STATE OF NEW YORK

10696--A

IN ASSEMBLY

March 20, 2026

Introduced by M. of A. BAILEY -- read once and referred to the Committee on Environmental Conservation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to prohibiting the use of perfluoroalkyl and polyfluoroalkyl substances in photovoltaic modules

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

Section 1. The environmental conservation law is amended by adding a new section 37-0123 to read as follows:

§ 37-0123. Prohibition against the use of perfluoroalkyl and polyfluoroalkyl substances in photovoltaic modules.

1. On and after January first, two thousand twenty-eight, no person shall sell, offer for sale or manufacture in this state any photovoltaic module containing perfluoroalkyl and polyfluoroalkyl substances as intentionally added chemicals.

2. The department may adopt any rules and regulations necessary for the purpose of implementing, administering and enforcing this section.

3. For purposes of this section, the following terms shall have the following meanings:

(a) "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" shall have the same meaning as in section 27-3301 of this chapter;

(b) "Person" means any individual, business entity, partnership, company, corporation, limited liability company, nonprofit organization, association, governmental entity, educational or cultural institutions, public benefit corporation, or any other group of individuals, or any officer or employee or agent thereof; and

(c) "Photovoltaic module" means the smallest non-divisible, environmentally protected assembly of photovoltaic cells or other photovoltaic collector technology and ancillary parts intended to generate electrical power under sunlight, except that "photovoltaic module" does not include a photovoltaic cell that is part of a consumer electronic device for which it provides electricity needed to make the consumer electronic device function. "Photovoltaic module" includes but is not limited to

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

LBD13800-04-6

interconnections, terminals, and protective devices such as diodes that are:

(i) installed on, connected to, or integral with buildings; or

(ii) used as components of freestanding, off-grid, power generation systems, such as for powering water pumping stations, electric vehicle charging stations, fencing, street and signage lights, and other commercial or agricultural purposes.

§ 2. This act shall take effect immediately.