
| Schuyler  | 2,832,837            | 3,033,781            | 3,240,753            | 3,446,828            | 3,658,879            |
| Seneca  | 5,276,713            | 5,619,596            | 5,972,765            | 6,324,404            | 6,686,240            |
| Steuben   | 16,174,003           | 17,261,543           | 18,381,710           | 19,497,022           | 20,644,679           |
| Suffolk   | 268,565,163          | 284,306,151          | 300,519,369          | 316,662,330          | 333,273,436          |
| Sullivan  | 20,806,498           | 22,057,621           | 23,346,278           | 24,629,350           | 25,949,631           |
| Tioga   | 5,877,229            | 6,304,446            | 6,744,480            | 7,182,606            | 7,633,439            |
| Tompkins  | 10,423,041           | 11,104,669           | 11,806,747           | 12,505,782           | 13,225,089           |
| Ulster  | 39,345,227           | 41,646,568           | 44,016,950           | 46,377,060           | 48,805,613           |
| Warren  | 9,282,954            | 9,939,189            | 10,615,110           | 11,288,103           | 11,980,612           |
| Washington  | 11,253,992           | 11,939,872           | 12,646,329           | 13,349,724           | 14,073,518           |
| Wayne   | 17,868,781           | 18,840,889           | 19,842,160           | 20,839,092           | 21,864,935           |
| Westchester   | 164,246,675          | 175,865,126          | 187,832,130          | 199,747,277          | 212,007,964          |
| Wyoming   | 5,204,438            | 5,528,109            | 5,861,491            | 6,193,427            | 6,534,990            |
| Yates   | 3,494,996            | 3,731,585            | 3,975,272            | 4,217,903            | 4,467,571            |
| <b>Rest of State</b>  | <b>2,005,812,827</b> | <b>2,133,656,735</b> | <b>2,265,335,960</b> | <b>2,396,444,576</b> | <b>2,531,355,341</b> |
| <b>New York City</b>  | <b>1,766,806,519</b> | <b>1,981,151,384</b> | <b>2,201,926,595</b> | <b>2,421,745,114</b> | <b>2,647,938,370</b> |
| <b>Statewide</b>  | <b>3,772,619,345</b> | <b>4,114,808,119</b> | <b>4,467,262,556</b> | <b>4,818,189,690</b> | <b>5,179,293,711</b> |

### Health Care Transformation Fund (HCTF)

In September 2017, Fidelis Care (a nonprofit insurer associated with the Catholic Diocese of New York) agreed to sell substantially all its assets to Centene Corporation (under Sections 510 and 511-a of the Not-for-Profit Corporation Law “N-PCL”), a for-profit health insurer based in St. Louis, Missouri, in order to enter New York’s health insurance marketplace. Consistent with previous transactions of similar nature in New York, the transaction was subject to regulatory approval by DOH, DFS and the Office of the Attorney General. The transaction included an agreement that the companies would contribute an estimated \$2 billion in both direct payments and taxes over five years.

The funds are expected to be used over the next five years to offset State costs for health care transformation activities, including enhancing access to affordable quality health care and health care related services for the poor, disabled, disadvantaged, elderly and/or underserved people of the State, and/or to assist populations with any unmet health care related needs including, but not limited to, those associated with the social determinants of health.

Following the completion of all regulatory approvals, the initial \$1 billion direct payment from Fidelis Care was deposited into the HCTF<sup>22</sup> in July 2018. The HCTF does not include increased insurance tax receipts from Centene or higher Medicaid provider rates paid to Centene, which are reflected in the General Fund.

| HEALTH CARE TRANSFORMATION FUND<br>PURSUANT TO PART FFF OF CHAPTER 59 OF THE LAWS OF 2018<br>(millions of dollars) |                    |                    |                      |                      |                      |
|--|--------------------|--------------------|----------------------|----------------------|----------------------|
|  | FY 2019<br>Results | FY 2020<br>Enacted | FY 2021<br>Projected | FY 2022<br>Projected | FY 2023<br>Projected |
| <b>Opening Balance</b>   | 0                  | 525                | 314                  | 0                    | 0                    |
| <b>Receipts</b>  | <b>1,080</b>       | <b>468</b>         | <b>118</b>           | <b>118</b>           | <b>68</b>            |
| Fidelis Payment  | 1,000              | 400                | 50                   | 50                   | 0                    |
| Centene Payment  | 68                 | 68                 | 68                   | 68                   | 68                   |
| STIP Interest  | 12                 | 0                  | 0                    | 0                    | 0                    |
| <b>Planned Uses</b>  | <b>(555)</b>       | <b>(679)</b>       | <b>(432)</b>         | <b>(118)</b>         | <b>(68)</b>          |
| Housing Rental Subsidies   | (250)              | (441)              | (296)                | (118)                | (68)                 |
| State-Only Medicaid Payments   | (150)              | (148)              | (136)                | 0                    | 0                    |
| Capital Projects   | (155)              | (90)               | 0                    | 0                    | 0                    |
| <b>Closing Balance</b>   | <b>525</b>         | <b>314</b>         | <b>0</b>             | <b>0</b>             | <b>0</b>             |

DOB expects to transfer HCTF funds to the General Fund to offset State costs for eligible health care transformation activities, including capital investments, debt restructuring activities, housing and other social purposes.

<sup>22</sup> The HCTF was created pursuant to Part FFF of Chapter 59 of the Laws of 2018 to account for receipts such as those associated with the Fidelis-Centene sale. Moneys in HCTF shall be available for transfer to any other fund of the State as directed by the Director of the Budget, to support health care delivery.

### Essential Plan (EP)

The EP is a health insurance program which receives Federal subsidies authorized through the ACA. The FY 2015 Enacted Budget authorized the State to participate in the EP, which includes health insurance coverage for certain legally residing immigrants previously receiving State-only Medicaid coverage. Individuals who meet the EP eligibility standards are enrolled through the NYSOH insurance exchange, with the cost of insurance premiums subsidized by the State and Federal governments. The Exchange – NYSOH – serves as a centralized marketplace to shop for, compare, and enroll in a health plan. More than 770,000 New Yorkers have enrolled since the EP launched in January 2016.

| ESSENTIAL PLAN<br>(millions of dollars) |                    |                    |              |                      |              |                      |              |                      |              |
|---|--------------------|--------------------|--------------|----------------------|--------------|----------------------|--------------|----------------------|--------------|
|   | FY 2019<br>Results | FY 2020<br>Enacted | Change       | FY 2021<br>Projected | Change       | FY 2022<br>Projected | Change       | FY 2023<br>Projected | Change       |
| <b>TOTAL ALL FUNDS SPENDING</b>         | <b>4,084</b>       | <b>5,360</b>       | <b>31.2%</b> | <b>4,903</b>         | <b>-8.5%</b> | <b>4,928</b>         | <b>0.5%</b>  | <b>4,945</b>         | <b>0.3%</b>  |
| <b>State Operating Funds</b>            | <b>77</b>          | <b>84</b>          | <b>9.1%</b>  | <b>79</b>            | <b>-6.0%</b> | <b>76</b>            | <b>-3.8%</b> | <b>72</b>            | <b>-5.3%</b> |
| Local Assistance                        | 0                  | 0                  | 0.0%         | 0                    | 0.0%         | 0                    | 0.0%         | 0                    | 0.0%         |
| State Operations                        | 77                 | 84                 | 9.1%         | 79                   | -6.0%        | 76                   | -3.8%        | 72                   | -5.3%        |
| <b>Federal Operating Funds</b>          | <b>4,007</b>       | <b>5,276</b>       | <b>31.7%</b> | <b>4,824</b>         | <b>-8.6%</b> | <b>4,852</b>         | <b>0.6%</b>  | <b>4,873</b>         | <b>0.4%</b>  |

The multi-year Financial Plan reflects a mix of factors, including stabilizing enrollment trends and growth in the Federal marketplace premium index for base program expenses. This change in the premium index generates a higher Federal reimbursement rate, eliminating EP program costs for the State and allowing for the local assistance program to be fully Federally financed. State savings associated with the EP local assistance program are managed within the total available resources of the Global Cap.

In FY 2018, the Trump Administration took executive action to withhold CSR payments, threatening low-cost health insurance coverage for income-eligible recipients when purchasing a QHP or EP coverage through the NYSOH, New York’s official health plan marketplace. The Federal withholding of CSR payments amounts to 25 percent of the Federal funding for the EP. However, recent actions by the Trump Administration in response to litigation brought by the State will allow the State to recoup some of the withheld EP funding through changes to the reimbursement methodology. Additionally, the Trump Administration has proposed to alter the Federal reimbursement formula which would decrease the amount of Federal funding for the EP included in the Financial Plan.

## Public Health/Aging Programs

Public Health includes the Child Health Plus (CHP) program that finances health insurance coverage for children of low-income families, up to the age of 19; General Public Health Work (GPHW) program that reimburses local health departments for the cost of providing certain public health services; Elderly Pharmaceutical Insurance Coverage (EPIC) program that provides prescription drug insurance to seniors; and Early Intervention (EI) program that pays for services to infants and toddlers under the age of three with disabilities or developmental delays. Many public health programs, such as EI and GPHW programs, are run by county health departments that are reimbursed by the State for a share of program costs. State spending projections do not include the county share of public health costs. In addition, a significant portion of HCRA spending is included under the Public Health budget.

The Office for the Aging (SOFA) promotes and administers programs and services for New Yorkers 60 years of age and older. SOFA primarily oversees community-based services (including in-home services and nutrition assistance) provided through a network of county Area Agencies on Aging (AAA) and local providers.

| PUBLIC HEALTH AND AGING<br>(millions of dollars) |                    |                    |              |                      |              |                      |             |                      |             |
|--|--------------------|--------------------|--------------|----------------------|--------------|----------------------|-------------|----------------------|-------------|
|  | FY 2019<br>Results | FY 2020<br>Enacted | Change       | FY 2021<br>Projected | Change       | FY 2022<br>Projected | Change      | FY 2023<br>Projected | Change      |
| <b>TOTAL STATE OPERATING FUNDS</b>               | <b>1,712</b>       | <b>1,721</b>       | <b>0.5%</b>  | <b>1,892</b>         | <b>9.9%</b>  | <b>2,008</b>         | <b>6.1%</b> | <b>2,028</b>         | <b>1.0%</b> |
| <b>Public Health</b>                             | <b>1,582</b>       | <b>1,576</b>       | <b>-0.4%</b> | <b>1,745</b>         | <b>10.7%</b> | <b>1,856</b>         | <b>6.4%</b> | <b>1,871</b>         | <b>0.8%</b> |
| Child Health Plus                                | 399                | 416                | 4.3%         | 609                  | 46.4%        | 716                  | 17.6%       | 732                  | 2.2%        |
| General Public Health Work                       | 155                | 179                | 15.5%        | 163                  | -8.9%        | 167                  | 2.5%        | 167                  | 0.0%        |
| EPIC   | 123                | 117                | -4.9%        | 118                  | 0.9%         | 118                  | 0.0%        | 118                  | 0.0%        |
| Early Intervention                               | 173                | 173                | 0.0%         | 165                  | -4.6%        | 165                  | 0.0%        | 165                  | 0.0%        |
| HCRA Program                                     | 365                | 371                | 1.6%         | 384                  | 3.5%         | 384                  | 0.0%        | 384                  | 0.0%        |
| All Other  | 367                | 320                | -12.8%       | 306                  | -4.4%        | 306                  | 0.0%        | 305                  | -0.3%       |
| <b>Aging</b>                                     | <b>130</b>         | <b>145</b>         | <b>11.5%</b> | <b>147</b>           | <b>1.4%</b>  | <b>152</b>           | <b>3.4%</b> | <b>157</b>           | <b>3.3%</b> |

The Public Health budget maintains average annual growth over the multi-year Financial Plan of 4.4 percent and reflects increased support to local governments for services administered on behalf of the State, partly offset by program restructuring and administrative efficiencies. Increased CHP spending reflects enrollment that continues to increase at a strong pace. A one-time claims correction increased State costs by \$50 million in FY 2019. The increase in FY 2020 reflects the September 2019 phase-down of enhanced Federal support currently provided through the ACA. Growth in FY 2021 reflects the full annual impact of the expiration of enhanced Federal support and increased enrollment.

In addition to on-going program support, the Financial Plan includes \$6.8 million to help reduce the risk of child exposure to lead paint by lowering the acceptable blood lead level from 15 micrograms per deciliter to 5 micrograms per deciliter, and support increased local enforcement and prevention costs through the GPHW program. Additionally, the Budget supports a 5 percent rate increase for EI services provided by licensed physical therapists, occupational therapists, and speech-language pathologists to improve access to care and expand service delivery for infants and toddlers with disabilities and their families. To offset the aforementioned statewide program costs and new investments, the Financial Plan modifies reimbursement of certain public health funding for New York City. The rate realignment of the New York City GPHW program will generate savings of \$27 million in FY 2020 and \$54 million annually thereafter. Additional Public Health savings of \$16 million will be generated by shifting the Traumatic Brain Injury Program, Off-Track Betting retiree's health insurance, and Nursing Home Transition and Diversion waiver under the Global Cap.

The Financial Plan includes SOFA savings realized by eliminating the planned 2.9 percent FY 2020 increase in the human services COLA, resulting in \$5 million in annual savings for FY 2020 through FY 2023. These savings are offset by a \$15 million investment in the EISEP program to address locally-identified capacity needs in SOFA support services to maintain the elderly in their communities, support family and friends in their caregiving roles, and delay future Medicaid costs by intervening earlier with less intensive services.

## HCRA Financial Plan

HCRA was established in 1996 to help fund a portion of State health care activities. Extensions and modifications to HCRA have financed new health care programs, such as CHP. HCRA has also provided additional funding for the health care industry, including investments in worker recruitment and retention, and the Doctors Across New York program. HCRA authorization is extended through FY 2020, pursuant to legislation included in the FY 2018 Enacted Budget.

