

STATE OF NEW YORK

4605

2025-2026 Regular Sessions

IN ASSEMBLY

February 4, 2025

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

AN ACT to amend the public authorities law, in relation to the metropolitan
transportation authority

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

1 Section 1. Subparagraph 1 of paragraph (a) of subdivision 1 of section
2 1263 of the public authorities law, as amended by chapter 68 of the laws
3 of 2024, is amended to read as follows:

4 (1) There is hereby created the "metropolitan transportation authori-
5 ty." The authority shall be a body corporate and politic constituting a
6 public benefit corporation. The authority shall consist of a chair-
7 person, sixteen other voting members, and two non-voting and four alter-
8 nate non-voting members, as described in subparagraph two of this para-
9 graph appointed by the governor by and with the advice and consent of
10 the senate. Any member appointed to a term commencing on or after June
11 thirtieth, two thousand nine shall have experience in one or more of the
12 following areas: transportation, public administration, business manage-
13 ment, finance, accounting, law, engineering, land use, urban and
14 regional planning, management of large capital projects, labor
15 relations, or have experience in some other area of activity central to
16 the mission of the authority. Four of the sixteen voting members other
17 than the chairperson shall be appointed on the written recommendation of
18 the mayor of the city of New York; and each of seven other voting
19 members other than the chairperson shall be appointed after selection
20 from a written list of three recommendations from the chief executive
21 officer of the county in which the particular member is required to
22 reside pursuant to the provisions of this subdivision. Of the members
23 appointed on recommendation of the chief executive officer of a county,
24 one such member shall be, at the time of appointment, a resident of the
25 county of Nassau, one a resident of the county of Suffolk, one a resi-

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

LBD04054-01-5

1 dent of the county of Westchester, one a resident of the county of
2 Dutchess, one a resident of the county of Orange, one a resident of the
3 county of Putnam and one a resident of the county of Rockland, provided
4 that the term of any member who is a resident of a county that has with-
5 drawn from the metropolitan commuter transportation district pursuant to
6 section twelve hundred seventy-nine-b of this title shall terminate upon
7 the effective date of such county's withdrawal from such district. Of
8 the five voting members, other than the chairperson, appointed by the
9 governor without recommendation from any other person, three shall be,
10 at the time of appointment, residents of the city of New York and two
11 shall be, at the time of appointment, residents of such city or of any
12 of the aforementioned counties in the metropolitan commuter transporta-
13 tion district. Provided however, notwithstanding the foregoing residency
14 requirement, one of the five voting members appointed by the governor
15 without recommendation from any other person, other than the chair-
16 person, may be the director of the New York state division of the budg-
17 et, and provided further that, in the event of such appointment, the
18 budget director's membership in the authority shall be deemed ex-offi-
19 cio. Provided further, one of the twelve voting members, other than the
20 chairperson, appointed by the governor without recommendation by any
21 other person, or on the recommendation of the mayor of the city of New
22 York, or of the chief executive officer of the counties of Westchester,
23 Nassau, or Suffolk shall be a transit dependent individual. A "transit
24 dependent individual" shall mean an individual who is limited to public
25 transit as their primary mode of transportation because the individual
26 has a permanent disability, provided that any local or statewide transit
27 advocacy organization may recommend one or more transit dependent indi-
28 viduals to be considered for appointment pursuant to this section. The
29 chairperson and each of the members shall be appointed for a term of six
30 years, provided however, that the chairperson first appointed shall
31 serve for a term ending June thirtieth, nineteen hundred eighty-one,
32 provided that thirty days after the effective date of the chapter of the
33 laws of two thousand nine which amended this subparagraph, the term of
34 the chairperson shall expire; provided, further, that such chairperson
35 may continue to discharge the duties of [~~his or her~~] their office until
36 the position of chairperson is filled by appointment by the governor
37 upon the advice and consent of the senate and the term of such new
38 chairperson shall terminate June thirtieth, two thousand fifteen. The
39 sixteen other members first appointed shall serve for the following
40 terms: The members from the counties of Nassau and Westchester shall
41 each serve for a term ending June thirtieth, nineteen hundred eighty-
42 five; the members from the county of Suffolk and from the counties of
43 Dutchess, Orange, Putnam and Rockland shall each serve for a term ending
44 June thirtieth, nineteen hundred ninety-two; two of the members
45 appointed on recommendation of the mayor of the city of New York shall
46 each serve for a term ending June thirtieth, nineteen hundred eighty-
47 four and, two shall each serve for a term ending June thirtieth, nine-
48 teen hundred eighty-one; two of the members appointed by the governor
49 without the recommendation of any other person shall each serve for a
50 term ending June thirtieth, nineteen hundred eighty-two, two shall each
51 serve for a term ending June thirtieth, nineteen hundred eighty and one
52 shall serve for a term ending June thirtieth, nineteen hundred eighty-
53 five. The two non-voting and four alternate non-voting members shall
54 serve until January first, two thousand one. The members from the coun-
55 ties of Dutchess, Orange, Putnam and Rockland shall each cast one
56 [~~collective~~] vote.

