

STATE OF NEW YORK

6735

2017-2018 Regular Sessions

IN SENATE

June 15, 2017

Introduced by Sens. KLEIN, ADDABBO, AVELLA, CARLUCCI, SAVINO, VALESKY --
read twice and ordered printed, and when printed to be committed to
the Committee on Rules

AN ACT to direct the office of general services to conduct a study to
examine, evaluate and make recommendations relating to the establish-
ment of an office of risk assessment and management, and/or expanding
the powers and duties of the state chief risk officer

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

1 Section 1. The office of general services, in consultation with the
2 department of law, the department of audit and control, the state insur-
3 ance fund, the department of financial services, the office of employee
4 relations, the state emergency management office, the state chief risk
5 officer, and the division of budget, shall conduct a study to examine,
6 evaluate and make recommendations concerning the establishment, within
7 the office of general services or any other appropriate state agency, an
8 office of risk assessment and management, and/or expanding the powers
9 and duties of the state chief risk officer. Such study shall address at
10 least the following:

11 (a) the appropriate powers and duties of such office of risk assess-
12 ment and management, and/or expanding the powers and duties of the state
13 chief risk officer, which may include, but not be limited to, the power
14 to:

15 (1) analyze and make recommendations on the potential exposure of the
16 state to liability and financial loss arising from its acts and omis-
17 sions, from the ownership, control or use of its real and personal prop-
18 erty, or the conduct or actions of its employees or agents;

19 (2) establish and coordinate business continuity programs for essen-
20 tial state functions and services;

21 (3) implement risk management programs to manage the state's exposure
22 to risk in the most cost effective manner including, but not limited to,

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

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1 programs to reduce the likelihood and potential cost of loss events, and
2 the purchase of insurance or other risk sharing arrangements where
3 appropriate;

4 (4) analyze and make recommendations on the implementation of state
5 and local municipal natural disaster mitigation plans, as provided in
6 article 2-B of the executive law, as it relates to effectively minimiz-
7 ing potential loss, exposure or damage to state and municipal infras-
8 tructure, and to real and personal property in coastal areas of the
9 state due to the occurrence of a catastrophic weather event or natural
10 disaster; and

11 (5) coordinate and support the risk management programs of all state
12 agencies;

13 (b) the appointment of a state chief risk officer, who may be
14 appointed and empowered to administer the proposed office of risk
15 assessment and management;

16 (c) analysis of the nature and scope of risk exposures faced by the
17 state;

18 (d) allowing any public benefit corporation, public authority or local
19 government to contract for the services of the proposed state chief risk
20 officer and the office of risk assessment and management in the event
21 that such public benefit corporation, public authority or local govern-
22 ment is without internal risk assessment and enterprise risk management
23 services, or wishes to supplement such internal services with the
24 services provided by the chief risk officer and the office;

25 (e) the utilization of funds appropriated to the office of general
26 services for a centralized risk management function within state govern-
27 ment;

28 (f) an estimate of the financial benefits that could be realized by
29 establishing an office of risk assessment and management and/or expand-
30 ing the powers and duties of the state chief risk officer, and the
31 potential reduction in the state's liability exposure;

32 (g) the financial costs and an estimate of the size of the workforce
33 necessary to establish such an office and/or a state chief risk officer
34 with expanded powers and duties;

35 (h) the method or process by which such proposed office could be
36 established and the manner in which such office's operations could be
37 phased in across all state agencies over 5 years; and

38 (i) the method of financing the establishment and operations of the
39 office of risk assessment and management and/or a state chief risk offi-
40 cer with expanded powers and duties of such office.

41 § 2. Within eighteen months of the effective date of this act, the
42 office of general services shall submit to the governor, the temporary
43 president of the senate, and the speaker of the assembly, the report
44 required by this act. Such report shall be publicly posted on the
45 website of the office of general services.

46 § 3. This act shall take effect immediately.