HCRA receipts include surcharges and assessments on hospital revenues, a “covered lives” assessment paid by insurance carriers, and a portion of cigarette tax revenues. In total, HCRA resources are used to fund roughly 25 percent of the State share of Medicaid, as well as CHP, EPIC, Physician Excess Medical Malpractice Insurance, and Indigent Care payments to hospitals serving a disproportionate share of individuals without health insurance.

| HCRA FINANCIAL PLAN<br>(millions of dollars)      |                    |                    |                      |                      |                      |
|---|--------------------|--------------------|----------------------|----------------------|----------------------|
|   | FY 2019<br>Results | FY 2020<br>Enacted | FY 2021<br>Projected | FY 2022<br>Projected | FY 2023<br>Projected |
| <b>OPENING BALANCE</b>                            | 15                 | 0                  | 0                    | 0                    | 0                    |
| <b>TOTAL RECEIPTS</b>                             | <b>5,960</b>       | <b>5,997</b>       | <b>6,053</b>         | <b>6,093</b>         | <b>6,139</b>         |
| Surcharges  | 3,624              | 3,647              | 3,785                | 3,859                | 3,936                |
| Covered Lives Assessment                          | 1,018              | 1,110              | 1,045                | 1,045                | 1,045                |
| Cigarette Tax Revenue                             | 780                | 731                | 685                  | 651                  | 620                  |
| Hospital Assessments                              | 438                | 424                | 424                  | 424                  | 424                  |
| Excise Tax on Vapor Products                      | 0                  | 10                 | 39                   | 39                   | 39                   |
| NYC Cigarette Tax Transfer                        | 28                 | 32                 | 32                   | 32                   | 32                   |
| EPIC Receipts/ICR Audit Fees                      | 72                 | 43                 | 43                   | 43                   | 43                   |
| <b>TOTAL DISBURSEMENTS AND TRANSFERS</b>          | <b>5,975</b>       | <b>5,997</b>       | <b>6,053</b>         | <b>6,093</b>         | <b>6,139</b>         |
| Medicaid Assistance Account                       | <u>3,985</u>       | <u>3,881</u>       | <u>3,800</u>         | <u>3,750</u>         | <u>3,801</u>         |
| Medicaid Costs                                    | 3,788              | 3,684              | 3,603                | 3,553                | 3,604                |
| Workforce Recruitment & Retention                 | 197                | 197                | 197                  | 197                  | 197                  |
| Hospital Indigent Care                            | 777                | 892                | 892                  | 892                  | 892                  |
| HCRA Program Account                              | 379                | 379                | 392                  | 392                  | 392                  |
| Child Health Plus                                 | 409                | 428                | 624                  | 733                  | 747                  |
| Elderly Pharmaceutical Insurance Coverage         | 137                | 128                | 130                  | 129                  | 129                  |
| Qualified Health Plan Administration <sup>1</sup> | 44                 | 53                 | 51                   | 50                   | 49                   |
| SHIN-NY/APCD                                      | 40                 | 40                 | 0                    | 0                    | 0                    |
| All Other   | 204                | 196                | 164                  | 147                  | 129                  |
| <b>ANNUAL OPERATING SURPLUS/(DEFICIT)</b>         | <b>(15)</b>        | <b>0</b>           | <b>0</b>             | <b>0</b>             | <b>0</b>             |
| <b>CLOSING BALANCE</b>                            | <b>0</b>           | <b>0</b>           | <b>0</b>             | <b>0</b>             | <b>0</b>             |

<sup>1</sup> FY 2019 QHP spending of \$44 million was financed through the Medicaid Assistance Account.

Total HCRA receipts are forecast to grow modestly over the multi-year period. Growth surcharge collections expanded coverage through the ACA, and a new 20 percent excise tax on vapor products. Projected increases in surcharges are partly offset by declines in estimated covered lives assessments and cigarette tax collections, attributable to declining taxable consumption.

Total HCRA disbursements are sized to equal projected receipts. The Financial Plan reflects continued FY 2020 HCRA funding for a number of programs and initiatives. Specifically, the continuation of the Statewide Health Information Network for New York (SHIN-NY)/All-Payer Claims Databases (APCD) infrastructure development initiative, estimated at \$40 million annually, which improves the informational and data capabilities associated with claiming records; \$892 million for Hospital Indigent Care, which assists providers in paying for uncompensated services provided; and continuation of the EPIC program, which assists income-eligible seniors with their out-of-pocket Medicare Part D drug plan costs. Over the multi-year Financial Plan period, the most substantial area of spending growth is within the CHP program, based on the expiration of the enhanced Federal resources provided through the ACA and strong year-over-year enrollment growth, estimated outyear spending growth is \$196 million in FY 2021, \$109 million in FY 2022 and \$14 million in FY 2023.

HCRA is expected to remain in balance over the projection period. Under the current HCRA appropriation structure, spending reductions will occur if resources are insufficient to meet spending levels. Any such spending reductions could affect General Fund Medicaid funding or HCRA programs. Conversely, any unanticipated balances or excess resources in HCRA are expected to fund Medicaid costs that would otherwise be paid from the General Fund.

## Mental Hygiene

Mental Hygiene comprises the Office for People with Developmental Disabilities (OPWDD), Office of Mental Health (OMH), Office of Alcoholism and Substance Abuse Services (OASAS), Developmental Disabilities Planning Council (DDPC), and Justice Center for the Protection of People with Special Needs (Justice Center). Services are administered to adults with serious mental illness; children with serious emotional disturbances; individuals with developmental disabilities and their families; persons with chemical dependencies; and individuals with compulsive gambling problems.

These agencies provide services directly to their clients through State-operated facilities, and indirectly through community service providers. The costs associated with providing these services are supported by reimbursement from Medicaid, Medicare, third-party insurance, and State funding. Patient care revenues are pledged first to the payment of debt service on outstanding mental hygiene bonds, issued to finance infrastructure improvements at State mental hygiene facilities. Remaining revenue supports State operating costs.

| <b>MENTAL HYGIENE</b><br>(millions of dollars) |              |              |              |              |              |              |              |              |              |
|--|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
|  | FY 2019      | FY 2020      |              | FY 2021      |              | FY 2022      |              | FY 2023      |              |
|  | Results      | Enacted      | Change       | Projected    | Change       | Projected    | Change       | Projected    | Change       |
| <b>TOTAL STATE OPERATING FUNDS</b>             | <b>2,150</b> | <b>1,998</b> | <b>-7.1%</b> | <b>2,480</b> | <b>24.1%</b> | <b>2,474</b> | <b>-0.2%</b> | <b>2,731</b> | <b>10.4%</b> |
| <b>People with Developmental Disabilities</b>  | <b>2,171</b> | <b>2,287</b> | <b>5.3%</b>  | <b>2,580</b> | <b>12.8%</b> | <b>2,769</b> | <b>7.3%</b>  | <b>2,940</b> | <b>6.2%</b>  |
| Residential Services                           | 1,325        | 1,371        | 3.5%         | 1,504        | 9.7%         | 1,614        | 7.3%         | 1,714        | 6.2%         |
| Day Programs                                   | 662          | 685          | 3.5%         | 751          | 9.6%         | 806          | 7.3%         | 856          | 6.2%         |
| Clinic   | 16           | 16           | 0.0%         | 18           | 12.5%        | 19           | 5.6%         | 20           | 5.3%         |
| All Other Services (Net of Offsets)            | 168          | 215          | 28.0%        | 307          | 42.8%        | 330          | 7.5%         | 350          | 6.1%         |
| <b>Mental Health</b>                           | <b>1,282</b> | <b>1,372</b> | <b>7.0%</b>  | <b>1,444</b> | <b>5.2%</b>  | <b>1,512</b> | <b>4.7%</b>  | <b>1,579</b> | <b>4.4%</b>  |
| Adult Local Services                           | 1,058        | 1,133        | 7.1%         | 1,196        | 5.6%         | 1,248        | 4.3%         | 1,309        | 4.9%         |
| Children Local Services                        | 224          | 239          | 6.7%         | 248          | 3.8%         | 264          | 6.5%         | 270          | 2.3%         |
| <b>Alcohol and Substance Abuse</b>             | <b>349</b>   | <b>372</b>   | <b>6.6%</b>  | <b>378</b>   | <b>1.6%</b>  | <b>393</b>   | <b>4.0%</b>  | <b>412</b>   | <b>4.8%</b>  |
| Residential                                    | 103          | 110          | 6.8%         | 112          | 1.8%         | 117          | 4.5%         | 125          | 6.8%         |
| Other Treatment                                | 159          | 169          | 6.3%         | 172          | 1.8%         | 179          | 4.1%         | 187          | 4.5%         |
| Prevention                                     | 53           | 56           | 5.7%         | 57           | 1.8%         | 59           | 3.5%         | 62           | 5.1%         |
| Recovery                                       | 34           | 37           | 8.8%         | 37           | 0.0%         | 38           | 2.7%         | 38           | 0.0%         |
| <b>Justice Center</b>                          | <b>1</b>     | <b>1</b>     | <b>0.0%</b>  | <b>1</b>     | <b>0.0%</b>  | <b>1</b>     | <b>0.0%</b>  | <b>1</b>     | <b>0.0%</b>  |
| <b>SUBTOTAL BEFORE ADJUSTMENTS</b>             | <b>3,803</b> | <b>4,032</b> | <b>6.0%</b>  | <b>4,403</b> | <b>9.2%</b>  | <b>4,675</b> | <b>6.2%</b>  | <b>4,932</b> | <b>5.5%</b>  |
| Total DOH Medicaid Adjustments <sup>1</sup>    | (1,653)      | (2,034)      | -23.0%       | (1,923)      | 5.5%         | (2,201)      | -14.5%       | (2,201)      | 0.0%         |
| OPWDD Medicaid                                 | (1,653)      | (1,814)      | -9.7%        | (1,703)      | 6.1%         | (1,981)      | -16.3%       | (1,981)      | 0.0%         |
| OMH Medicaid                                   | 0            | (220)        | 0.0%         | (220)        | 0.0%         | (220)        | 0.0%         | (220)        | 0.0%         |

<sup>1</sup> Adjustments reflect OPWDD and OMH programmatic spending from resources available under the Medicaid Global Cap. There are no budgetary reductions or impacts to mental hygiene program spending.

Local assistance spending for mental hygiene is projected to grow by an average rate of 6.7 percent over the Financial Plan period. The main factors driving growth are: enhancements in community mental health services; enhancements in community-based employment and residential opportunities for individuals with disabilities; and new or increased funding for not-for-profit providers for growth in employee wages related to minimum wage increases.

The Financial Plan includes an approximately \$229 million, or 6 percent, increase in local assistance funding for the mental hygiene agencies. Roughly \$63 million will be used to support the incremental pay standards and related fringe benefit increases associated with the transition to a \$15 per hour minimum wage. Other increases include investments to leverage up to \$120 million in additional OPWDD funding, which will allow for the development of new certified housing supports in the community, support more independent living, provide more day program and employment options, and increase respite availability. The Financial Plan also includes additional OMH funding to support enhanced funding to existing residential programs.

The Budget funds a 4 percent raise over the next two years for direct care workers, and a 2 percent pay raise for clinical workers serving the mental hygiene community. Both are aimed at assisting not-for-profits in the recruitment and retention of employees. These investments, when fully annualized, will increase State share support for workers by \$107 million (\$188 million on an All Funds basis). Offsetting these cost increases is the deferral of the statutory COLA for mental hygiene agencies through FY 2021.

The Financial Plan also reflects increased support for OASAS for prevention, treatment and recovery programs targeted toward chemical dependency, residential service opportunities, and public awareness activities.

Mental hygiene activities funded under the Medicaid Global Cap will increase by \$440 million in FY 2020. This has no impact on mental hygiene service delivery or operations.

## Social Services

### Office of Temporary and Disability Assistance (OTDA)

OTDA local assistance programs provide cash benefits and supportive services to low-income families. The State's three main programs include Family Assistance, Safety Net Assistance and Supplemental Security Income (SSI). The Family Assistance program, financed by the Federal government, provides time-limited cash assistance to eligible families. The Safety Net Assistance program, financed by the State and local districts, provides cash assistance for single adults, childless couples, and families that have exhausted their five-year limit on Family Assistance imposed by Federal law. The State SSI Supplementation program provides a supplement to the Federal SSI benefit for the elderly, visually handicapped, and disabled persons.

| TEMPORARY AND DISABILITY ASSISTANCE<br>(millions of dollars) |                    |                    |              |                      |             |                      |             |                      |             |
|--|--------------------|--------------------|--------------|----------------------|-------------|----------------------|-------------|----------------------|-------------|
|  | FY 2019<br>Results | FY 2020<br>Enacted | Change       | FY 2021<br>Projected | Change      | FY 2022<br>Projected | Change      | FY 2023<br>Projected | Change      |
| <b>TOTAL STATE OPERATING FUNDS</b>                           | <b>1,139</b>       | <b>1,340</b>       | <b>17.6%</b> | <b>1,351</b>         | <b>0.8%</b> | <b>1,355</b>         | <b>0.3%</b> | <b>1,358</b>         | <b>0.2%</b> |
| SSI  | 644                | 656                | 1.9%         | 667                  | 1.7%        | 667                  | 0.0%        | 667                  | 0.0%        |
| Public Assistance Benefits                                   | 381                | 535                | 40.4%        | 541                  | 1.1%        | 541                  | 0.0%        | 541                  | 0.0%        |
| Public Assistance Initiatives                                | 13                 | 30                 | 130.8%       | 24                   | -20.0%      | 24                   | 0.0%        | 24                   | 0.0%        |
| All Other  | 101                | 119                | 17.8%        | 119                  | 0.0%        | 123                  | 3.4%        | 126                  | 2.4%        |

DOB's caseload models project a total of 532,164 public assistance recipients in FY 2020. Approximately 201,673 families are expected to receive benefits through the Family Assistance program in FY 2020, a decrease of 2.2 percent from FY 2019. The Safety Net caseload for families is projected at 117,755 in FY 2020, a decrease of 2.3 percent from FY 2019. The caseload for single adults/childless couples supported through the Safety Net program is projected at 212,716 in FY 2020, an increase of 0.6 percent from FY 2019.

