STATE OF NEW YORK

791

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. CARROLL -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to requiring the metropolitan transportation authority to publish certain financial reports on the authority's website

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

Section 1. Subdivision 2-a of section 1269-b of the public authorities law is amended by adding three new paragraphs (c), (d) and (e) to read as follows:

(c) The authority shall publish all data pertaining to capital programs of the authority and any amendments to such programs as required by this section on the authority's website in a common, machine readable format, as defined by executive order number ninety-five of two thousand thirteen, "Using Technology to Promote Transparency, Improve Government Performance and Enhance Citizen Engagement" or any successor order. Such data shall include, but not be limited to:

(i) all data required by paragraph (c) of subdivision one of this section, including estimates of capital funding required each year and expected sources of such funding;

(ii) all data required by subdivision two of this section, including proposed expenditures or commitments of funding for individual capital elements required; and

(iii) all data regarding proposed expenditures or commitments of individual projects in each capital element.

(d) Individual capital project data shall be included in a capital program dashboard maintained by the authority on its website. Any summary views provided on the website shall include the original budgets and schedules, in addition to current or amended budgets and schedules.

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

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Data pertaining to individual projects shall include, but not be limited to:

(i) the capital project identification number;

(ii) the capital plan years;

(iii) the agency or authority undertaking the project;

(iv) a project description;

(v) the project location;

(vi) the capital need met by the project, such as state of good repair, normal replacement, system improvement, system expansion or other category;

(vii) budget information including the original budget, all amendments, the current budget and planned annual allocations; and

(viii) a schedule for project delivery including original, amended and current start and completion dates.

The status of projects shall be provided and state the current phase of the project, such as planning, design, construction or completion, and shall state how close such project is to completion as measured in percentage. The dashboard shall measure progress based on original budgets and schedules rather than amended budgets and schedules. All changes to planned budgets or schedules shall be provided in narrative form and describe the reason for each change or amendment. The dashboard shall include a glossary or data dictionary which contains plain language descriptions of the data and information provided on the dashboard. The dashboard shall be updated, at a minimum, on a quarterly basis, and all data fields available on the dashboard shall be made available for download on the authority's website in a single tabular data file in a common, machine readable format. Capital dashboard data shall also be made available on the data.ny.gov website or such other successor website maintained by, or on behalf of, the state, as deemed appropriate by the New York state office of information technology services under executive order number ninety-five of two thousand thirteen, or any successor agency or order.

(e) The data required to be published pursuant to this subdivision shall be made in a single tabular data file in a common, machine readable format and shall be accessible on the authority's website and the website data.ny.gov or such other successor website maintained by, or on behalf of, the state, as deemed appropriate by the New York state office of information technology services under executive order number ninety-five of two thousand thirteen, or any successor agency or order.

§ 2. Section 1276-b of the public authorities law is amended by adding two new subdivisions 6 and 7 to read as follows:

6. The authority shall publish all data pertaining to each authority's budget and financial plans as required by this section in a common, machine readable format on the authority's website as defined by executive order number ninety-five of two thousand thirteen, "Using Technology to Promote Transparency, Improve Government Performance and Enhance Citizen Engagement" or any successor order. Such data shall include, but not be limited to:

(a) estimates of projected operating revenues and expenses, including monthly projections for the current fiscal year of all revenues and expenses;

(b) any planned transaction that would shift resources, from any source, from one fiscal year to another, and the amount of any reserves;

(c) quarterly revenue and expense targets;

(d) staffing for the authority and each of its agencies;

(e) a comparison of actual revenues and expenses, actual staffing and actual utilization to planned or projected levels for each of the authority's agencies that operate transportation systems;

(f) the status of each gap-closing initiative with a projected value greater than one million dollars in any given fiscal year; and

(g) the status of capital projects by capital element, including but not limited to commitments, expenditures and completions; and an explanation of material variances from the plan, cost overruns and delays.

7. The data required to be published pursuant to this section shall be made in a single tabular data file in a common, machine readable format and shall be accessible on the authority's website and the website data.ny.gov or such other successor website maintained by, or on behalf of, the state, as deemed appropriate by the New York state office of information technology services under executive order number ninety-five of two thousand thirteen, or any successor agency or order.

§ 3. This act shall take effect immediately.