

STATE OF NEW YORK

5778

2025-2026 Regular Sessions

IN SENATE

February 28, 2025

Introduced by Sen. MURRAY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the public authorities law, in relation to requiring an independent forensic audit of the metropolitan commuter transportation authority; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. The public authorities law is amended by adding a new
2 section 1265-c to read as follows:

3 § 1265-c. Independent forensic audit. 1. Notwithstanding any other
4 provision of law, the authority shall contract with a certified inde-
5 pendent public accounting firm for the provision of an independent,
6 comprehensive, forensic audit of the authority. Such audit shall be
7 performed in accordance with generally accepted government auditing
8 standards. Such audit shall examine redundancies, inefficiencies, and
9 the authority's governance system.

10 2. The certified independent public accounting firm providing such
11 audit services pursuant to this section shall be prohibited from provid-
12 ing audit services if the lead or coordinating audit partner having
13 primary responsibility for the audit, or the audit partner responsible
14 for reviewing the audit, has performed audit services for the authority
15 within any of the ten previous fiscal years of the authority.

16 3. The certified independent public accounting firm providing such
17 audit services pursuant to this section shall be prohibited from
18 performing any non-audit services for the authority contemporaneously
19 with respect to such audit services.

20 4. It shall be prohibited for the certified independent public
21 accounting firm to perform for the authority any audit services if:

22 (a) the chief executive officer, comptroller, chief financial officer,
23 chief accounting officer or any other person serving in an equivalent

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

LBD05947-02-5

1 position in the authority was an employee, consultant or independent
2 contractor of such certified independent public accounting firm and/or
3 participated in any capacity in the audit of the authority at any time;
4 or

5 (b) the chief executive officer, comptroller, chief financial officer,
6 chief accounting officer or any other person serving in an equivalent
7 position with such certified independent public accounting firm was
8 employed as an executive level employee or an equivalent position with
9 the authority at any time.

10 5. The certified independent public accounting firm contracted to
11 perform the independent, comprehensive, forensic audit of the authority
12 pursuant to this section shall, within two years from the effective date
13 of this section, report its findings, conclusions and recommendations to
14 the governor, the state comptroller, the temporary president of the
15 senate, the speaker of the assembly, the chair and ranking minority
16 member of the senate finance committee, the chair and ranking minority
17 member of the assembly ways and means committee, the chairs and ranking
18 minority members of the senate and assembly corporations, authorities
19 and commissions committees, and the chairs and ranking minority members
20 of the senate and assembly transportation committees. Such report shall
21 include, but not be limited to, the certified independent public
22 accounting firm's analysis of redundancies and inefficiencies within the
23 authority, suggestions to reduce such redundancies and inefficiencies,
24 and recommendations for alternative governance structures within the
25 authority. Such report shall be made public and posted on the authori-
26 ty's website.

27 6. The certified independent public accounting firm shall develop no
28 more than six governance action plan proposals for alternative gover-
29 nance systems which shall be adopted by the authority. Such proposals
30 shall be developed congruently with, and included in, the independent
31 forensic audit report. Such proposals shall include suggestions and
32 recommendations for the implementation of alternate governance struc-
33 tures based upon the recommendations and suggestions included within
34 such report required pursuant to subdivision five of this section,
35 including, but not limited to, comprehensive cost savings and efficiency
36 improvement measures. The certified independent public accounting firm
37 shall develop the governance action plan proposals congruently with the
38 publication of the comprehensive forensic audit report, and the authori-
39 ty shall adopt and implement one or more of the governance action plan
40 proposals developed by the certified independent public accounting firm
41 within one year of the publication of the forensic audit report.

42 § 2. This act shall take effect immediately and shall expire and be
43 deemed repealed two years after such date.