SSI spending is projected to increase slightly over the course of the multi-year Financial Plan as caseload is expected to level off. Public assistance benefits will increase due to a variety of factors, including the expansion of New York City HIV/AIDS Services Administration (HASA) benefits to public assistance recipients living in New York City, increased costs associated with an increase in Safety Net caseload for singles, and a one-time change in the timing of payments in FY 2019. Other spending growth includes increased spending on homeless services and prevention, and the Response to Human Trafficking program. The Enacted Budget restructures financing for the Family Assistance program, moving 10 percent of costs previously financed by Federal TANF to the City of New York to align with the funding structure for the Emergency Assistance for Families program.

### Office of Children and Family Services (OCFS)

OCFS provides funding for foster care, adoption, child protective services, preventive services, delinquency prevention, and child care. It oversees the State's system of family support and child welfare services administered by local social services districts and community-based organizations. Specifically, child welfare services, which are financed jointly by the Federal government, the State, and local districts, are structured to encourage local governments to invest in preventive services for reducing out-of-home placement of children. In addition, the Child Care Block Grant, which is also financed by a combination of Federal, State and local sources, supports child care subsidies for public assistance and low-income families.

| CHILDREN AND FAMILY SERVICES<br>(millions of dollars) |              |              |              |              |             |              |             |              |             |
|---|--------------|--------------|--------------|--------------|-------------|--------------|-------------|--------------|-------------|
|   | FY 2019      | FY 2020      |              | FY 2021      |             | FY 2022      |             | FY 2023      |             |
|   | Results      | Enacted      | Change       | Projected    | Change      | Projected    | Change      | Projected    | Change      |
| <b>TOTAL STATE OPERATING FUNDS</b>                    | <b>1,659</b> | <b>1,531</b> | <b>-7.7%</b> | <b>1,607</b> | <b>5.0%</b> | <b>1,661</b> | <b>3.4%</b> | <b>1,661</b> | <b>0.0%</b> |
| Child Welfare Service                                 | 434          | 491          | 13.1%        | 501          | 2.0%        | 501          | 0.0%        | 501          | 0.0%        |
| Foster Care Block Grant                               | 384          | 384          | 0.0%         | 388          | 1.0%        | 398          | 2.6%        | 398          | 0.0%        |
| Child Care  | 345          | 170          | -50.7%       | 245          | 44.1%       | 264          | 7.8%        | 264          | 0.0%        |
| Adoption  | 137          | 148          | 8.0%         | 149          | 0.7%        | 150          | 0.7%        | 150          | 0.0%        |
| Youth Programs  | 114          | 105          | -7.9%        | 92           | -12.4%      | 92           | 0.0%        | 92           | 0.0%        |
| Medicaid  | 72           | 81           | 12.5%        | 93           | 14.8%       | 97           | 4.3%        | 97           | 0.0%        |
| Adult Protective/Domestic Violence                    | 45           | 48           | 6.7%         | 51           | 6.3%        | 54           | 5.9%        | 54           | 0.0%        |
| Committees on Special Education                       | 29           | 24           | -17.2%       | 26           | 8.3%        | 28           | 7.7%        | 29           | 3.6%        |
| All Other   | 99           | 80           | -19.2%       | 62           | -22.5%      | 77           | 24.2%       | 76           | -1.3%       |

FY 2020 OCFS State Operating Funds spending is projected to decrease from FY 2019 due to several factors including use of TANF resources to offset State child care and Advantage After-School costs, reclassifying the Pay For Success program from OCFS to the Department of Labor, and the planned deferral of the Human Services COLA in FY 2020. Growth in the outyears is primarily attributable to a decrease in TANF dollars supporting child care, which is offset by increased General Fund support for the program.

## Transportation

In FY 2020, the State expects to provide over \$5.8 billion in operating aid to mass transit systems, including over \$2.3 billion from the direct remittance of certain aid to the MTA without an appropriation (not included in the table below). This direct aid is funded mainly from various dedicated taxes and fees. The MTA, the nation's largest transit and commuter rail system, receives the majority of the mass transit aid, totaling \$5.3 billion in FY 2020.

The MTA receives additional, exclusive operating support from the Payroll Mobility Tax, authorized in May 2009 to collect regional taxes and fees imposed within the MCTD. Pursuant to legislation enacted in December 2011, the MTA payroll tax was eliminated for all elementary and secondary schools and small business operators within the MCTD. The General Fund provides additional annual support to the MTA, subject to appropriation, to partially offset this revenue loss. The MTA will receive nearly \$1.9 billion from on-budget and off-budget Mobility Tax resources in FY 2020.

| TRANSPORTATION<br>(millions of dollars) |              |              |              |              |             |              |             |              |             |
|---|--------------|--------------|--------------|--------------|-------------|--------------|-------------|--------------|-------------|
|   | FY 2019      | FY 2020      |              | FY 2021      |             | FY 2022      |             | FY 2023      |             |
|   | Results      | Enacted      | Change       | Projected    | Change      | Projected    | Change      | Projected    | Change      |
| <b>STATE OPERATING FUNDS SUPPORT</b>    | <b>3,938</b> | <b>3,549</b> | <b>-9.9%</b> | <b>3,849</b> | <b>8.5%</b> | <b>4,047</b> | <b>5.1%</b> | <b>4,296</b> | <b>6.2%</b> |
| Mass Transit Operating Aid:             | <u>2,321</u> | <u>2,507</u> | <u>8.0%</u>  | <u>2,643</u> | <u>5.4%</u> | <u>2,710</u> | <u>2.5%</u> | <u>2,807</u> | <u>3.6%</u> |
| Metro Mass Transit Aid                  | 2,185        | 2,351        | 7.6%         | 2,480        | 5.5%        | 2,547        | 2.7%        | 2,644        | 3.8%        |
| Public Transit Aid                      | 92           | 112          | 21.7%        | 119          | 6.3%        | 119          | 0.0%        | 119          | 0.0%        |
| 18-b General Fund Aid                   | 19           | 19           | 0.0%         | 19           | 0.0%        | 19           | 0.0%        | 19           | 0.0%        |
| School Fare                             | 25           | 25           | 0.0%         | 25           | 0.0%        | 25           | 0.0%        | 25           | 0.0%        |
| Mobility Tax                            | 379          | 244          | -35.6%       | 244          | 0.0%        | 244          | 0.0%        | 244          | 0.0%        |
| MTA Aid Trust                           | 293          | 31           | -89.4%       | 0            | -100.0%     | 0            | 0.0%        | 0            | 0.0%        |
| MTA Dedicated Sales Tax                 | 0            | 0            | 0.0%         | 150          | 0.0%        | 152          | 1.3%        | 153          | 0.7%        |
| Dedicated Mass Transit                  | 685          | 695          | 1.5%         | 746          | 7.3%        | 875          | 17.3%       | 1,026        | 17.3%       |
| AMTAP                                   | 260          | 72           | -72.3%       | 66           | -8.3%       | 66           | 0.0%        | 66           | 0.0%        |
| All Other                               | 0            | 0            | 0.0%         | 0            | 0.0%        | 0            | 0.0%        | 0            | 0.0%        |

Projected operating aid to the MTA and other transit systems reflects the current receipts forecast and timing associated with the availability of resources. The Financial Plan includes revised spending estimates for transit assistance in each year that reflect the most recent revenue forecast assumptions.

The Budget includes legislation directing various supplemental fees and taxes levied on driver licenses, motor vehicle registrations, taxis, and passenger car rentals, to be remitted directly to the MTA without legislative appropriation. This will eliminate the pass-through of these fees and taxes and will ensure more timely receipt by the MTA, consistent with treatment of Mobility Tax collections. Beginning in FY 2020, the Financial Plan will no longer include these new supplemental fees and taxes or associated local assistance payments. The MTA will receive nearly \$300 million from these resources in FY 2020.

The Budget also includes MTA reforms and new dedicated funding streams to the MTA consisting of:

- A Central Business District Tolling program, which imposes an additional toll on vehicles that travel into Manhattan south of and including 60<sup>th</sup> street. This tolling program will provide \$15 billion dedicated to MTA capital needs.
- An additional 0.25 percent real estate transfer tax imposed in NYC on commercial property conveyances \$2 million and above and residential property conveyances \$3 million and above, and a new progressive mansion tax on residential properties valued at \$2 million and above in New York City with a top rate of 2.9 percent on the sale of residential properties valued at \$25 million or above. These taxes will be used to support up to \$5 billion in financing for MTA projects.
- Sales tax revenue from requiring online marketplace providers to collect sales tax on all sales facilitated through their platforms in addition to the Tax Department's implementation and enforcement of regulations associated with the U.S. Supreme Court Wayfair ruling. The combined provisions support up to \$5 billion in additional financing for the MTA.

Revenues from these dedicated sources will be deposited into an MTA capital lockbox dedicated solely to financing necessary investments in the MTA's 2020-24 capital program and any successor programs, including improvements to the subway system. These funds cannot be used for any non-capital expense.

## Local Government Assistance

Direct aid to local governments includes the AIM program, which was created in FY 2006 to consolidate various unrestricted local aid funding streams; miscellaneous financial assistance for certain counties, cities, towns, and villages; and efficiency-based incentive grants to local governments.

| LOCAL GOVERNMENT ASSISTANCE - AIM PROGRAM<br>(millions of dollars) |            |            |              |            |             |            |             |            |             |
|--|------------|------------|--------------|------------|-------------|------------|-------------|------------|-------------|
|  | FY 2019    | FY 2020    |              | FY 2021    |             | FY 2022    |             | FY 2023    |             |
|  | Results    | Enacted    | Change       | Projected  | Change      | Projected  | Change      | Projected  | Change      |
| <b>TOTAL STATE OPERATING FUNDS</b>                                 | <b>722</b> | <b>671</b> | <b>-7.1%</b> | <b>704</b> | <b>4.9%</b> | <b>704</b> | <b>0.0%</b> | <b>704</b> | <b>0.0%</b> |
| Big Four Cities  | 429        | 429        | 0.0%         | 429        | 0.0%        | 429        | 0.0%        | 429        | 0.0%        |
| Other Cities   | 218        | 218        | 0.0%         | 218        | 0.0%        | 218        | 0.0%        | 218        | 0.0%        |
| Towns and Villages   | 68         | 9          | -86.8%       | 9          | 0.0%        | 9          | 0.0%        | 9          | 0.0%        |
| Restructuring/Efficiency   | 7          | 15         | 114.3%       | 48         | 220.0%      | 48         | 0.0%        | 48         | 0.0%        |

The Budget replaces AIM for towns and villages, for which AIM was less than 2 percent of total expenditures, with additional local sales tax revenue in an equal amount, resulting in no loss of revenue to towns and villages. The additional local sales tax revenue is due to elimination of the Internet tax advantage and the elimination of the ESCO exemption.

State Operating Funds spending for the various efficiency and restructuring grants within the AIM program is projected to increase from FY 2020 to FY 2021 due to potential awards from the Financial Restructuring Board for Local Governments.

### Agency Operations

Agency operating costs consist of Personal Service (PS), Non-Personal Service (NPS), and General State Charges (GSCs). PS includes the salaries of State employees of the Executive, Legislative, and Judicial branches, as well as salaries of temporary/seasonal employees. NPS includes real estate rentals, utilities, contractual payments (e.g., consultants, IT, and professional business services), supplies and materials, equipment, and telephone service. GSCs, which are discussed separately, reflect the cost of fringe benefits (e.g., pensions and health insurance) provided to State employees and retirees of the Executive, Legislative and Judicial branches, and certain fixed costs paid by the State, such as taxes on public lands and litigations. Certain agency operating costs of DOT and DMV (adjusted for the reclassification discussed above) are included in Capital Projects Funds and are not reflected in State Operating Funds. The PS estimates reflect current negotiated collective bargaining agreements.

Approximately 94 percent of the State workforce is unionized. The largest unions include CSEA, which represents office support staff and administrative personnel, machine operators, skilled trade workers, and therapeutic and custodial care staff; PEF, which represents professional and technical personnel (attorneys, nurses, accountants, engineers, social workers, and institution teachers); UUP, which represents faculty and nonteaching professional staff within the State University system; and NYSCOPBA, which represents security personnel (correction officers, safety and security officers).