1 § 2. Paragraph (a) of subdivision 1 of section 1263 of the public
2 authorities law, as amended by section 2 of part E of chapter 39 of the
3 laws of 2019, is amended to read as follows:

4 (a) There is hereby created the "metropolitan transportation authori-
5 ty." The authority shall be a body corporate and politic constituting a
6 public benefit corporation. The authority shall consist of a [~~chairman~~
7 chair] and sixteen other members appointed by the governor by and with
8 the advice and consent of the senate. Any member appointed to a term
9 commencing on or after June thirtieth, two thousand nine shall have
10 experience in one or more of the following areas of expertise: trans-
11 portation, public administration, business management, finance, account-
12 ing, law, engineering, land use, urban and regional planning, management
13 of large capital projects, labor relations, or have experience in some
14 other area of activity central to the mission of the authority. Four of
15 the sixteen members other than the [~~chairman~~ chair] shall be appointed
16 on the written recommendation of the mayor of the city of New York; and
17 each of seven other members other than the [~~chairman~~ chair] shall be
18 appointed after selection from a written list of three recommendations
19 from the chief executive officer of the county in which the particular
20 member is required to reside pursuant to the provisions of this subdivi-
21 sion. Of the members appointed on recommendation of the chief executive
22 officer of a county, one such member shall be, at the time of appoint-
23 ment, a resident of the county of Nassau; one a resident of the county
24 of Suffolk; one a resident of the county of Westchester; and one a resi-
25 dent of the county of Dutchess, one a resident of the county of Orange,
26 one a resident of the county of Putnam and one a resident of the county
27 of Rockland, provided that the term of any member who is a resident of a
28 county that has withdrawn from the metropolitan commuter transportation
29 district pursuant to section twelve hundred seventy-nine-b of this title
30 shall terminate upon the effective date of such county's withdrawal from
31 such district. Of the five members, other than the [~~chairman~~ chair],
32 appointed by the governor without recommendation from any other person,
33 three shall be, at the time of appointment, residents of the city of New
34 York and two shall be, at the time of appointment, residents of such
35 city or of any of the aforementioned counties in the metropolitan commu-
36 ter transportation district. Provided however, notwithstanding the fore-
37 going residency requirement, one of the five voting members appointed by
38 the governor without recommendation from any other person, other than
39 the [~~chairman~~ chair], may be the director of the New York state division
40 of the budget, and provided further that, in the event of such appoint-
41 ment, the budget director's membership in the authority shall be deemed
42 ex-officio. The [~~chairman~~ chair] and each of the members shall be
43 appointed for a term of six years, provided however, that the [~~chairman~~
44 chair] first appointed shall serve for a term ending June thirtieth,
45 nineteen hundred eighty-one, provided that thirty days after the effec-
46 tive date of the chapter of the laws of two thousand nine which amended
47 this paragraph, the term of the [~~chairman~~ chair] shall expire; provided,
48 further, that such [~~chairman~~ chair] may continue to discharge the duties
49 of [~~his~~] their office until the position of [~~chairman~~ chair] is filled
50 by appointment by the governor upon the advice and consent of the senate
51 and the term of such new [~~chairman~~ chair] shall terminate June thirti-
52 eth, two thousand fifteen. The sixteen other members first appointed
53 shall serve for the following terms: The members from the counties of
54 Nassau and Westchester shall each serve for a term ending June thirti-
55 eth, nineteen hundred eighty-five; the members from the county of
56 Suffolk and from the counties of Dutchess, Orange, Putnam and Rockland

1 shall each serve for a term ending June thirtieth, nineteen hundred
2 ninety-two; two of the members appointed on recommendation of the mayor
3 of the city of New York shall each serve for a term ending June thirti-
4 eth, nineteen hundred eighty-four and, two shall each serve for a term
5 ending June thirtieth, nineteen hundred eighty-one; two of the members
6 appointed by the governor without the recommendation of any other person
7 shall each serve for a term ending June thirtieth, nineteen hundred
8 eighty-two, two shall each serve for a term ending June thirtieth, nine-
9 teen hundred eighty and one shall serve for a term ending June thirti-
10 eth, nineteen hundred eighty-five. The members from the counties of
11 Dutchess, Orange, Putnam and Rockland shall each cast one [~~collective~~]
12 vote.

