

STATE OF NEW YORK

4532

2025-2026 Regular Sessions

IN ASSEMBLY

February 4, 2025

Introduced by M. of A. RA -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the legislative law, in relation to creation of the non-partisan office of policy research and fiscal analysis

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

1 Section 1. The legislative law is amended by adding a new article 4-B
2 to read as follows:

ARTICLE 4-B

NON-PARTISAN OFFICE OF POLICY RESEARCH AND FISCAL ANALYSIS

5 Section 76. Non-partisan office of policy research and fiscal analysis.

6 77. Powers and duties of the office; report.

7 § 76. Non-partisan office of policy research and fiscal analysis. 1.
8 For purposes of this article:

9 a. "Office" means the non-partisan office of policy research and
10 fiscal analysis established in this article;

11 b. "Director" means the director of the non-partisan office of policy
12 research and fiscal analysis; and

13 c. "Super-majority vote" means a vote requiring two-thirds of the
14 members elected to each branch of the legislature.

15 2. There is hereby created a non-partisan office of policy research
16 and fiscal analysis. The head of such office shall be the director who
17 shall be appointed by a joint resolution requiring a super-majority vote
18 of both the senate and assembly for a term of seven years. The tempo-
19 rary president of the senate and speaker of the assembly, in consulta-
20 tion with the senate minority leader and assembly minority leader shall
21 reach a consensus on a candidate for the director position on which the
22 senate and assembly shall vote. The director of the office shall be
23 appointed without regard to political affiliation and solely on the
24 basis of fitness to perform the duties assigned by this article.

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

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1 3. A deputy director shall be appointed by the director. Any individ-
2 ual appointed as director to fill a vacancy prior to the expiration of a
3 term shall serve only for the unexpired portion of that term. Any indi-
4 vidual serving as director at the expiration of the term may continue to
5 serve until such individual's successor is appointed. Any deputy direc-
6 tor shall serve until the expiration of the term of office of the direc-
7 tor who appointed such deputy director, and until such deputy director's
8 successor is appointed, unless sooner removed by the director.

9 4. The director shall hold no other public office while serving as
10 the director. The director shall receive such compensation as may be
11 fixed by the legislature.

12 5. The director may be removed by either the assembly or the senate by
13 resolution requiring a two-thirds vote of the members elected to either
14 branch of the legislature.

15 § 77. Powers and duties of the office; report. 1. The office shall:

16 a. at the request of any member of the senate or assembly, conduct
17 cost-benefit analyses of proposed legislation or new or existing state
18 programs, including but not limited to (i) quantifying direct and indi-
19 rect costs associated with program or legislative implementation and
20 maintenance, (ii) assessing short-term and long-term economic and social
21 benefits, (iii) evaluating fiscal impacts on state, local, and tribal
22 governments, (iv) identifying potential unintended consequences and
23 externalities, (v) comparing program outcomes to stated objectives and
24 performance metrics, and (vi) providing recommendations for program
25 efficiency or alternative approaches;

26 b. conduct regular evaluations of the state's budget surpluses and
27 gaps, and in the event of a projected surplus or gap, the office shall
28 (i) analyze the sources of the surplus or identify the primary drivers
29 of the shortfall, (ii) provide recommendations for allocation or savings
30 of surplus funds or provide recommendations of options for addressing
31 the gap, including spending reductions, and (iii) assess the long-term
32 sustainability of the surplus or analyze the potential economic and
33 programmatic impacts of proposed gap closing solutions;

34 c. conduct assessments of the state's fiscal reserves, including but
35 not limited to (i) analyzing the balance, structure, and legal framework
36 of all state reserve funds, including but not limited to the rainy day
37 reserve fund, tax stabilization reserve fund, and any other designated
38 or de facto reserve accounts, (ii) evaluating the adequacy of current
39 reserve levels relative to historical state revenue volatility, poten-
40 tial economic shock scenarios, and best practices and benchmarks from
41 other states, (iii) examining the historical usage of reserve funds
42 during economic downturns or fiscal emergencies, (iv) forecasting poten-
43 tial reserve fund levels under various economic and budget scenarios,
44 and (v) providing recommendations regarding the state's reserve fund
45 structure, policies, or funding levels to enhance fiscal stability and
46 preparedness for economic uncertainties;