The following table presents certain variables used in preparing the spending projections for agency operations.

| FORECAST OF SELECTED PROGRAM MEASURES AFFECTING PERSONAL SERVICE AND FRINGE BENEFITS |                    |                    |                      |                      |                      |
|--|--------------------|--------------------|----------------------|----------------------|----------------------|
|  | FY 2019<br>Results | Forecast           |                      |                      |                      |
|  |                    | FY 2020<br>Enacted | FY 2021<br>Projected | FY 2022<br>Projected | FY 2023<br>Projected |
| Negotiated Base Salary Increases <sup>1</sup>  |                    |                    |                      |                      |                      |
| UUP  | 2%                 | 2%                 | 2%                   | 2%                   | TBD                  |
| NYSTPBA  | 2%                 | 2%                 | 2%                   | 2%                   | 2%                   |
| NYSCOPBA   | 2%                 | 2%                 | 2%                   | 2%                   | 2%                   |
| CSEA/DC-37 (Rent Regulation Unit)/MC   | 2%                 | 2%                 | 2%                   | TBD                  | TBD                  |
| PEF/GSEU   | 2%                 | TBD                | TBD                  | TBD                  | TBD                  |
| NYSPIA <sup>2</sup> /Council 82/PBANYS   | TBD                | TBD                | TBD                  | TBD                  | TBD                  |
| State Workforce <sup>3</sup>   | 117,967            | 119,491            | TBD                  | TBD                  | TBD                  |
| ERS Contribution Rate  |                    |                    |                      |                      |                      |
| Before Amortization <sup>4</sup>   | 15.5%              | 15.2%              | 15.8%                | 17.5%                | 18.8%                |
| After Amortization <sup>5</sup>  | 19.2%              | 18.9%              | 19.3%                | 20.7%                | 21.4%                |
| PFRS Contribution Rate   |                    |                    |                      |                      |                      |
| Before Amortization <sup>4</sup>   | 24.1%              | 23.9%              | 25.0%                | 26.7%                | 28.1%                |
| After Amortization <sup>5</sup>  | 26.9%              | 26.6%              | 27.6%                | 29.1%                | 30.1%                |
| Employee/Retiree Health Insurance Growth Rates                                       | 5.8%               | 2.8%               | 7.9%                 | 7.5%                 | 7.5%                 |
| PS/Fringe as % of Receipts (All Funds Basis)   | 13.9%              | 13.4%              | 14.0%                | 13.9%                | 14.0%                |

<sup>1</sup> Reflects current collective bargaining agreements with settled unions. Does not reflect potential impact of future negotiated labor agreements.

<sup>2</sup> Contract contains "reopener" language which allows this union to reopen negotiations if any other State bargaining unit receives a general salary increase exceeding 1.5 percent in FY 2017 and in FY 2018.

<sup>3</sup> Reflects workforce that is subject to direct Executive control.

<sup>4</sup> Before amortization contribution rate reflects normal and administrative costs, contributions for the Group Life Insurance Plan (GLIP), and Chapter 41 of 2016 veterans' pension credit legislation.

<sup>5</sup> After amortization contribution rate additionally includes new amortization, if any, and payments on prior amortizations.

Operating costs for PS/NPS are projected to increase over the Financial Plan period, from \$19.1 billion in FY 2019 to \$20.6 billion in FY 2023. Most Executive agencies are expected to hold spending at FY 2019 levels, with some exceptions as described below. The increases in the outyears of the Financial Plan are driven mainly by juvenile justice reform, salary increases per existing labor agreements, growth in SUNY operating costs, including costs of the recently settled UUP contract, and an additional administrative payroll in FY 2021.

| STATE OPERATING FUNDS - PERSONAL SERVICE / NON-PERSONAL SERVICE COSTS |               |               |               |               |               |
|---|---------------|---------------|---------------|---------------|---------------|
| (millions of dollars)   |               |               |               |               |               |
|   | FY 2019       | FY 2020       | FY 2021       | FY 2022       | FY 2023       |
|   | Results       | Enacted       | Projected     | Projected     | Projected     |
| <b>SUBJECT TO DIRECT EXECUTIVE CONTROL<sup>1</sup></b>                | <b>10,232</b> | <b>10,625</b> | <b>10,789</b> | <b>10,880</b> | <b>11,029</b> |
| Mental Hygiene  | 2,795         | 2,820         | 2,880         | 2,930         | 2,979         |
| Corrections and Community Supervision                                 | 2,599         | 2,857         | 2,751         | 2,792         | 2,870         |
| State Police  | 717           | 728           | 754           | 769           | 784           |
| Department of Health  | 728           | 805           | 801           | 798           | 790           |
| Information Technology Services                                       | 545           | 540           | 551           | 557           | 568           |
| Tax and Finance   | 312           | 340           | 351           | 340           | 339           |
| Children and Family Services  | 261           | 262           | 381           | 384           | 384           |
| Transportation  | 301           | 342           | 337           | 342           | 342           |
| Environmental Conservation  | 211           | 202           | 215           | 210           | 210           |
| All Other   | 1,763         | 1,729         | 1,768         | 1,758         | 1,763         |
| <b>UNIVERSITY SYSTEMS</b>   | <b>6,097</b>  | <b>6,311</b>  | <b>6,565</b>  | <b>6,654</b>  | <b>6,859</b>  |
| State University  | 6,001         | 6,214         | 6,468         | 6,555         | 6,760         |
| City University   | 96            | 97            | 97            | 99            | 99            |
| <b>INDEPENDENT AGENCIES</b>   | <b>336</b>    | <b>339</b>    | <b>347</b>    | <b>339</b>    | <b>339</b>    |
| Law   | 187           | 182           | 187           | 182           | 182           |
| Audit & Control (OSC)   | 149           | 157           | 160           | 157           | 157           |
| <b>TOTAL, EXCLUDING JUDICIARY AND LEGISLATURE</b>                     | <b>16,665</b> | <b>17,275</b> | <b>17,701</b> | <b>17,873</b> | <b>18,227</b> |
| <b>Judiciary</b>  | <b>2,169</b>  | <b>2,166</b>  | <b>2,223</b>  | <b>2,166</b>  | <b>2,166</b>  |
| <b>Legislature</b>  | <b>223</b>    | <b>243</b>    | <b>249</b>    | <b>256</b>    | <b>256</b>    |
| <b>Statewide Total</b>  | <b>19,057</b> | <b>19,684</b> | <b>20,173</b> | <b>20,295</b> | <b>20,649</b> |
| Personal Service  | 13,687        | 14,192        | 14,627        | 14,645        | 14,929        |
| Non-Personal Service  | 5,370         | 5,492         | 5,546         | 5,650         | 5,720         |

<sup>1</sup> FY 2020 estimates include \$179 million in retroactive salary payments for NYSCOPBA and PBA labor agreements.

FY 2020 spending for agency operations includes 2 percent general salary increases associated with collective bargaining agreements with various unions. The cost of annual salary increases is expected to be absorbed by most agencies with management plan savings and efficiencies, consistent with the administration's policy to maintain flat Executive agency operations. Limited exceptions include:

- **Corrections and Community Supervision.** Higher spending in FY 2020 is attributable to the cost of a collective bargaining agreement reached in FY 2019, which includes the payment of three years of retroactive salary payments.
- **Department of Health.** Growth is attributable to the cost increases of QHPs supported under the NYS of Health (NYSOH) program, offset by funding provided under Medicaid Global Cap local assistance. Additionally, growth in FY 2020 is attributable to the use of nonrecurring Federal credits applied against Medicaid non-personal service spending in FY 2019.
- **Transportation.** Increases reflect a larger amount of operating costs related to snow and ice removal, and bus, truck and rail inspection, which have been reclassified from the DHBTf to the General Fund beginning in FY 2019.
- **Children and Family Services.** Higher spending in the outyears is mainly driven by additional funding to support raising the age of criminal responsibility from 16 to 18 by October 1, 2019. A modification to the youth facility billings process will partly offsets the increase in FY 2020.
- **Mental Hygiene.** Increased spending includes the continued delivery in State-operated program settings and the cost of a collective bargaining agreement reached in FY 2019, which includes the payment of three years of retroactive salary payments.
- **State Police.** Higher spending is attributable to the cost of a collective bargaining agreement reached in FY 2019, which includes a retroactive payment for FY 2019. The agency is expected to absorb a portion of the ongoing salary increases through management savings and efficiencies.

## Workforce

In FY 2020, \$14.2 billion, or 13.9 percent, of the State Operating Funds budget is dedicated to supporting roughly 97,600 FTE employees under direct Executive control; individuals employed by SUNY and CUNY (46,464) and Independent Agencies (18,051); employees paid on a non-annual salaried basis; and overtime pay. Roughly 60 percent of Executive agency spending related to the workforce occurs in five agencies that provide care to individuals -- the mental hygiene agencies and the Department of Corrections and Community Supervision (DOCCS).

| STATE OPERATING FUNDS   |               |                |
|---|---------------|----------------|
| FY 2020 FTEs <sup>1</sup> AND PERSONAL SERVICE SPENDING BY AGENCY   |               |                |
| (millions of dollars)   |               |                |
|   | Dollars       | FTEs           |
| <b>SUBJECT TO DIRECT EXECUTIVE CONTROL</b>  | <b>7,798</b>  | <b>97,574</b>  |
| Mental Hygiene  | 2,344         | 32,399         |
| Corrections and Community Supervision   | 2,355         | 26,858         |
| State Police  | 668           | 5,666          |
| Department of Health  | 292           | 4,078          |
| Information Technology Services   | 292           | 3,479          |
| Tax and Finance   | 277           | 4,085          |
| Children and Family Services  | 172           | 2,360          |
| Environmental Conservation  | 166           | 2,235          |
| Transportation  | 162           | 2,591          |
| Financial Services  | 154           | 1,391          |
| All Other   | 916           | 12,432         |
| <b>UNIVERSITY SYSTEMS</b>   | <b>4,241</b>  | <b>46,464</b>  |
| State University  | 4,192         | 46,090         |
| City University <sup>2</sup>  | 49            | 374            |
| <b>INDEPENDENT AGENCIES</b>   | <b>2,153</b>  | <b>18,051</b>  |
| Law   | 129           | 1,533          |
| Audit & Control (OSC)   | 126           | 1,524          |
| Judiciary   | 1,710         | 14,991         |
| Legislature <sup>3</sup>  | 188           | 3              |
| <b>Statewide Total</b>  | <b>14,192</b> | <b>162,089</b> |
| <sup>1</sup> FTEs represent the number of annual-salaried full-time filled positions (e.g., one FTE may represent a single employee serving at 100 percent full-time, or a combination of employees serving at less than full-time that, when combined, equal a full-time position). The reported FTEs do not include non-annual salaried positions, such as positions filled on an hourly, per-diem or seasonal basis. |               |                |
| <sup>2</sup> CUNY employees are funded primarily through an agency trust fund that supports an additional 13,258 FTEs, which are excluded from this table.  |               |                |
| <sup>3</sup> Legislative employees who are nonannual salaried are excluded from this table.   |               |                |

### General State Charges

The State provides a variety of fringe benefits to current and former employees, including health insurance, pensions, workers' compensation coverage, unemployment insurance, survivors' benefits, and dental and vision benefits (some of which are provided through union-specific Employee Benefit Funds). GSCs also pays the Social Security payroll tax and certain statewide fixed costs, including taxes on State-owned lands, Payments in Lieu of Taxes (PILOT) and judgments and settlements awarded in the Court of Claims. Many of these payments are mandated by law or collective bargaining agreements.

Employee fringe benefits paid through GSCs are financed from the General Fund in the first instance, and then partially reimbursed by revenue collected from agency fringe benefit assessments.

GSC spending is projected to increase at an average annual rate of 6.6 percent over the multi-year Financial Plan period. In the current year, growth in the health insurance program of \$119 million (2.8 percent) reflects medical inflation offset by savings from the new prescription drug contract and collectively negotiated benefit design changes. The projected increase in Social Security (3.4 percent) and employee benefit funds (7.3 percent) reflect the implementation of recent collective bargaining agreements that increase general salaries. Workers' compensation costs are projected to increase by \$113 million due to underlying growth in the average weekly wage used for benefit calculations and medical costs (\$64 million), and a reduction in available reserve funds to offset costs (\$49 million).

Overall pension costs are projected to remain relatively stable due to improved investment returns and ongoing savings from Tier 5 and Tier 6 pension reforms. These costs are offset by \$54 million in interest savings achieved by paying the majority of the State pension bill in May 2019, rather than on a monthly basis as previously assumed. Over the multi-year Financial Plan period, outyear pension costs reflect expected investment performance, projected salary base growth, and assumptions about future normal and administrative costs. Pension costs also reflect repayment of prior-year amortization, costs for Chapter 41 of 2016 (veteran's pension credit legislation), and other adjustments.

| GENERAL STATE CHARGES<br>(millions of dollars) |                    |                    |             |                      |             |                      |             |                      |             |
|--|--------------------|--------------------|-------------|----------------------|-------------|----------------------|-------------|----------------------|-------------|
|  | FY 2019<br>Results | FY 2020<br>Enacted | Change      | FY 2021<br>Projected | Change      | FY 2022<br>Projected | Change      | FY 2023<br>Projected | Change      |
| <b>TOTAL STATE OPERATING FUNDS</b>             | <b>8,204</b>       | <b>8,796</b>       | <b>7.2%</b> | <b>9,409</b>         | <b>7.0%</b> | <b>10,000</b>        | <b>6.3%</b> | <b>10,599</b>        | <b>6.0%</b> |
| <b>Fringe Benefits</b>                         | <b>7,799</b>       | <b>8,369</b>       | <b>7.3%</b> | <b>8,962</b>         | <b>7.1%</b> | <b>9,547</b>         | <b>6.5%</b> | <b>10,146</b>        | <b>6.3%</b> |
| Health Insurance                               | 4,193              | 4,312              | 2.8%        | 4,651                | 7.9%        | 5,001                | 7.5%        | 5,378                | 7.5%        |
| Pensions                                       | 2,431              | 2,472              | 1.7%        | 2,636                | 6.6%        | 2,830                | 7.4%        | 2,965                | 4.8%        |
| Social Security                                | 1,036              | 1,071              | 3.4%        | 1,104                | 3.1%        | 1,095                | -0.8%       | 1,106                | 1.0%        |
| Workers' Compensation                          | 464                | 577                | 24.4%       | 679                  | 17.7%       | 736                  | 8.4%        | 797                  | 8.3%        |
| Employee Benefits                              | 96                 | 103                | 7.3%        | 108                  | 4.9%        | 111                  | 2.8%        | 115                  | 3.6%        |
| Dental Insurance                               | 59                 | 61                 | 3.4%        | 63                   | 3.3%        | 65                   | 3.2%        | 66                   | 1.5%        |
| Unemployment Insurance                         | 12                 | 12                 | 0.0%        | 12                   | 0.0%        | 12                   | 0.0%        | 12                   | 0.0%        |
| All Other/Non-State Escrow                     | (492)              | (239)              | 51.4%       | (291)                | -21.8%      | (303)                | -4.1%       | (293)                | 3.3%        |
| <b>Fixed Costs</b>                             | <b>405</b>         | <b>427</b>         | <b>5.4%</b> | <b>447</b>           | <b>4.7%</b> | <b>453</b>           | <b>1.3%</b> | <b>453</b>           | <b>0.0%</b> |
| Public Land Taxes/PILOTS                       | 271                | 269                | -0.7%       | 275                  | 2.2%        | 281                  | 2.2%        | 281                  | 0.0%        |
| Litigation                                     | 134                | 158                | 17.9%       | 172                  | 8.9%        | 172                  | 0.0%        | 172                  | 0.0%        |

