

NEW YORK  
STATE  
SENATE  
ALBANY, NEW YORK 12247



May 14, 2025

The Honorable Thomas P. DiNapoli  
New York State Comptroller  
Office of the New York State Comptroller  
110 State Street  
Albany, NY 12236

Dear Comptroller DiNapoli,

We write to express our strong opposition to the \$10 million appropriation included in the 2025-26 State Operations Budget Bill, which would allow taxpayer funds to be used for payment or reimbursement of attorneys' fees and related expenses for state employees involved in federal investigations unrelated to their official duties.

This proposed use of public money is a gross misuse of taxpayer dollars. It undermines public trust in government and sends a troubling message that elected officials and state employees are entitled to a publicly-funded legal defense, even for matters entirely disconnected from their public responsibilities.

While the language of the appropriation appears to be crafted to benefit one specific elected official, its scope is so broad that it could extend to nearly any state employee, past, present, or future - regardless of the nature of the investigation or their role in government.

The appropriation's language opens the door to ongoing, unchecked public spending on private legal matters that have no connection to state employment. Such an arrangement is not only offensive to the principles of public accountability but may also raise serious constitutional concerns.

The appropriation explicitly states: *"Attorneys' fees and expenses shall be paid by the State to the employee or the employee's private counsel from time to time during the pendency of the Process and **upon the audit and warrant of the Comptroller.**"*

We urge you, in the strongest terms, to refuse to warrant any payments under this appropriation. Upholding the integrity of our state government and the responsible use of taxpayer dollars demands no less. As someone once said, no one is above the law.

Thank you for your consideration.

Sincerely,



Robert G. Ort  
Senate Minority Leader  
62nd District



Senator Andrew Lanza  
24th District



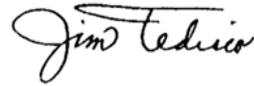
Senator Pam Helming  
54th District



Senator Patricia Canzoneri-Fitzpatrick  
9th District



Senator Rob Rolison  
9th District



Senator Jim Tedisco  
44th District



Senator Daniel G. Stec  
45th District



Senator Alexis Weik  
8th District



Senator Peter Oberacker  
51st District



Senator Steve Chan  
17th District



Senator Steve Rhoads  
5th District



Senator Dean Murray  
3rd District



Senator Mark Walczyk  
49th District



Senator George Borrello  
57th District



Senator Mario Mattera  
2nd District



Senator Patrick Gallivan  
60th District



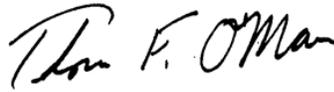
Senator Jack M. Martins  
7th District



Senator Jake Ashby  
43rd District



Senator Joseph Griffo  
53rd District



Senator Tom O'Mara  
58th District



Senator Anthony Palumbo  
1st District



Senator William Weber  
38th District