

STATE OF NEW YORK

10056

IN ASSEMBLY

January 30, 2026

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

AN ACT to amend chapter 154 of the laws of 1921 relating to the port authority of New York and New Jersey, in relation to port authority organization, appearance and notice

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

1 Section 1. Subdivision 1, subparagraph 2 of paragraph d of subdivision
2 3 and subdivisions 5 and 6 of article 4 of section 1 of chapter 154 of
3 the laws of 1921 relating to the port authority of New York and New
4 Jersey, as amended by chapter 559 of the laws of 2015, paragraph a of
5 subdivision 6 as amended by chapter 104 of the laws of 2020, are amended
6 to read as follows:

7 1. Commissioners. a. The port authority shall consist of twelve voting
8 commissioners and four non-voting commissioners as described in para-
9 graph b of this subdivision. Of the twelve voting commissioners[7]
10 there shall be six resident voters from the state of New York, at least
11 four of whom shall be resident voters of the city of New York, and six
12 resident voters from the state of New Jersey, at least four of whom
13 shall be resident voters within the New Jersey portion of the district,
14 the New York members to be chosen by the state of New York and the New
15 Jersey members by the state of New Jersey in the manner and for the
16 terms fixed and determined from time to time by the legislature of each
17 state respectively, except as herein provided. The New York members
18 shall be appointed by the governor of New York with the advice and
19 consent of the New York state senate. The New Jersey members shall be
20 appointed by the governor of New Jersey with the advice and consent of
21 the New Jersey state senate. Each commissioner may be removed or
22 suspended from office as provided by the law of the state from which
23 [~~he~~] such commissioner shall be appointed. Any commissioner appointed to
24 a term commencing on or after January 1, 2027 shall have experience in
25 one or more of the following areas: transportation, public adminis-
26 tration, business management, finance, accounting, law, engineering,
27 land use, urban and regional planning, management of large capital

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

LBD01988-02-6

1 projects, labor relations, or experience in some other area of activity
2 central to the mission of the port authority. One of the six voting
3 commissioners chosen by the state of New York shall be appointed on the
4 written recommendation of the mayor of the city of New York. The voting
5 commissioners shall be appointed for a term of four years and shall
6 serve no more than two terms. The terms of the voting commissioners
7 shall be staggered so that two of the six voting commissioners appointed
8 by the state of New York will have their terms expire in alternating two
9 year shifts and two of the six voting commissioners appointed by the
10 state of New Jersey will have their terms expire in alternating two
11 years shifts.

12 b. There shall be four non-voting commissioners of the port authority,
13 as established in paragraph a of this subdivision. The first non-voting
14 commissioner shall be a regular mass transit user of the state of New
15 York based facilities of the authority and be recommended to the gover-
16 nor of the state of New York by a rider advocacy group. The second non-
17 voting commissioner shall be a regular user of the state of New Jersey
18 based facilities of the authority and shall be recommended to the gover-
19 nor of the state of New Jersey by a rider advocacy group. The third
20 non-voting commissioner shall be recommended to the governor of the
21 state of New York by the labor organization representing the majority of
22 authority employees working in the state of New York. The fourth non-
23 voting commissioner shall be recommended to the governor of the state of
24 New Jersey by the labor organization representing the majority of
25 authority employees working in the state of New Jersey. The four non-
26 voting commissioners of the port authority shall be appointed for a term
27 of four years and shall serve no more than two terms.

28 (2) For the purposes of this subdivision, the terms:

29 (i) "immediate family" shall mean: a spouse, parent, child, or
30 sibling; and

31 (ii) "interest" shall mean: (A) if the business organization is a
32 partnership, the board member or the board member's immediate family is
33 a partner or owner of [~~ten~~] one percent or more of the assets of the
34 partnership, or (B) if the business organization is a corporation, the
35 board member or the board member's immediate family owns or controls ten
36 percent or more of the stock of the corporation, or serves as a director
37 or officer of the corporation.