## Transfers to Other Funds (General Fund Basis)

General Fund transfers help finance debt service for bonds that do not have dedicated revenues, SUNY operating costs, certain capital initiatives, and a range of other activities.

| GENERAL FUND TRANSFERS TO OTHER FUNDS<br>(millions of dollars) |                    |                    |                      |                      |                      |
|--|--------------------|--------------------|----------------------|----------------------|----------------------|
|  | FY 2019<br>Results | FY 2020<br>Enacted | FY 2021<br>Projected | FY 2022<br>Projected | FY 2023<br>Projected |
| <b>TOTAL TRANSFERS TO OTHER FUNDS</b>                          | <b>4,558</b>       | <b>6,130</b>       | <b>6,599</b>         | <b>6,544</b>         | <b>6,993</b>         |
| State Share of Mental Hygiene Medicaid                         | (29)               | 0                  | 0                    | 0                    | 0                    |
| Debt Service   | 786                | 550                | 738                  | 637                  | 612                  |
| SUNY University Operations                                     | 1,020              | 1,185              | 1,259                | 1,255                | 1,255                |
| Capital Projects   | <b>1,888</b>       | <b>3,191</b>       | <b>3,305</b>         | <b>3,168</b>         | <b>3,486</b>         |
| Extraordinary Monetary Settlements:                            | 769                | 1,316              | 858                  | 867                  | 793                  |
| Dedicated Infrastructure Investment Fund                       | 878                | 1,420              | 1,113                | 751                  | 531                  |
| FY 2018 Temporary Loan to Capital Projects Fund <sup>1</sup>   | (500)              | 0                  | 0                    | 0                    | 0                    |
| Transfer to DIIF for Javits Expansion                          | 382                | 320                | 134                  | 0                    | 0                    |
| Bond Proceeds Receipts for Javits Expansion                    | 0                  | (500)              | (500)                | 0                    | 0                    |
| Transfer to Capital Projects Fund - Clean Water Grants         | 0                  | 0                  | 25                   | 50                   | 175                  |
| Mass Transit Capital   | 3                  | 6                  | 6                    | 3                    | 0                    |
| Statewide Health Care Capital                                  | 6                  | 70                 | 80                   | 63                   | 87                   |
| Dedicated Highway and Bridge Trust Fund                        | 169                | 398                | 477                  | 320                  | 436                  |
| Environmental Protection Fund                                  | 28                 | 28                 | 28                   | 28                   | 96                   |
| All Other Capital  | 922                | 1,449              | 1,942                | 1,953                | 2,161                |
| <b>ALL OTHER TRANSFERS</b>                                     | <b>893</b>         | <b>1,204</b>       | <b>1,297</b>         | <b>1,484</b>         | <b>1,640</b>         |
| Department of Transportation (MTA Payroll Tax)                 | 244                | 244                | 244                  | 244                  | 244                  |
| SUNY - Medicaid Reimbursement                                  | 241                | 243                | 243                  | 243                  | 243                  |
| MTA Dedicated Sales Tax  | 0                  | 113                | 150                  | 152                  | 153                  |
| Judiciary Funds  | 117                | 112                | 113                  | 113                  | 113                  |
| Dedicated Mass Transportation Trust Fund                       | 67                 | 65                 | 116                  | 256                  | 408                  |
| Banking Services   | 37                 | 53                 | 53                   | 53                   | 53                   |
| Business Services Center                                       | 6                  | 28                 | 28                   | 28                   | 28                   |
| Indigent Legal Services  | 27                 | 28                 | 28                   | 75                   | 75                   |
| General Service  | 22                 | 22                 | 22                   | 22                   | 22                   |
| Mass Transportation Operating Assistance                       | 26                 | 21                 | 21                   | 21                   | 21                   |
| Correctional Industries  | 21                 | 21                 | 21                   | 21                   | 21                   |
| Public Transportation Systems                                  | 17                 | 16                 | 16                   | 16                   | 16                   |
| Health Income Fund   | 11                 | 16                 | 16                   | 16                   | 16                   |
| Centralized Technology Services                                | 14                 | 11                 | 11                   | 11                   | 11                   |
| Spinal Cord Injury Fund  | 9                  | 9                  | 9                    | 9                    | 9                    |
| Medical Cannabis Fund  | 7                  | 5                  | 7                    | 7                    | 7                    |
| All Other  | 27                 | 197                | 199                  | 197                  | 200                  |

<sup>1</sup> Reflects the final repayment of Extraordinary Monetary Settlement fund balances that were used to pay for capital projects in the first instance.

General Fund transfers to other funds are expected to total \$6.1 billion in FY 2020, a \$1.6 billion increase from FY 2019. The change is mainly due to capital projects transfers that are expected to increase by \$1.3 billion in FY 2020. The capital increase reflects higher transfers of monetary settlements (\$547 million); bond proceed reimbursements executed in FY 2019; and bond restructuring savings related to transportation that ended in FY 2019.

A portion of the capital and operating expenses of DOT and DMV is funded from the DHBTF, which receives various dedicated tax and fee revenues, including statutory allocations of PBT, motor fuel tax, and HUT. The General Fund subsidizes DHBTF expenses, as expenses routinely exceed revenue deposits and bond proceeds.

## Debt Service

The State pays debt service on all outstanding State-supported bonds. These include General Obligation bonds for which the State is constitutionally obligated to pay debt service, as well as certain bonds issued by State public authorities, such as Empire State Development Corporation (ESD), DASNY, and the New York State Thruway Authority (NYSTA). Depending on the credit structure, debt service is financed by transfers from the General Fund, dedicated taxes and fees, and other resources such as patient income revenues.

| DEBT SERVICE SPENDING PROJECTIONS<br>(millions of dollars) |                    |                    |               |                      |              |                      |             |                      |             |
|--|--------------------|--------------------|---------------|----------------------|--------------|----------------------|-------------|----------------------|-------------|
|  | FY 2019<br>Results | FY 2020<br>Enacted | Change        | FY 2021<br>Projected | Change       | FY 2022<br>Projected | Change      | FY 2023<br>Projected | Change      |
| General Fund   | 786                | 550                | -30.0%        | 738                  | 34.2%        | 637                  | -13.7%      | 612                  | -3.9%       |
| Other State Support  | 5,913              | 4,616              | -21.9%        | 6,103                | 32.2%        | 6,445                | 5.6%        | 6,713                | 4.2%        |
| <b>State Operating/All Funds Total</b>                     | <b>6,699</b>       | <b>5,166</b>       | <b>-22.9%</b> | <b>6,841</b>         | <b>32.4%</b> | <b>7,082</b>         | <b>3.5%</b> | <b>7,325</b>         | <b>3.4%</b> |

Total State Operating/All Funds debt service is projected to be \$5.2 billion in FY 2020, of which \$550 million is paid from the General Fund via transfers, and \$4.6 billion is paid from other State funds supported by dedicated tax receipts. The General Fund finances debt service payments on General Obligation and service contract bonds. Debt service for the State's revenue bonds is paid directly from other dedicated State funds, subject to appropriation, including PIT and Sales Tax bonds, DHBTB bonds, and mental health facilities bonds.

The Financial Plan estimates for debt service spending have been revised to reflect several factors, including bond sale results to date, refunding savings, and the adjustment of debt issuances to align with projected bond-financed capital spending. Debt service spending estimates also reflect the prepayment in FY 2019 of \$1.5 billion in debt service costs due in FY 2020, as well as a planned prepayment of \$200 million in FY 2020 for debt service costs due in FY 2021.

## Financial Plan Tables

The following tables present the multi-year projections for State Operating Funds and All Governmental Funds, as well as monthly cashflow detail for the General Fund.<sup>23</sup> The Financial Plan projections for FY 2020 and thereafter, set forth in this AIS, reflect savings that DOB estimates would be realized if the Governor continues to propose, and the Legislature continues to enact, balanced budgets that limit annual growth in State Operating Funds spending, as State Operating Funds is currently constituted in this AIS, to no greater than 2 percent. Total disbursements in the Financial Plan tables and narrative contained in this AIS do not reflect these assumed savings, which are reflected instead on a distinct line and labeled “Adherence to 2% Spending Benchmark.” The Financial Plan projections are subject to many risks and uncertainties, as well as future budgetary decisions and other factors that are currently unknown. If the 2 percent annual State Operating Funds spending growth benchmark is not adhered to, projected budget gaps would be higher (or projected surpluses would be lower).

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<sup>23</sup> Differences may occur from time to time between the State's Financial Plan and OSC's financial reports in the presentation and reporting of receipts and disbursements. For example, the Financial Plan and the AIS may reflect a net expenditure amount while OSC may report the gross amount of the expenditure. Any such differences between DOB and OSC could result in differences in the presentation and reporting of receipts and disbursements for discrete funds, as well as differences in the presentation and reporting for total receipts and disbursements under different fund perspectives (e.g., State Operating Funds and total All Governmental Funds).

| CASH RECEIPTS<br>ALL GOVERNMENTAL FUNDS<br>FY 2020 THROUGH 2023<br>(millions of dollars) |                |                |                |                |
|--|----------------|----------------|----------------|----------------|
|  | FY 2020        | FY 2021        | FY 2022        | FY 2023        |
|  | Enacted        | Enacted        | Enacted        | Enacted        |
| <b>Taxes:</b>  |                |                |                |                |
| Withholdings   | 42,900         | 44,556         | 46,738         | 48,672         |
| Estimated Payments   | 16,972         | 17,169         | 18,751         | 20,391         |
| Final Payments   | 3,348          | 3,508          | 3,632          | 3,789          |
| Other Payments   | 1,509          | 1,606          | 1,676          | 1,726          |
| <b>Gross Collections</b>   | <b>64,729</b>  | <b>66,839</b>  | <b>70,797</b>  | <b>74,578</b>  |
| State/City Offset  | (1,299)        | (1,424)        | (1,549)        | (1,674)        |
| Refunds  | (11,280)       | (10,039)       | (11,212)       | (11,726)       |
| <b>Reported Tax Collections</b>  | <b>52,150</b>  | <b>55,376</b>  | <b>58,036</b>  | <b>61,178</b>  |
| STAR (Dedicated Deposits)  | 0              | 0              | 0              | 0              |
| RBTF (Dedicated Transfers)   | 0              | 0              | 0              | 0              |
| <b>Personal Income Tax</b>   | <b>52,150</b>  | <b>55,376</b>  | <b>58,036</b>  | <b>61,178</b>  |
| Sales and Use Tax  | 16,158         | 16,849         | 17,419         | 18,027         |
| Cigarette and Tobacco Taxes  | 1,041          | 981            | 936            | 895            |
| Vapor Excise Tax   | 10             | 39             | 39             | 39             |
| Motor Fuel Tax   | 515            | 515            | 515            | 515            |
| Alcoholic Beverage Taxes   | 265            | 269            | 272            | 275            |
| Opioid Excise Tax  | 66             | 100            | 100            | 100            |
| Medical Cannabis Excise Tax  | 4              | 4              | 4              | 4              |
| Adult Use Cannabis Tax   | 0              | 0              | 0              | 0              |
| Highway Use Tax  | 141            | 143            | 145            | 146            |
| Auto Rental Tax  | 108            | 114            | 118            | 122            |
| Taxicab Surcharge  | 0              | 0              | 0              | 0              |
| <b>Gross Consumption/Use Taxes</b>   | <b>18,308</b>  | <b>19,014</b>  | <b>19,548</b>  | <b>20,123</b>  |
| LGAC/STBF (Dedicated Transfers)  | 0              | 0              | 0              | 0              |
| <b>Consumption/Use Taxes</b>   | <b>18,308</b>  | <b>19,014</b>  | <b>19,548</b>  | <b>20,123</b>  |
| Corporation Franchise Tax  | 4,277          | 4,820          | 4,865          | 5,109          |
| Corporation and Utilities Tax  | 729            | 706            | 713            | 724            |
| Insurance Taxes  | 2,251          | 2,344          | 2,413          | 2,541          |
| Bank Tax   | 167            | 0              | 0              | 0              |
| Petroleum Business Tax   | 1,161          | 1,109          | 1,090          | 1,075          |
| <b>Business Taxes</b>  | <b>8,585</b>   | <b>8,979</b>   | <b>9,081</b>   | <b>9,449</b>   |
| Estate Tax   | 1,094          | 1,153          | 1,214          | 1,277          |
| Real Estate Transfer Tax   | 1,148          | 1,183          | 1,219          | 1,263          |
| Employer Compensation Expense Program  | 2              | 8              | 21             | 23             |
| Gift Tax   | 0              | 0              | 0              | 0              |
| Real Property Gains Tax  | 0              | 0              | 0              | 0              |
| Pari-Mutuel Taxes  | 15             | 15             | 15             | 15             |
| Other Taxes  | 3              | 3              | 3              | 3              |
| <b>Gross Other Taxes</b>   | <b>2,262</b>   | <b>2,362</b>   | <b>2,472</b>   | <b>2,581</b>   |
| Real Estate Transfer Tax (Dedicated)   | 0              | 0              | 0              | 0              |
| RBTF (Dedicated Transfers)   | 0              | 0              | 0              | 0              |
| <b>Other Taxes</b>   | <b>2,262</b>   | <b>2,362</b>   | <b>2,472</b>   | <b>2,581</b>   |
| <b>Payroll Tax</b>   | <b>0</b>       | <b>0</b>       | <b>0</b>       | <b>0</b>       |
| <b>Total Taxes</b>   | <b>81,305</b>  | <b>85,731</b>  | <b>89,137</b>  | <b>93,331</b>  |
| Licenses, Fees, Etc.   | 694            | 678            | 678            | 678            |
| Abandoned Property   | 450            | 450            | 450            | 450            |
| Motor Vehicle Fees   | 1,336          | 1,345          | 1,246          | 1,235          |
| ABC License Fee  | 66             | 62             | 68             | 64             |
| Reimbursements   | 112            | 110            | 57             | 57             |
| Investment Income  | 100            | 50             | 25             | 12             |
| Extraordinary Settlements  | 727            | 0              | 0              | 0              |
| Other Transactions   | 25,528         | 22,859         | 23,001         | 22,463         |
| <b>Miscellaneous Receipts</b>  | <b>29,013</b>  | <b>25,554</b>  | <b>25,525</b>  | <b>24,959</b>  |
| <b>Federal Receipts</b>  | <b>64,794</b>  | <b>64,751</b>  | <b>66,449</b>  | <b>69,016</b>  |
| <b>Total</b>   | <b>175,112</b> | <b>176,036</b> | <b>181,111</b> | <b>187,306</b> |

