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 establishment 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 Assembly, do enact as follows:

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

(a) the appropriate powers and duties of such office of risk assessment and management, and/or expanding the powers and duties of the state chief risk officer, which may include, but not be limited to, the power to:

(1) analyze and make recommendations on the potential exposure of the state to liability and financial loss arising from its acts and omissions, from the ownership, control or use of its real and personal property, or the conduct or actions of its employees or agents;

(2) establish and coordinate business continuity programs for essential state functions and services;

(3) implement risk management programs to manage the state's exposure 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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programs to reduce the likelihood and potential cost of loss events, and the purchase of insurance or other risk sharing arrangements where appropriate;

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

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

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

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

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

(e) the utilization of funds appropriated to the office of general services for a centralized risk management function within state government;

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

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

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

(i) the method of financing the establishment and operations of the office of risk assessment and management and/or a state chief risk officer with expanded powers and duties of such office.

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

§ 3. This act shall take effect immediately.