38 5. Whistleblower access and assistance program. a. The chief ethics
39 and compliance officer shall recommend to the board of commissioners a
40 whistleblower access and assistance program to be administered by the
41 inspector general which shall include, but not be limited to:

42 (1) establishing an email address and toll-free telephone [~~and~~],
43 facsimile, and text messaging lines available to employees;

44 (2) offering advice regarding employee rights under applicable state
45 and federal laws and advice and options available to all persons; and

46 (3) offering an opportunity for employees to identify concerns regard-
47 ing any issue at the port authority. Any communication between an
48 employee and the inspector general pursuant to this section shall be
49 held strictly confidential by the inspector general, unless the employee
50 specifically waives in writing the right to confidentiality, except that
51 such confidentiality shall not exempt the inspector general from
52 disclosing such information, where appropriate, to the board of commis-
53 sioners and/or any law enforcement authority.

54 b. The port authority shall not fire, discharge, demote, suspend,
55 threaten, harass, or discriminate against an employee because of the

1 employee's role as a whistleblower, insofar as the actions taken by the
2 employee are legal.

3 c. As used in this subdivision:

4 (1) "Employees" means those persons employed at the port authority,
5 including but not limited to: full-time and part-time employees, those
6 employees on probation, and temporary employees.

7 (2) "Whistleblower" means any employee of the port authority who in
8 good faith discloses information concerning acts of corruption, fraud,
9 wrongdoing, misconduct, malfeasance, or other inappropriate behavior by
10 an employee or board member of the port authority, including, but not
11 limited to, concerning the port authority's investments, travel, acqui-
12 sition of real or personal property, the disposition of real or personal
13 property, or the procurement of goods and services.

14 d. The Whistleblower Policy and Procedures set forth herein are not
15 intended to limit, diminish or impair any other rights or remedies that
16 an individual may have under the law with respect to disclosing poten-
17 tial wrongdoing free from retaliation or adverse personnel action.

18 6. Inspector general. a. The inspector general shall be responsible
19 for receiving and investigating, where appropriate, all complaints
20 regarding fraud, waste, and abuse by commissioners, officers, and
21 employees of the port authority or third-parties doing business with the
22 port authority. The inspector general shall also receive and investi-
23 gate complaints from any source, or upon [~~his or her~~] the inspector
24 general's own initiative, concerning allegations of corruption, fraud,
25 use of excessive force, criminal activity, conflicts of interest or
26 abuse by any police officer under the jurisdiction of the Port Authori-
27 ty. The inspector general shall also be responsible for conducting
28 investigations upon the inspector general's own initiative, as the
29 inspector general shall deem appropriate.

30 b. The inspector general shall inform the board of commissioners and
31 the chief executive officer of allegations received by the inspector
32 general and the progress of investigations related thereto, unless
33 special circumstances require confidentiality;

34 c. The inspector general shall determine with respect to allegations
35 received by the inspector general whether disciplinary action or civil
36 prosecution by the port authority is appropriate, and whether the matter
37 should be referred to an appropriate governmental agency for further
38 action;

39 d. The inspector general shall prepare and make available to the
40 public written reports of completed investigations, as appropriate and
41 to the extent permitted by law, subject to redactions to protect a need
42 for confidentiality. The release of all or portions of reports may be
43 deferred to protect the confidentiality of ongoing investigations.

44 e. The inspector general shall have the power to:

45 (1) administer oaths or affirmations and examine witnesses under oath;

46 (2) require the production of any books and papers deemed relevant or
47 material to any investigation, examination or review;

48 (3) notwithstanding any law to the contrary, examine and copy or
49 remove documents or records of any kind prepared, maintained or held by
50 the port authority and its subsidiaries;

51 (4) interview any officer or employee of the port authority or its
52 subsidiaries on any matter related to the performance of such officer or
53 employee's official duties. To the extent that [~~any portion of this~~
54 ~~paragraph is inconsistent with any current contractual obligations of~~
55 ~~the port authority, this paragraph shall not be applicable to those~~
56 ~~obligations until the earliest expiration of those terms under the~~

1 ~~contract~~] the terms and conditions of employment of any employee are
2 established by collective negotiations, any interview conducted pursuant
3 to this paragraph must be in accordance with any applicable provisions
4 of the current, or most recent, if expired, collective negotiations
5 agreement covering the terms and conditions of employment of the employ-
6 ee;

7 (5) monitor the implementation by the port authority of any recommen-
8 dations made by the inspector general; and

9 (6) perform any other functions that are necessary or appropriate to
10 fulfill the duties and responsibilities of office.