Source: NYS DOB.

| CASH FINANCIAL PLAN<br>STATE OPERATING FUNDS BUDGET<br>FY 2020<br>(millions of dollars)      |                 |                                   |                          |                                      |
|--|-----------------|-----------------------------------|--------------------------|--------------------------------------|
|  | General<br>Fund | State Special<br>Revenue<br>Funds | Debt<br>Service<br>Funds | State<br>Operating<br>Funds<br>Total |
| <b>Opening Fund Balance</b>  | <u>7,206</u>    | <u>5,091</u>                      | <u>65</u>                | <u>12,362</u>                        |
| <b>Receipts:</b>   |                 |                                   |                          |                                      |
| Taxes  | 39,325          | 5,887                             | 34,673                   | 79,885                               |
| Miscellaneous Receipts   | 2,857           | 17,707                            | 394                      | 20,958                               |
| Federal Receipts   | <u>0</u>        | <u>1</u>                          | <u>74</u>                | <u>75</u>                            |
| <b>Total Receipts</b>  | <u>42,182</u>   | <u>23,595</u>                     | <u>35,141</u>            | <u>100,918</u>                       |
| <b>Disbursements:</b>  |                 |                                   |                          |                                      |
| Local Assistance   | 52,100          | 16,371                            | 0                        | 68,471                               |
| State Operations:  |                 |                                   |                          |                                      |
| Personal Service   | 9,031           | 5,161                             | 0                        | 14,192                               |
| Non-Personal Service   | 2,880           | 2,566                             | 46                       | 5,492                                |
| General State Charges  | 7,716           | 1,080                             | 0                        | 8,796                                |
| Debt Service   | 0               | 0                                 | 5,166                    | 5,166                                |
| Capital Projects   | <u>0</u>        | <u>0</u>                          | <u>0</u>                 | <u>0</u>                             |
| <b>Total Disbursements</b>   | <u>71,727</u>   | <u>25,178</u>                     | <u>5,212</u>             | <u>102,117</u>                       |
| <b>Other Financing Sources (Uses):</b>   |                 |                                   |                          |                                      |
| Transfers from Other Funds   | 34,935          | 2,373                             | 3,483                    | 40,791                               |
| Transfers to Other Funds   | (6,130)         | (1,360)                           | (33,430)                 | (40,920)                             |
| Bond and Note Proceeds   | <u>0</u>        | <u>0</u>                          | <u>0</u>                 | <u>0</u>                             |
| <b>Net Other Financing Sources (Uses)</b>  | <u>28,805</u>   | <u>1,013</u>                      | <u>(29,947)</u>          | <u>(129)</u>                         |
| <b>Excess (Deficiency) of Receipts and Other Financing Sources (Uses) Over Disbursements</b> | <u>(740)</u>    | <u>(570)</u>                      | <u>(18)</u>              | <u>(1,328)</u>                       |
| <b>Closing Fund Balance</b>  | <u>6,466</u>    | <u>4,521</u>                      | <u>47</u>                | <u>11,034</u>                        |

Source: NYS DOB.

| CASH FINANCIAL PLAN<br>STATE OPERATING FUNDS BUDGET<br>FY 2021<br>(millions of dollars)  |                 |                                   |                          |                                      |
|--|-----------------|-----------------------------------|--------------------------|--------------------------------------|
|  | General<br>Fund | State Special<br>Revenue<br>Funds | Debt<br>Service<br>Funds | State<br>Operating<br>Funds<br>Total |
| <b>Receipts:</b>   |                 |                                   |                          |                                      |
| Taxes  | 41,858          | 5,831                             | 36,649                   | 84,338                               |
| Miscellaneous Receipts   | 2,049           | 16,127                            | 394                      | 18,570                               |
| Federal Receipts   | 0               | 1                                 | 73                       | 74                                   |
| <b>Total Receipts</b>  | <b>43,907</b>   | <b>21,959</b>                     | <b>37,116</b>            | <b>102,982</b>                       |
| <b>Disbursements:</b>  |                 |                                   |                          |                                      |
| Local Assistance   | 55,794          | 15,683                            | 0                        | 71,477                               |
| State Operations:  |                 |                                   |                          |                                      |
| Personal Service   | 9,513           | 5,114                             | 0                        | 14,627                               |
| Non-Personal Service   | 3,051           | 2,451                             | 44                       | 5,546                                |
| General State Charges  | 8,268           | 1,141                             | 0                        | 9,409                                |
| Debt Service   | 0               | 0                                 | 6,841                    | 6,841                                |
| Capital Projects   | 0               | 0                                 | 0                        | 0                                    |
| <b>Total Disbursements</b>   | <b>76,626</b>   | <b>24,389</b>                     | <b>6,885</b>             | <b>107,900</b>                       |
| <b>Other Financing Sources (Uses):</b>   |                 |                                   |                          |                                      |
| Transfers from Other Funds   | 34,547          | 2,538                             | 3,509                    | 40,594                               |
| Transfers to Other Funds   | (6,599)         | (550)                             | (33,757)                 | (40,906)                             |
| Bond and Note Proceeds   | 0               | 0                                 | 0                        | 0                                    |
| <b>Net Other Financing Sources (Uses)</b>  | <b>27,948</b>   | <b>1,988</b>                      | <b>(30,248)</b>          | <b>(312)</b>                         |
| <b>Use (Reservation) of Fund Balance:</b>  |                 |                                   |                          |                                      |
| Extraordinary Monetary Settlements   | 858             | 0                                 | 0                        | 858                                  |
| <b>Total Use (Reservation) of Fund Balance</b>   | <b>858</b>      | <b>0</b>                          | <b>0</b>                 | <b>858</b>                           |
| <b>Excess (Deficiency) of Receipts and Use (Reservation)<br/>of Fund Balance Over Disbursements (Before 2% Adherence)</b>  | <b>(3,913)</b>  | <b>(442)</b>                      | <b>(17)</b>              | <b>(4,372)</b>                       |
| <b>Adherence to 2% Spending Benchmark*</b>   | <b>3,741</b>    | <b>0</b>                          | <b>0</b>                 | <b>3,741</b>                         |
| <b>Net Surplus (Deficit)</b>   | <b>(172)</b>    | <b>(442)</b>                      | <b>(17)</b>              | <b>(631)</b>                         |
| * Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on FY 2020 estimate) and assuming all savings are made available to the General Fund. |                 |                                   |                          |                                      |
| Source: NYS DOB.   |                 |                                   |                          |                                      |

| CASH FINANCIAL PLAN<br>STATE OPERATING FUNDS BUDGET<br>FY 2022<br>(millions of dollars)                                   |                 |                                   |                          |                                      |
|---|-----------------|-----------------------------------|--------------------------|--------------------------------------|
|   | General<br>Fund | State Special<br>Revenue<br>Funds | Debt<br>Service<br>Funds | State<br>Operating<br>Funds<br>Total |
| <b>Receipts:</b>  |                 |                                   |                          |                                      |
| Taxes   | 43,675          | 5,787                             | 38,289                   | 87,751                               |
| Miscellaneous Receipts  | 1,892           | 16,474                            | 393                      | 18,759                               |
| Federal Receipts  | 0               | 1                                 | 72                       | 73                                   |
| <b>Total Receipts</b>   | <b>45,567</b>   | <b>22,262</b>                     | <b>38,754</b>            | <b>106,583</b>                       |
| <b>Disbursements:</b>   |                 |                                   |                          |                                      |
| Local Assistance  | 57,928          | 15,989                            | 0                        | 73,917                               |
| State Operations:   |                 |                                   |                          |                                      |
| Personal Service  | 9,508           | 5,137                             | 0                        | 14,645                               |
| Non-Personal Service  | 3,100           | 2,506                             | 44                       | 5,650                                |
| General State Charges   | 8,846           | 1,154                             | 0                        | 10,000                               |
| Debt Service  | 0               | 0                                 | 7,082                    | 7,082                                |
| Capital Projects  | 0               | 0                                 | 0                        | 0                                    |
| <b>Total Disbursements</b>  | <b>79,382</b>   | <b>24,786</b>                     | <b>7,126</b>             | <b>111,294</b>                       |
| <b>Other Financing Sources (Uses):</b>  |                 |                                   |                          |                                      |
| Transfers from Other Funds  | 35,350          | 2,712                             | 3,213                    | 41,275                               |
| Transfers to Other Funds  | (6,544)         | (216)                             | (34,844)                 | (41,604)                             |
| Bond and Note Proceeds  | 0               | 0                                 | 0                        | 0                                    |
| <b>Net Other Financing Sources (Uses)</b>   | <b>28,806</b>   | <b>2,496</b>                      | <b>(31,631)</b>          | <b>(329)</b>                         |
| <b>Use (Reservation) of Fund Balance:</b>   |                 |                                   |                          |                                      |
| Extraordinary Monetary Settlements  | 867             | 0                                 | 0                        | 867                                  |
| <b>Total Use (Reservation) of Fund Balance</b>  | <b>867</b>      | <b>0</b>                          | <b>0</b>                 | <b>867</b>                           |
| <b>Excess (Deficiency) of Receipts and Use (Reservation)<br/>of Fund Balance Over Disbursements (Before 2% Adherence)</b> | <b>(4,142)</b>  | <b>(28)</b>                       | <b>(3)</b>               | <b>(4,173)</b>                       |
| <b>Adherence to 2% Spending Benchmark*</b>  | <b>5,052</b>    | <b>0</b>                          | <b>0</b>                 | <b>5,052</b>                         |
| <b>Net Surplus (Deficit)</b>  | <b>910</b>      | <b>(28)</b>                       | <b>(3)</b>               | <b>879</b>                           |

\* Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on FY 2020 estimate) and assuming all savings are made available to the General Fund.

Source: NYS DOB.

CASH FINANCIAL PLAN  
STATE OPERATING FUNDS BUDGET  
FY 2023  
(millions of dollars)

|   | General<br>Fund | State Special<br>Revenue<br>Funds | Debt<br>Service<br>Funds | State<br>Operating<br>Funds<br>Total |
|---|-----------------|-----------------------------------|--------------------------|--------------------------------------|
| <b>Receipts:</b>  |                 |                                   |                          |                                      |
| Taxes   | 46,030          | 5,725                             | 40,190                   | 91,945                               |
| Miscellaneous Receipts  | 1,869           | 15,951                            | 392                      | 18,212                               |
| Federal Receipts  | 0               | 1                                 | 69                       | 70                                   |
| <b>Total Receipts</b>   | <b>47,899</b>   | <b>21,677</b>                     | <b>40,651</b>            | <b>110,227</b>                       |
| <b>Disbursements:</b>   |                 |                                   |                          |                                      |
| Local Assistance  | 60,969          | 15,611                            | 0                        | 76,580                               |
| State Operations:   |                 |                                   |                          |                                      |
| Personal Service  | 9,713           | 5,216                             | 0                        | 14,929                               |
| Non-Personal Service  | 3,199           | 2,477                             | 44                       | 5,720                                |
| General State Charges   | 9,415           | 1,184                             | 0                        | 10,599                               |
| Debt Service  | 0               | 0                                 | 7,325                    | 7,325                                |
| Capital Projects  | 0               | 0                                 | 0                        | 0                                    |
| <b>Total Disbursements</b>  | <b>83,296</b>   | <b>24,488</b>                     | <b>7,369</b>             | <b>115,153</b>                       |
| <b>Other Financing Sources (Uses):</b>  |                 |                                   |                          |                                      |
| Transfers from Other Funds  | 36,906          | 2,866                             | 3,177                    | 42,949                               |
| Transfers to Other Funds  | (6,993)         | (139)                             | (36,454)                 | (43,586)                             |
| Bond and Note Proceeds  | 0               | 0                                 | 0                        | 0                                    |
| <b>Net Other Financing Sources (Uses)</b>   | <b>29,913</b>   | <b>2,727</b>                      | <b>(33,277)</b>          | <b>(637)</b>                         |
| <b>Use (Reservation) of Fund Balance:</b>   |                 |                                   |                          |                                      |
| Extraordinary Monetary Settlements  | 793             | 0                                 | 0                        | 793                                  |
| <b>Total Use (Reservation) of Fund Balance</b>  | <b>793</b>      | <b>0</b>                          | <b>0</b>                 | <b>793</b>                           |
| <b>Excess (Deficiency) of Receipts and Use (Reservation)<br/>of Fund Balance Over Disbursements (Before 2% Adherence)</b> | <b>(4,691)</b>  | <b>(84)</b>                       | <b>5</b>                 | <b>(4,770)</b>                       |
| <b>Adherence to 2% Spending Benchmark*</b>  | <b>6,786</b>    | <b>0</b>                          | <b>0</b>                 | <b>6,786</b>                         |
| <b>Net Surplus (Deficit)</b>  | <b>2,095</b>    | <b>(84)</b>                       | <b>5</b>                 | <b>2,016</b>                         |

\* Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on FY 2020 estimate) and assuming all savings are made available to the General Fund.

