



The State University
of New York

Office of the Chancellor

H. Carl McCall SUNY Building
353 Broadway, Albany, New York 12246

SUNY Global Center, 116 E 55th St,
New York, NY 10022

www.suny.edu

MEMORANDUM

December 16, 2025

TO: Members of the Board of Trustees

FROM: Dr. John B. King Jr., Chancellor

SUBJECT: Ground Lease – Empire AI Research Institute at the State University of New York at Buffalo Pursuant to Part TT of Chapter 58 of the Laws of 2024

Action Requested

The resolution would utilize the authority provided to the State University of New York (SUNY) Board of Trustees by Part TT of Chapter 58 of the Laws of 2024 to enter into a ground lease and related agreements with Empire AI Consortium, Inc. (the “Consortium”) for the construction, maintenance, and operation of an artificial intelligence (AI) data science technology hub and computing center on a designated site on the State University of New York at Buffalo (“UB”) campus.

Resolution

I recommend that the Board of Trustees adopt the following resolution:

Whereas the State University of New York at Buffalo (UB), consistent with the mission of SUNY, seeks to expand educational and research opportunities, spur innovation, and support the economic interests of the people of the State of New York; and

Whereas the Legislature of the State of New York, through Part TT of Chapter 58 of the Laws of 2024, created the New York state Empire Artificial Intelligence Research Program and established the Empire AI Research Institute at UB as a state-owned research and computing facility to be operated and managed by the Consortium; and

Whereas Subpart B of Part TT authorizes and empowers the SUNY Board of Trustees, notwithstanding any other law, to lease and otherwise contract to make available to the Consortium, as ground lessee, specified lands on the UB campus for the development, construction, maintenance, and operation of an artificial intelligence data science technology hub and computing center, subject to certain statutory limitations; now, therefore, be it

Resolved that the Chancellor, or designee, be, and hereby is, authorized to take any and all such actions as may be necessary and practicable to effectuate a lease or otherwise contract to make available the real property authorized by Part TT of Chapter 58 of the Laws of 2024 for the Empire AI Research Institute at UB, inclusive of all particulars included in such legislation; and, be it further

Resolved that the Chancellor, or designee, be, and hereby is, authorized to approve any amendments, modifications, or waivers of any provisions in any ground lease or other agreement authorized by such legislation and related documents, so long as such amendments, modifications, or waivers are consistent with Part TT of Chapter 58 of the Laws of 2024 and other applicable laws; and, be it further

Resolved that the Chancellor, or designee, be, and hereby is, authorized to provide all other approvals, notices, assurances, or instruments, and to take such other actions in connection with the Empire AI Research Institute at UB and the Consortium as may be necessary from time to time under the ground lease agreement and related documents.

Background

Part TT of the Laws of 2024 establishes the New York State Empire Artificial Intelligence Research Program and creates the Empire AI Research Institute as a state-owned research and computing facility at UB, to be operated and managed by the Empire AI Consortium.

Subpart B of Part TT authorizes the SUNY Board of Trustees to enter into a lease, or otherwise contract to make available real property on the UB Campus within one of two parcels (one being approximately 1.84 acres and the other being approximately 1.29 acres) (total acreage of both parcels being 3.13 acres), or, after

providing notice as required in such legislation, on a different parcel on the UB campus if determined by the Board of Trustees to be in the best interests of the state, to the Consortium for the development, construction, maintenance, and operation of an artificial intelligence data science technology hub and computing center, subject to specified statutory limits such as lease term, reversion of the property and improvements to SUNY, and protections for SUNY employees and collective bargaining rights.

The proposed resolution would authorize the Chancellor, or designee, to execute such lease and related documents and to carry out the transaction in line with this statutory authority and other applicable laws.