11 § 2. Subdivision 1 of article 7-B of section 1 of chapter 154 of the
12 laws of 1921 relating to the port authority of New York and New Jersey,
13 as added by chapter 559 of the laws of 2015, is amended to read as
14 follows:

15 1. Needs assessment. The port authority shall require that a needs
16 assessment be conducted by an independent entity prior to any increase
17 in tolls for the use of any port authority bridge or tunnel, or fares
18 for the use of the port authority trans-Hudson corporation rail system.
19 The assessment shall be made publicly available in a conspicuous
20 location on the port authority's website and presented by the independ-
21 ent entity to the board of commissioners at a public meeting to be held
22 at least ninety days prior to any meeting of the board of commissioners
23 to vote to any increase in the tolls for the use of any port authority
24 bridge or tunnel, or fares for the use of the port authority trans-Hud-
25 son corporation rail system.

26 § 3. Subdivisions 3 and 4 of article 7-D of section 1 of chapter 154
27 of the laws of 1921 relating to the port authority of New York and New
28 Jersey, as added by chapter 559 of the laws of 2015, are amended to read
29 as follows:

30 3. Capital plan. The port authority shall adopt a [~~ten-year~~] five-year
31 capital plan that is developed using a comprehensive planning process
32 and risk-based prioritization that considers asset condition, opera-
33 tional and revenue impact, threat assessment, customer service, regional
34 benefit, and regulatory or statutory requirements. The capital plan
35 shall be dependent upon the availability of sufficient funding and other
36 resources to pursue the capital projects proposed for the ten-year peri-
37 od. Performance progress and revisions to reflect changes in programs,
38 policies and projects and the environment in which the port authority
39 operates shall be reviewed regularly by a committee designated by the
40 board of commissioners, and the capital plan shall be revised period-
41 ically as necessary and appropriate, and shall be reviewed with the
42 board of commissioners annually. The port authority shall publish an
43 annual report on the status of the capital program and such report shall
44 be made publicly available on the port authority's website. Prior to
45 adoption of a capital plan, the port authority shall make such proposed
46 plan available for public review and comments on its public website for
47 at least [~~two~~] four weeks prior to approval, and all comments received
48 are to be distributed to the board of commissioners for review prior to
49 consideration of the capital plan.

50 4. [~~Operating—budget~~] Budget. The port authority shall prepare a
51 detailed annual operating budget beginning with the fiscal year commenc-
52 ing after the effective date of the chapter of the laws of [~~2015~~] 2026
53 which [~~added~~] amended this article. A preliminary annual operating budg-
54 et shall be made publicly available on the port authority's website in
55 July of every fiscal year and a final annual operating budget shall be
56 made publicly available in February of each fiscal year.

1 § 4. Severability clause. If any clause, sentence, paragraph, subdivi-
2 sion, section or part of this act shall be adjudged by any court of
3 competent jurisdiction to be invalid, such judgment shall not affect,
4 impair, or invalidate the remainder thereof, but shall be confined in
5 its operation to the clause, sentence, paragraph, subdivision, section
6 or part thereof directly involved in the controversy in which such judg-
7 ment shall have been rendered. It is hereby declared to be the intent of
8 the legislature that this act would have been enacted even if such
9 invalid provisions had not been included herein.

10 § 5. This act shall take effect upon the enactment into law by the
11 state of New Jersey of legislation having an identical effect with this
12 act, but if the state of New Jersey shall have already enacted such
13 legislation this act shall take effect immediately. The chair or vice-
14 chair of the port authority as recommended by the governor of the state
15 of New York shall notify the legislative bill drafting commission upon
16 the occurrence of the enactment of the legislation provided for in
17 sections one, two and three of this act in order that the commission may
18 maintain an accurate and timely effective data base of the official text
19 of the laws of the state of New York in furtherance of effectuating the
20 provisions of section 44 of the legislative law and section 70-b of the
21 public officers law.