# 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:**

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

**ARTICLE 4-B**

**NON-PARTISAN OFFICE OF POLICY RESEARCH AND FISCAL ANALYSIS**

**Section 76. Non-partisan office of policy research and fiscal analysis.**
**77. Powers and duties of the office; report.**

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

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

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

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

**2. There is hereby created a non-partisan office of policy research and fiscal analysis. The head of such office shall be the director who shall be appointed by a joint resolution requiring a super-majority vote of both the senate and assembly for a term of seven years. The temporary president of the senate and speaker of the assembly, in consultation with the senate minority leader and assembly minority leader shall reach a consensus on a candidate for the director position on which the senate and assembly shall vote. The director of the office shall be appointed without regard to political affiliation and solely on the 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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3. A deputy director shall be appointed by the director. Any individual appointed as director to fill a vacancy prior to the expiration of a term shall serve only for the unexpired portion of that term. Any individual serving as director at the expiration of the term may continue to serve until such individual's successor is appointed. Any deputy director shall serve until the expiration of the term of office of the director who appointed such deputy director, and until such deputy director's successor is appointed, unless sooner removed by the director.

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

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

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

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

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

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

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

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

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

g. hold seminars and workshops on policy and fiscal issues, the legislative and budget process, and other topics upon request of members of the senate and assembly or at the discretion of the director of the office;

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

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

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

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

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

b. Such report shall be submitted on the first of March each year for the next succeeding fiscal year. After submission to the temporary president of the senate, senate minority leader, the speaker of the assembly and assembly minority leader, such report shall be made available to the public, upon request.

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

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

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

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

§ 30. Duties of finance and ways and means committees and secretaries **and of the non-partisan office of policy research and fiscal analysis and its director**. The committees and their secretaries **and of the non-partisan office of policy research and fiscal analysis and its director** shall have access at all reasonable times to offices of state departments, commissions, boards, bureaus and offices, to institutions and to all state authorities and public works of the state and they may, for the purpose of obtaining information as to the method of operation, general condition, management and needs thereof, examine the books, papers and public records therein. Notwithstanding any other provision of law such state departments, commissions, boards, bureaus, offices, state authorities and institutions shall through their proper officers or deputies furnish to such committees **and the non-partisan office of policy research and fiscal analysis** such data, information or statements as may be necessary for the proper exercise of their powers and duties and for the purpose of carrying into effect the provisions of this article. The finance and ways and means committee in exercising the powers and performing the duties prescribed by this article may act jointly, or separately, as they deem advisable.

§ 3. This act shall take effect immediately.