Source: NYS DOB.

| CASH FINANCIAL PLAN<br>ALL GOVERNMENTAL FUNDS<br>FY 2020<br>(millions of dollars)            |                 |                             |                              |                          |                       |
|--|-----------------|-----------------------------|------------------------------|--------------------------|-----------------------|
|  | General<br>Fund | Special<br>Revenue<br>Funds | Capital<br>Projects<br>Funds | Debt<br>Service<br>Funds | All<br>Funds<br>Total |
| <b>Opening Fund Balance</b>  | 7,206           | 3,842                       | (1,138)                      | 65                       | 9,975                 |
| <b>Receipts:</b>   |                 |                             |                              |                          |                       |
| Taxes  | 39,325          | 5,887                       | 1,420                        | 34,673                   | 81,305                |
| Miscellaneous Receipts   | 2,857           | 17,909                      | 7,853                        | 394                      | 29,013                |
| Federal Receipts   | 0               | 62,491                      | 2,229                        | 74                       | 64,794                |
| <b>Total Receipts</b>  | <b>42,182</b>   | <b>86,287</b>               | <b>11,502</b>                | <b>35,141</b>            | <b>175,112</b>        |
| <b>Disbursements:</b>  |                 |                             |                              |                          |                       |
| Local Assistance   | 52,100          | 75,053                      | 5,377                        | 0                        | 132,530               |
| State Operations:  |                 |                             |                              |                          |                       |
| Personal Service   | 9,031           | 5,815                       | 0                            | 0                        | 14,846                |
| Non-Personal Service   | 2,880           | 4,013                       | 0                            | 46                       | 6,939                 |
| General State Charges  | 7,716           | 1,417                       | 0                            | 0                        | 9,133                 |
| Debt Service   | 0               | 0                           | 0                            | 5,166                    | 5,166                 |
| Capital Projects   | 0               | 0                           | 8,413                        | 0                        | 8,413                 |
| <b>Total Disbursements</b>   | <b>71,727</b>   | <b>86,298</b>               | <b>13,790</b>                | <b>5,212</b>             | <b>177,027</b>        |
| <b>Other Financing Sources (Uses):</b>   |                 |                             |                              |                          |                       |
| Transfers from Other Funds   | 34,935          | 2,385                       | 3,532                        | 3,483                    | 44,335                |
| Transfers to Other Funds   | (6,130)         | (3,351)                     | (1,586)                      | (33,430)                 | (44,497)              |
| Bond and Note Proceeds   | 0               | 0                           | 444                          | 0                        | 444                   |
| <b>Net Other Financing Sources (Uses)</b>  | <b>28,805</b>   | <b>(966)</b>                | <b>2,390</b>                 | <b>(29,947)</b>          | <b>282</b>            |
| <b>Excess (Deficiency) of Receipts and Other Financing Sources (Uses) Over Disbursements</b> | <b>(740)</b>    | <b>(977)</b>                | <b>102</b>                   | <b>(18)</b>              | <b>(1,633)</b>        |
| <b>Closing Fund Balance</b>  | <b>6,466</b>    | <b>2,865</b>                | <b>(1,036)</b>               | <b>47</b>                | <b>8,342</b>          |

Source: NYS DOB.

CASH FINANCIAL PLAN  
ALL GOVERNMENTAL FUNDS  
FY 2021  
(millions of dollars)

|   | General<br>Fund | Special<br>Revenue<br>Funds | Capital<br>Projects<br>Funds | Debt<br>Service<br>Funds | All<br>Funds<br>Total |
|---|-----------------|-----------------------------|------------------------------|--------------------------|-----------------------|
| <b>Receipts:</b>  |                 |                             |                              |                          |                       |
| Taxes   | 41,858          | 5,831                       | 1,393                        | 36,649                   | 85,731                |
| Miscellaneous Receipts  | 2,049           | 16,332                      | 6,779                        | 394                      | 25,554                |
| Federal Receipts  | 0               | 62,491                      | 2,187                        | 73                       | 64,751                |
| <b>Total Receipts</b>   | <b>43,907</b>   | <b>84,654</b>               | <b>10,359</b>                | <b>37,116</b>            | <b>176,036</b>        |
| <b>Disbursements:</b>   |                 |                             |                              |                          |                       |
| Local Assistance  | 55,794          | 73,663                      | 5,294                        | 0                        | 134,751               |
| State Operations:   |                 |                             |                              |                          |                       |
| Personal Service  | 9,513           | 5,793                       | 0                            | 0                        | 15,306                |
| Non-Personal Service  | 3,051           | 3,865                       | 0                            | 44                       | 6,960                 |
| General State Charges   | 8,268           | 1,491                       | 0                            | 0                        | 9,759                 |
| Debt Service  | 0               | 0                           | 0                            | 6,841                    | 6,841                 |
| Capital Projects  | 0               | 0                           | 7,899                        | 0                        | 7,899                 |
| <b>Total Disbursements</b>  | <b>76,626</b>   | <b>84,812</b>               | <b>13,193</b>                | <b>6,885</b>             | <b>181,516</b>        |
| <b>Other Financing Sources (Uses):</b>  |                 |                             |                              |                          |                       |
| Transfers from Other Funds  | 34,547          | 2,550                       | 3,587                        | 3,509                    | 44,193                |
| Transfers to Other Funds  | (6,599)         | (2,428)                     | (1,580)                      | (33,757)                 | (44,364)              |
| Bond and Note Proceeds  | 0               | 0                           | 800                          | 0                        | 800                   |
| <b>Net Other Financing Sources (Uses)</b>   | <b>27,948</b>   | <b>122</b>                  | <b>2,807</b>                 | <b>(30,248)</b>          | <b>629</b>            |
| <b>Use (Reservation) of Fund Balance:</b>   |                 |                             |                              |                          |                       |
| Extraordinary Monetary Settlements  | 858             | 0                           | 0                            | 0                        | 858                   |
| <b>Total Use (Reservation) of Fund Balance</b>  | <b>858</b>      | <b>0</b>                    | <b>0</b>                     | <b>0</b>                 | <b>858</b>            |
| <b>Excess (Deficiency) of Receipts and Use (Reservation) of Fund Balance Over Disbursements (Before 2% Adherence)</b> |                 |                             |                              |                          |                       |
|   | <b>(3,913)</b>  | <b>(36)</b>                 | <b>(27)</b>                  | <b>(17)</b>              | <b>(3,993)</b>        |
| <b>Adherence to 2% Spending Benchmark*</b>  |                 |                             |                              |                          |                       |
|   | <b>3,741</b>    | <b>0</b>                    | <b>0</b>                     | <b>0</b>                 | <b>3,741</b>          |
| <b>Net Surplus (Deficit)</b>  | <b>(172)</b>    | <b>(36)</b>                 | <b>(27)</b>                  | <b>(17)</b>              | <b>(252)</b>          |

\* Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on FY 2020 estimate) and assuming all savings are made available to the General Fund.

Source: NYS DOB.

| CASH FINANCIAL PLAN<br>ALL GOVERNMENTAL FUNDS<br>FY 2022<br>(millions of dollars)                                     |                 |                             |                              |                          |                       |
|---|-----------------|-----------------------------|------------------------------|--------------------------|-----------------------|
|   | General<br>Fund | Special<br>Revenue<br>Funds | Capital<br>Projects<br>Funds | Debt<br>Service<br>Funds | All<br>Funds<br>Total |
| <b>Receipts:</b>  |                 |                             |                              |                          |                       |
| Taxes   | 43,675          | 5,787                       | 1,386                        | 38,289                   | 89,137                |
| Miscellaneous Receipts  | 1,892           | 16,679                      | 6,561                        | 393                      | 25,525                |
| Federal Receipts  | 0               | 64,190                      | 2,187                        | 72                       | 66,449                |
| <b>Total Receipts</b>   | <b>45,567</b>   | <b>86,656</b>               | <b>10,134</b>                | <b>38,754</b>            | <b>181,111</b>        |
| <b>Disbursements:</b>   |                 |                             |                              |                          |                       |
| Local Assistance  | 57,928          | 75,446                      | 4,720                        | 0                        | 138,094               |
| State Operations:   |                 |                             |                              |                          |                       |
| Personal Service  | 9,508           | 5,817                       | 0                            | 0                        | 15,325                |
| Non-Personal Service  | 3,100           | 3,931                       | 0                            | 44                       | 7,075                 |
| General State Charges   | 8,846           | 1,527                       | 0                            | 0                        | 10,373                |
| Debt Service  | 0               | 0                           | 0                            | 7,082                    | 7,082                 |
| Capital Projects  | 0               | 0                           | 7,798                        | 0                        | 7,798                 |
| <b>Total Disbursements</b>  | <b>79,382</b>   | <b>86,721</b>               | <b>12,518</b>                | <b>7,126</b>             | <b>185,747</b>        |
| <b>Other Financing Sources (Uses):</b>  |                 |                             |                              |                          |                       |
| Transfers from Other Funds  | 35,350          | 2,724                       | 3,427                        | 3,213                    | 44,714                |
| Transfers to Other Funds  | (6,544)         | (2,034)                     | (1,468)                      | (34,844)                 | (44,890)              |
| Bond and Note Proceeds  | 0               | 0                           | 413                          | 0                        | 413                   |
| <b>Net Other Financing Sources (Uses)</b>   | <b>28,806</b>   | <b>690</b>                  | <b>2,372</b>                 | <b>(31,631)</b>          | <b>237</b>            |
| <b>Use (Reservation) of Fund Balance:</b>   |                 |                             |                              |                          |                       |
| Extraordinary Monetary Settlements  | 867             | 0                           | 0                            | 0                        | 867                   |
| <b>Total Use (Reservation) of Fund Balance</b>  | <b>867</b>      | <b>0</b>                    | <b>0</b>                     | <b>0</b>                 | <b>867</b>            |
| <b>Excess (Deficiency) of Receipts and Use (Reservation) of Fund Balance Over Disbursements (Before 2% Adherence)</b> | <b>(4,142)</b>  | <b>625</b>                  | <b>(12)</b>                  | <b>(3)</b>               | <b>(3,532)</b>        |
| <b>Adherence to 2% Spending Benchmark*</b>  | <b>5,052</b>    | <b>0</b>                    | <b>0</b>                     | <b>0</b>                 | <b>5,052</b>          |
| <b>Net Surplus (Deficit)</b>  | <b>910</b>      | <b>625</b>                  | <b>(12)</b>                  | <b>(3)</b>               | <b>1,520</b>          |

\* Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on FY 2020 estimate) and assuming all savings are made available to the General Fund.

Source: NYS DOB.

CASH FINANCIAL PLAN  
ALL GOVERNMENTAL FUNDS  
FY 2023  
(millions of dollars)

|  | General<br>Fund | Special<br>Revenue<br>Funds | Capital<br>Projects<br>Funds | Debt<br>Service<br>Funds | All<br>Funds<br>Total |
|--|-----------------|-----------------------------|------------------------------|--------------------------|-----------------------|
| <b>Receipts:</b>   |                 |                             |                              |                          |                       |
| Taxes  | 46,030          | 5,725                       | 1,386                        | 40,190                   | 93,331                |
| Miscellaneous Receipts   | 1,869           | 16,156                      | 6,542                        | 392                      | 24,959                |
| Federal Receipts   | 0               | 66,760                      | 2,187                        | 69                       | 69,016                |
| <b>Total Receipts</b>  | <b>47,899</b>   | <b>88,641</b>               | <b>10,115</b>                | <b>40,651</b>            | <b>187,306</b>        |
| <b>Disbursements:</b>  |                 |                             |                              |                          |                       |
| Local Assistance   | 60,969          | 77,543                      | 4,702                        | 0                        | 143,214               |
| State Operations:  |                 |                             |                              |                          |                       |
| Personal Service   | 9,713           | 5,898                       | 0                            | 0                        | 15,611                |
| Non-Personal Service   | 3,199           | 3,871                       | 0                            | 44                       | 7,114                 |
| General State Charges  | 9,415           | 1,557                       | 0                            | 0                        | 10,972                |
| Debt Service   | 0               | 0                           | 0                            | 7,325                    | 7,325                 |
| Capital Projects   | 0               | 0                           | 7,904                        | 0                        | 7,904                 |
| <b>Total Disbursements</b>   | <b>83,296</b>   | <b>88,869</b>               | <b>12,606</b>                | <b>7,369</b>             | <b>192,140</b>        |
| <b>Other Financing Sources (Uses):</b>   |                 |                             |                              |                          |                       |
| Transfers from Other Funds   | 36,906          | 2,878                       | 3,742                        | 3,177                    | 46,703                |
| Transfers to Other Funds   | (6,993)         | (1,844)                     | (1,589)                      | (36,454)                 | (46,880)              |
| Bond and Note Proceeds   | 0               | 0                           | 322                          | 0                        | 322                   |
| <b>Net Other Financing Sources (Uses)</b>  | <b>29,913</b>   | <b>1,034</b>                | <b>2,475</b>                 | <b>(33,277)</b>          | <b>145</b>            |
| <b>Use (Reservation) of Fund Balance:</b>  |                 |                             |                              |                          |                       |
| Extraordinary Monetary Settlements   | 793             | 0                           | 0                            | 0                        | 793                   |
| <b>Total Use (Reservation) of Fund Balance</b>   | <b>793</b>      | <b>0</b>                    | <b>0</b>                     | <b>0</b>                 | <b>793</b>            |
| <b>Excess (Deficiency) of Receipts and Use (Reservation) of Fund Balance Over Disbursements (Before 2% Adherence)</b>  |                 |                             |                              |                          |                       |
|  | <b>(4,691)</b>  | <b>806</b>                  | <b>(16)</b>                  | <b>5</b>                 | <b>(3,896)</b>        |
| <b>Adherence to 2% Spending Benchmark*</b>   | <b>6,786</b>    | <b>0</b>                    | <b>0</b>                     | <b>0</b>                 | <b>6,786</b>          |
| <b>Net Surplus (Deficit)</b>   | <b>2,095</b>    | <b>806</b>                  | <b>(16)</b>                  | <b>5</b>                 | <b>2,890</b>          |
| * Savings estimated from limiting annual spending growth in future years to 2 percent (calculation based on FY 2020 estimate) and assuming all savings are made available to the General Fund. |                 |                             |                              |                          |                       |
| Source: NYS DOB.   |                 |                             |                              |                          |                       |