47 d. conduct comprehensive assessments of the state's debt management
48 practices, including but not limited to (i) analyzing the total
49 outstanding debt portfolio and its composition, (ii) evaluating compli-
50 ance with and implications of the statutory debt limit, (iii) forecast-
51 ing short-term and long-term debt service obligations, (iv) examining
52 the fiscal impact and risks associated with public authority debt, (v)
53 assessing the state's credit ratings and factors influencing them, (vi)
54 comparing the state's debt metrics to national benchmarks and peer
55 states, and (vii) providing recommendations for optimizing the state's
56 debt structure and minimizing borrowing costs;

1 e. provide confidential memoranda, briefings and consultations on
2 current policy, proposed legislation, including budget legislation, and
3 other policy issues facing the state to senate and assembly members upon
4 request;

5 f. deliver expert testimony and identify prospective speakers for
6 hearings held by senate and assembly committees;

7 g. hold seminars and workshops on policy and fiscal issues, the legis-
8 lative and budget process, and other topics upon request of members of
9 the senate and assembly or at the discretion of the director of the
10 office;

11 h. identify pertinent source materials on state policy or fiscal
12 issues upon requests of members of the senate and assembly; and

13 i. conduct long-term analysis and research projects on state policy
14 and fiscal issues at the discretion of the director or upon the request
15 of the members of the assembly and senate.

16 2. The director may appoint analysts, assistants and such other
17 employees as the director may deem necessary or desirable, prescribe
18 such employee's duties and fix such employee's compensation within the
19 amounts appropriated and made available therefor.

20 3. The director is authorized to secure information, data, estimates,
21 and statistics directly from various agencies, departments, and offices
22 of the executive branch of the government. All such agencies, depart-
23 ments, and offices shall furnish to the director any available material
24 which the director determines necessary in the performance of the duties
25 and functions of the non-partisan office of policy research and fiscal
26 analysis, provided that the director maintains the level of confiden-
27 tiality required by the law of the agency, department, or office from
28 which it is obtained. The director is also authorized, upon agreement
29 with the head of any such agency, department, or office to utilize its
30 services, facilities, and personnel with or without reimbursement.

31 4. a. The office shall submit a report to the temporary president of
32 the senate, senate minority leader, the speaker of the assembly, assem-
33 bley minority leader, and the members of the fiscal committees of the
34 senate and assembly, which shall include the evaluations and assessments
35 of the proposed executive budget and quarterly updates to the financial
36 plan as released by the division of budget, as described in paragraphs
37 b, d and c of subdivision one of this section.

38 b. Such report shall be submitted on the first of March each year for
39 the next succeeding fiscal year. After submission to the temporary pres-
40 ident of the senate, senate minority leader, the speaker of the assembly
41 and assembly minority leader, such report shall be made available to the
42 public, upon request.

43 c. The office shall also submit a report on the first of December of
44 each year to the temporary president of the senate, senate minority
45 leader, the speaker of the assembly, and the assembly minority leader,
46 which shall include information on all requests received, services
47 provided, and a description of all non-confidential products produced by
48 the office. After submission to the temporary president of the senate,
49 senate minority leader, the speaker of the assembly and the assembly
50 minority leader, such report shall be made available to the public, upon
51 request.

52 5. a. The office shall be funded from legislative appropriations
53 provided annually, with equal allocations provided by the senate and the
54 assembly as each house deems appropriate.

1 b. The director may procure, within the amounts appropriated and made
2 available therefor, up-to-date computer equipment, obtain the services
3 of experts and consultants in computer technology.

4 § 2. Section 30 of the legislative law, as amended by chapter 766 of
5 the laws of 2005, is amended to read as follows:

6 § 30. Duties of finance and ways and means committees and secretaries
7 and of the non-partisan office of policy research and fiscal analysis
8 and its director. The committees and their secretaries and of the non-
9 partisan office of policy research and fiscal analysis and its director

10 shall have access at all reasonable times to offices of state depart-
11 ments, commissions, boards, bureaus and offices, to institutions and to
12 all state authorities and public works of the state and they may, for
13 the purpose of obtaining information as to the method of operation,
14 general condition, management and needs thereof, examine the books,
15 papers and public records therein. Notwithstanding any other provision
16 of law such state departments, commissions, boards, bureaus, offices,
17 state authorities and institutions shall through their proper officers
18 or deputies furnish to such committees and the non-partisan office of
19 policy research and fiscal analysis such data, information or statements
20 as may be necessary for the proper exercise of their powers and duties
21 and for the purpose of carrying into effect the provisions of this arti-
22 cle. The finance and ways and means committee in exercising the powers
23 and performing the duties prescribed by this article may act jointly, or
24 separately, as they deem advisable.

25 § 3. This act shall take effect immediately.