



NEW YORK STATE SENATOR

Mark Walczyk

TAXPAYERS ON THE HOOK FOR \$10 MILLION IN PRIVATE ATTORNEY FEES

MARK WALCZYK May 21, 2025

Senator Walczyk is calling out the Senate Majority after approving language to funnel taxpayer dollars into the private legal defense of corrupt public officials. As revealed in the newly approved state budget, a last-minute provision allocated a staggering \$10 million to the Attorney General's private defense fund—money that could be used to cover the legal bills of politicians for actions unrelated to their official duties.

"This is an abuse of power, a slap in the face to every hardworking taxpayer, and - in my opinion - violates the State constitution," said Senator Walczyk. "This provision wasn't in the Governor's original budget proposal, was never discussed during the various public hearings on the budget, didn't show up in the one-house budget resolutions, and yet it was slipped in at the last minute by the Majority."

Senator Walczyk has joined his colleagues in sending a letter to the State Comptroller, urging him to halt the disbursement of this \$10 million in taxpayer funds. This fund opens the door for elected officials, even if they've been removed from office, to use taxpayer money to cover their private legal expenses for activities unrelated to their governmental roles. Article 7 of the State Constitution states "No money shall ever be paid out of the state treasury or any of its funds, or any of the funds under its management, except in pursuance of an appropriation by law."

The private attorney slush fund was tucked away in section 702 of the state's budget bill, S3000-D. However, under sections 17 and 19 of the Public Officers Law, public employees have always

been entitled to legal protection for actions undertaken in the scope of their official duties. This new provision breaks away from that longstanding indemnification principle and makes taxpayer dollars available for private legal liabilities for any state employee the Attorney General and Governor select.

"It's astonishing that while our communities struggle with issues like rising taxes and public safety, some in Albany are busy creating a slush fund to protect themselves," Walczyk continued. "This money—YOUR money—should not be a safety net for elected officials who face legal scrutiny for their actions as private citizens."

"Nobody is above the law." stated Walczyk. "Indemnification is about protecting public servants on the job. This new scheme for corrupt individuals looking to escape accountability for their actions off the clock is beyond the pale. We, as representatives of the people, must ensure that our laws are upheld and that taxpayers are not footing the bill for the personal misdeeds of elected officials. I stand firm in my vote against this maneuver. We will not allow New York taxpayers to become the ATM for public officials. If trust in the government is to be restored, this must stop now."