**CASHFLOW  
GENERAL FUND  
FY 2020  
(dollars in millions)**

|  | 2019<br>April<br>Projected | May<br>Projected | June<br>Projected | July<br>Projected | August<br>Projected | September<br>Projected | October<br>Projected | November<br>Projected | December<br>Projected | 2020<br>January<br>Projected | February<br>Projected | March<br>Projected | Total         |
|--|----------------------------|------------------|-------------------|-------------------|---------------------|------------------------|----------------------|-----------------------|-----------------------|------------------------------|-----------------------|--------------------|---------------|
| <b>OPENING BALANCE</b>                             | <b>7,206</b>               | <b>11,998</b>    | <b>5,574</b>      | <b>5,274</b>      | <b>6,170</b>        | <b>5,414</b>           | <b>7,601</b>         | <b>7,796</b>          | <b>5,409</b>          | <b>7,217</b>                 | <b>10,408</b>         | <b>9,721</b>       | <b>7,206</b>  |
| <b>RECEIPTS:</b>                                   |                            |                  |                   |                   |                     |                        |                      |                       |                       |                              |                       |                    |               |
| Personal Income Tax                                | 4,606                      | 1,125            | 2,529             | 1,667             | 1,360               | 2,429                  | 1,187                | 884                   | 2,152                 | 2,346                        | 1,780                 | 1,834              | 23,899        |
| Consumption/Use Taxes                              | 588                        | 589              | 831               | 642               | 636                 | 853                    | 643                  | 645                   | 817                   | 677                          | 560                   | 728                | 8,209         |
| Business Taxes                                     | 540                        | (203)            | 1,153             | 65                | 49                  | 1,170                  | 72                   | 33                    | 1,258                 | 88                           | 36                    | 1,843              | 6,104         |
| Other Taxes  | 90                         | 93               | 93                | 93                | 94                  | 94                     | 93                   | 93                    | 93                    | 92                           | 92                    | 93                 | 1,113         |
| Total Taxes  | 5,824                      | 1,604            | 4,606             | 2,467             | 2,139               | 4,546                  | 1,995                | 1,655                 | 4,320                 | 3,203                        | 2,468                 | 4,498              | 39,325        |
| Abandoned Property                                 | 1                          | 0                | 0                 | 0                 | 0                   | 40                     | 10                   | 150                   | 50                    | 0                            | 0                     | 199                | 450           |
| ABC License Fee                                    | 6                          | 6                | 6                 | 5                 | 6                   | 5                      | 6                    | 4                     | 6                     | 6                            | 6                     | 4                  | 66            |
| Investment Income                                  | 22                         | 7                | 7                 | 7                 | 7                   | 7                      | 7                    | 7                     | 7                     | 7                            | 7                     | 8                  | 100           |
| Licenses, Fees, etc.                               | 70                         | 55               | 65                | 50                | 35                  | 75                     | 60                   | 55                    | 65                    | 70                           | 40                    | 54                 | 694           |
| Motor Vehicle Fees                                 | 34                         | 27               | 16                | 5                 | 38                  | 6                      | 26                   | 13                    | 34                    | 32                           | 36                    | 32                 | 299           |
| Reimbursements                                     | 2                          | 9                | 9                 | 9                 | 9                   | 9                      | 9                    | 9                     | 9                     | 9                            | 9                     | 20                 | 112           |
| Extraordinary Settlements                          | 585                        | 142              | 0                 | 0                 | 0                   | 0                      | 0                    | 0                     | 0                     | 0                            | 0                     | 0                  | 727           |
| Other Transactions                                 | 19                         | 15               | 50                | 15                | 15                  | 95                     | 40                   | 15                    | 60                    | 15                           | 15                    | 55                 | 409           |
| Total Miscellaneous Receipts                       | 739                        | 261              | 153               | 91                | 110                 | 237                    | 158                  | 253                   | 231                   | 139                          | 113                   | 372                | 2,857         |
| Federal Receipts                                   | 0                          | 0                | 0                 | 0                 | 0                   | 0                      | 0                    | 0                     | 0                     | 0                            | 0                     | 0                  | 0             |
| PIT in Excess of Revenue Bond Debt Service         | 4,606                      | 1,008            | 2,529             | 1,659             | 1,421               | 2,677                  | 1,187                | 618                   | 2,211                 | 2,806                        | 1,213                 | 2,700              | 24,635        |
| ECEP in Excess of Revenue Bond Debt Service        | 0                          | 0                | 0                 | 0                 | 0                   | 0                      | 0                    | 0                     | 0                     | 0                            | 0                     | 1                  | 1             |
| Tax in Excess of LGAC                              | 271                        | 100              | 558               | 292               | 275                 | 395                    | 293                  | 294                   | 380                   | 306                          | (24)                  | 341                | 3,481         |
| Sales Tax Bond Fund                                | 193                        | 192              | 311               | 214               | 213                 | 369                    | 209                  | 210                   | 297                   | 222                          | 176                   | 339                | 2,945         |
| Real Estate Taxes in Excess of CW/CA Debt Service  | 83                         | 85               | 88                | 89                | 98                  | 88                     | 75                   | 80                    | 78                    | 80                           | 79                    | 50                 | 973           |
| All Other  | 27                         | 102              | 108               | 261               | 104                 | 126                    | 115                  | 157                   | 102                   | 146                          | 236                   | 1,416              | 2,900         |
| Total Transfers from Other Funds                   | 5,180                      | 1,487            | 3,594             | 2,515             | 2,111               | 3,655                  | 1,879                | 1,359                 | 3,068                 | 3,560                        | 1,680                 | 4,847              | 34,935        |
| <b>TOTAL RECEIPTS</b>                              | <b>11,743</b>              | <b>3,352</b>     | <b>8,353</b>      | <b>5,073</b>      | <b>4,360</b>        | <b>8,438</b>           | <b>4,032</b>         | <b>3,267</b>          | <b>7,619</b>          | <b>6,902</b>                 | <b>4,261</b>          | <b>9,717</b>       | <b>77,117</b> |
| <b>DISBURSEMENTS:</b>                              |                            |                  |                   |                   |                     |                        |                      |                       |                       |                              |                       |                    |               |
| School Aid   | 775                        | 3,914            | 2,100             | 159               | 729                 | 1,667                  | 885                  | 1,571                 | 2,023                 | 530                          | 726                   | 8,490              | 23,569        |
| Higher Education                                   | 38                         | 33               | 1,219             | 271               | 59                  | 182                    | 92                   | 32                    | 189                   | 35                           | 328                   | 497                | 2,975         |
| All Other Education                                | 97                         | 44               | 67                | 310               | 286                 | 65                     | 77                   | 296                   | 375                   | 35                           | 341                   | 395                | 2,388         |
| Medicaid - DOH                                     | 3,302                      | 1,306            | 1,479             | 898               | 1,392               | 1,518                  | 775                  | 1,304                 | 1,035                 | 1,081                        | 1,300                 | 361                | 15,751        |
| Public Health                                      | 22                         | 30               | 39                | 60                | 89                  | 44                     | 27                   | 88                    | 62                    | 23                           | 82                    | 70                 | 636           |
| Mental Hygiene                                     | 124                        | 57               | 257               | 156               | 70                  | 276                    | 131                  | 80                    | 303                   | 142                          | 126                   | 270                | 1,992         |
| Children and Families                              | 19                         | 79               | 217               | 79                | 74                  | 218                    | 82                   | 78                    | 218                   | 88                           | 145                   | 230                | 1,527         |
| Temporary & Disability Assistance                  | 67                         | 109              | 168               | 110               | 110                 | 110                    | 110                  | 110                   | 110                   | 110                          | 110                   | 116                | 1,340         |
| Transportation                                     | 0                          | 24               | 20                | 0                 | 24                  | 0                      | 0                    | 24                    | 11                    | 0                            | 13                    | 0                  | 116           |
| Unrestricted Aid                                   | 0                          | 12               | 397               | 9                 | 8                   | 52                     | 11                   | 4                     | 190                   | 4                            | 1                     | 64                 | 752           |
| All Other  | 23                         | 20               | 98                | 78                | 118                 | 98                     | 66                   | 81                    | 102                   | 70                           | 114                   | 186                | 1,054         |
| Total Local Assistance                             | 4,467                      | 5,628            | 6,061             | 2,130             | 2,959               | 4,230                  | 2,256                | 3,668                 | 4,618                 | 2,118                        | 3,286                 | 10,679             | 52,100        |
| Personal Service                                   | 666                        | 851              | 686               | 700               | 867                 | 697                    | 861                  | 701                   | 722                   | 895                          | 687                   | 698                | 9,031         |
| Non-Personal Service                               | 157                        | 283              | 221               | 228               | 279                 | 265                    | 242                  | 247                   | 205                   | 246                          | 231                   | 276                | 2,880         |
| Total State Operations                             | 823                        | 1,134            | 907               | 928               | 1,146               | 962                    | 1,103                | 948                   | 927                   | 1,141                        | 918                   | 974                | 11,911        |
| General State Charges                              | 728                        | 2,319            | 446               | 415               | 412                 | 480                    | 554                  | 425                   | 419                   | 410                          | 478                   | 630                | 7,716         |
| Debt Service                                       | 135                        | 0                | (2)               | 124               | (3)                 | (27)                   | 122                  | 0                     | (2)                   | 263                          | (24)                  | (36)               | 550           |
| Capital Projects                                   | 501                        | 269              | 747               | 341               | 523                 | 567                    | (274)                | 451                   | (218)                 | (249)                        | 251                   | 282                | 3,191         |
| State Share Medicaid                               | 0                          | 0                | 0                 | 0                 | 0                   | 0                      | 0                    | 0                     | 0                     | 0                            | 0                     | 0                  | 0             |
| SUNY Operations                                    | 219                        | 218              | 327               | 223               | 24                  | 11                     | 9                    | 79                    | 14                    | 12                           | 9                     | 40                 | 1,185         |
| Other Purposes                                     | 78                         | 208              | 167               | 16                | 55                  | 28                     | 67                   | 83                    | 53                    | 16                           | 30                    | 403                | 1,204         |
| Total Transfers to Other Funds                     | 933                        | 695              | 1,239             | 704               | 599                 | 579                    | (76)                 | 613                   | (153)                 | 42                           | 266                   | 689                | 6,130         |
| <b>TOTAL DISBURSEMENTS</b>                         | <b>6,951</b>               | <b>9,776</b>     | <b>8,653</b>      | <b>4,177</b>      | <b>5,116</b>        | <b>6,251</b>           | <b>3,837</b>         | <b>5,654</b>          | <b>5,811</b>          | <b>3,711</b>                 | <b>4,948</b>          | <b>12,972</b>      | <b>77,857</b> |
| Excess/(Deficiency) of Receipts over Disbursements | 4,792                      | (6,424)          | (300)             | 896               | (756)               | 2,187                  | 195                  | (2,387)               | 1,808                 | 3,191                        | (687)                 | (3,255)            | (740)         |
| <b>CLOSING BALANCE</b>                             | <b>11,998</b>              | <b>5,574</b>     | <b>5,274</b>      | <b>6,170</b>      | <b>5,414</b>        | <b>7,601</b>           | <b>7,796</b>         | <b>5,409</b>          | <b>7,217</b>          | <b>10,408</b>                | <b>9,721</b>          | <b>6,466</b>       | <b>6,466</b>  |

Source: NYS DOB.

**STATE OF NEW YORK**  
**COMPREHENSIVE ANNUAL FINANCIAL REPORT**  
**FOR FISCAL YEAR ENDED MARCH 31, 2019**

**PREPARED BY THE**  
**OFFICE OF THE STATE COMPTROLLER**  
**STATE OF NEW YORK**

The Comprehensive Annual Financial Report of the State of New York for the State fiscal year ended March 31, 2019 (FY 2019 CAFR), dated September 1, 2019 and is hereby included in this Official Statement by reference. The Basic Financial Statements and Other Supplementary Information of the State of New York, which are included in the FY 2019 CAFR, were prepared by the Office of the State Comptroller in accordance with accounting principles generally accepted in the United States of America (GAAP) and were independently audited in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. The Basic Financial Statements and Other Supplementary Information for the fiscal year ended March 31, 2019 were filed with the Municipal Securities Rulemaking Board (the "MSRB") through its Electronic Municipal Market Access system. An official copy of the Basic Financial Statements and Other Supplementary Information may be obtained by contacting the MSRB, or by contacting the Office of the State Comptroller, 110 State Street, Albany, NY 12236, Tel: (518) 474-3277. An informational copy of the FY 2019 CAFR is available on the Internet at:

<https://www.osc.state.ny.us/finance/finreports/cafr/2019-cafr.pdf>

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