13 § 3. Subdivision 3 of section 1263 of the public authorities law, as
14 amended by chapter 929 of the laws of 1986, paragraph (b) as amended by
15 chapter 14 of the laws of 2006, is amended to read as follows:

16 3. [~~(a)~~] A majority of the whole number of members of the authority
17 then in office shall constitute a quorum for the transaction of any
18 business or the exercise of any power of the authority. Except as other-
19 wise specified in this title, for the transaction of any business or the
20 exercise of any power of the authority, the authority shall have power
21 to act by a majority vote of the members present at any meeting at which
22 a quorum is in attendance and except further, that in the event of a tie
23 vote the [~~chairman~~] chair shall cast one additional vote.

24 [~~(b) For purposes of determining the presence of a quorum, and for~~
25 ~~purposes of participation on any committee or subcommittee, those~~
26 ~~members who collectively cast a single vote pursuant to the provisions~~
27 ~~of paragraph (a) of subdivision one of this section shall be considered~~
28 ~~to be a single member, and the presence of such member shall be deter-~~
29 ~~mined as provided in this subdivision. Except as otherwise provided in a~~
30 ~~by-law adopted as hereinafter provided, such single member constituting~~
31 ~~those members entitled to a collective vote shall be deemed present as a~~
32 ~~single member for purposes of a quorum if one or more of the members~~
33 ~~then in office entitled to cast such collective vote is present, and~~
34 ~~such collective vote shall be cast in accordance with the majority~~
35 ~~agreement of the members entitled to a collective vote who are present~~
36 ~~or in the event a single member entitled to a collective vote is present~~
37 ~~it shall be cast by that member. To evidence the existence of such~~
38 ~~majority agreement among the members entitled to a collective vote, each~~
39 ~~such member shall be polled as to his vote and such poll shall be~~
40 ~~recorded in the minutes. In the event a majority vote is not achieved by~~
41 ~~the members entitled to a collective vote who are present, then the vote~~
42 ~~shall not be cast. Nothing herein shall limit the right of an individual~~
43 ~~member to participate in board meetings or in other activities of the~~
44 ~~authority when the other members then in office entitled to collectively~~
45 ~~cast a vote are not present. At any meeting of the authority at which~~
46 ~~there is a quorum including all the members then in office entitled to~~
47 ~~cast a collective vote, the authority may adopt a by-law or by-laws~~
48 ~~regulating the casting of such collective vote, provided all members~~
49 ~~then in office entitled to cast a collective vote affirmatively approve~~
50 ~~such by-law or by-laws. Any action taken by the authority in accordance~~
51 ~~with any such by-law or by-laws adopted pursuant to the provisions of~~
52 ~~this paragraph shall take effect in the same manner as any other action~~
53 ~~of the authority. Any such by-law or by-laws shall not provide for the~~
54 ~~casting of any fractional vote. Nor shall such a by-law or by-laws~~
55 ~~provide for the amendment, repeal or adoption in the future of such a~~

1 ~~by law or by laws in a manner other than that set forth in this para-~~
2 ~~graph.~~

3 ~~(c) No provision of paragraph (b) of this subdivision relating to the~~
4 ~~adoption of certain by-laws by the authority shall affect the manner in~~
5 ~~which by-laws of the authority are adopted concerning any subject other~~
6 ~~than the voting and presence for quorum purposes of the members from the~~
7 ~~counties of Dutchess, Putnam, Orange and Rockland.~~

8 ~~(d) Notwithstanding the provisions of paragraph (a) of subdivision one~~
9 ~~of this section, any member appointed from the county of Dutchess,~~
10 ~~Orange, Putnam or Rockland prior to the increase in the number of~~
11 ~~members of the authority to include a member from each such county shall~~
12 ~~continue in office as the member from such counties pursuant to section~~
13 ~~five of the public officers law until the appointment and confirmation~~
14 ~~of all of the new members from such counties pursuant to the provisions~~
15 ~~of this section, and no individual member exercising a collective vote~~
16 ~~appointed and confirmed pursuant to paragraph (a) of subdivision one of~~
17 ~~this section shall take office until all such new members are appointed~~
18 ~~and confirmed.]~~

19 § 4. This act shall take effect immediately, provided that the amend-
20 ments to paragraph (a) of subdivision 1 of section 1263 of the public
21 authorities law made by section one of this act shall be subject to the
22 expiration and reversion of such paragraph pursuant to chapter 549 of
23 the laws of 1994, as amended, when upon such date the provisions of
24 section two of this act shall take effect.