

STATE OF NEW YORK

3869

2025-2026 Regular Sessions

IN SENATE

January 30, 2025

Introduced by Sen. HOYLMAN-SIGAL -- read twice and ordered printed, and when printed to be committed to the Committee on Internet and Technology

AN ACT to amend the executive law, in relation to creating the office of emerging technology and providing for its functions and duties

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

Section 1. Article 50 of the executive law is redesignated article 60 and sections 1000, 1001, 1002 and 1003, as renumbered by chapter 770 of the laws of 1978, are renumbered sections 1500, 1501, 1502 and 1503.

§ 2. The executive law is amended by adding a new article 50 to read as follows:

ARTICLE 50

OFFICE OF EMERGING TECHNOLOGY

Section 1000. Office of emerging technology.

1001. Functions, powers and duties of the office.

§ 1000. Office of emerging technology. 1. The office of emerging technology is hereby created within the executive department to have and exercise the functions, powers and duties provided by the provisions of this article and any other provision of law. For purposes of this article, "the office" means the office of emerging technology.

2. The office shall be governed by a board consisting of the following thirteen members to be appointed as follows for two year terms:

(a) the director, who shall be appointed by the governor with the consent and approval of the senate;

(b) six members appointed by the temporary president of the senate, including three from the majority party and three from the minority party; and

(c) six members appointed by the speaker of the assembly, including three from the majority party and three from the minority party.

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

LBD07110-01-5

1 3. Each member shall have expertise and experience related to at least
2 one of the following fields, disciplines, or areas:

3 (a) the use and function of both existing and emerging technology;

4 (b) data privacy and data security;

5 (c) civil rights, civil liberties, and due process and procedural
6 rights; and

7 (d) legal representation of low-income individuals.

8 4. The director shall not act in any capacity for, any organization,
9 agency, or institutions with which the office makes any contract or
10 other arrangement under this article.

11 5. The board shall meet at least four times each year and may estab-
12 lish its own rules and procedures concerning the conduct of its meetings
13 and other affairs not inconsistent with law.

14 § 1001. Functions, powers and duties of the office. 1. The basic func-
15 tion of the office shall be to act as the official state planning and
16 coordinating office for changes in policy, practice and allocation of
17 state resources around emerging technologies, to advise and assist the
18 state agencies in developing policies, plans and programs around emerg-
19 ing technologies, and to provide early indications of beneficial and
20 adverse impacts of the applications of emerging technology and to devel-
21 op and coordinate information which may assist the legislature and the
22 state in responding to emerging technologies. In carrying out such func-
23 tion, the office shall:

24 (a) Identify existing or probable impacts of emerging technology or
25 technological programs.

26 (b) Where possible, ascertain cause-and-effect relationships of the
27 use of emerging technologies.

28 (c) Identify alternative technological methods of implementing specif-
29 ic programs.

30 (d) Identify alternative programs for achieving requisite goals.

31 (e) Examine current and proposed laws, rules, regulations, programs
32 and policies relating to the use of emerging technologies.

33 (f) Examine currently available emerging technologies and evaluate
34 their effectiveness, efficacy and accuracy, provided that such evalu-
35 ation shall include the use of representative datasets according to
36 targeted populations, and disaggregated testing for demographic
37 subgroups by age, gender identity, and race.

38 (g) Propose a comprehensive framework of recommendations for legis-
39 lation, regulations and standards regarding the use of such emerging
40 technologies, if deemed appropriate including but not limited to:

41 (i) permissible uses and purposes for use;

42 (ii) prohibited uses and purposes for use;

43 (iii) minimum standards for accuracy that emerging technologies must
44 achieve in order to be authorized for use by the state and/or public,
45 and auditing requirements to ensure compliance with those standards;

46 (iv) standards for use, management, and protection of information
47 derived from the use of emerging technology, including but not limited
48 to data retention, sharing, access and audit trails;

49 (v) rigorous protections for due process, privacy, free speech and
50 association, and racial, gender, and religious equity;

51 (vi) training requirements for state personnel authorized to use
52 emerging technology;

53 (vii) procedures to address instances in which a person is wrongfully
54 harmed based on inaccurate information derived from use of an emerging
55 technology; and

(viii) disclosure requirements for broad public transparency as well as discovery procedures.

(h) Evaluate potential benefits and harms of the use of emerging technologies, taking into account and analyzing the impact of the use of such systems on the workforce, human safety, inequality, governance, and impact on minorities, women, young people, seniors, lesbian, gay, bisexual, transgender and gender-nonconforming individuals and individuals with disabilities.

(i) Make estimates and comparisons of the impacts of alternative methods and programs.

(j) Present findings of completed analyses to the appropriate legislative authorities.

(k) Identify areas where additional research or data collection is required to provide adequate support for the assessments and estimates described in this section.

2. Assessment activities undertaken by the office may be initiated upon the request of:

(a) The director of the office with majority approval of the board;

(b) The chair of any committee of either house of the legislature, or of any committee of the legislature, acting for themselves or at the request of the ranking minority member or a majority of the committee members; or

(c) The commissioner of any state agency.

3. The office is authorized to hold public hearings and meetings and to consult with any relevant stakeholders it deems appropriate or necessary to seek assistance, data, or other information that will enable the office to carry out its powers and duties.

4. The director may appoint assistants, and other officers and employees, committees and consultants as the director may deem necessary, prescribe their powers and duties, and fix their compensation within the amounts appropriated.

5. The office may request and receive from any department, division, board, bureau, commission or other agency of the state any information and resources that will enable the office to properly carry out its functions, powers and duties.

6. The director may enter contracts or other arrangements as may be necessary for the conduct of the work of the office with any agency within the state, or with any person, firm, association, corporation, or educational institution with or without reimbursement and may make advance, progress and other payments which relate to the duties of the office.

7. The office shall submit a report to the governor, the speaker of the assembly and the temporary president of the senate, and any assessment requester no later than one year after the effective date of this article and annually thereafter, such report shall contain, at minimum, a summary of the findings of the office required by this section. The report shall also be published on the website of the office of the governor.

§ 3. This act shall take effect one year after it shall have become a law.