STATE OF NEW YORK

7537

2025-2026 Regular Sessions

IN ASSEMBLY

April 1, 2025

Introduced by M. of A. BAILEY -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to enacting the "responsible renewable energy recycling act"; 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:

Section 1. Short title. This act shall be known and may be cited as the "responsible renewable energy recycling act".

§ 2. Article 27 of the environmental conservation law is amended by adding a new title 34 to read as follows:

TITLE 34

RESPONSIBLE RENEWABLE ENERGY RECYCLING ACT

Section 27-3401. Definitions.
27-3403. Solar panel collection.
27-3405. Solar panel wholesaler and retailer requirements.
27-3407. Wind turbine collection.
27-3409. Wind turbine wholesaler and retailer requirements.
27-3411. Battery collection.
27-3413. Battery wholesaler and retailer requirements.
27-3415. Department responsibilities.
27-3417. Disposal prohibition.

§ 27-3401. Definitions.

1. "Collection program" means a system for the collection, transportation and recycling of out-of-service solar panels, out-of-service wind turbines, or out-of-service batteries that are financed and managed or provided by a solar panel, wind turbine, or battery manufacturer individually or collectively with other manufacturers within this state in accordance with this title.

2. "Out-of-service solar panel" means a solar panel that is removed, replaced or otherwise taken out of service.

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

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3. "Qualified contractor" means a person engaged in the business of installing, repairing, servicing or the removal of solar panels, wind turbines, or batteries and who employs seven or more service technicians.

4. "Qualified local government authorities" means any municipal corporation or planning unit as defined in section 27-0107 of this article, or county departments of health.

5. "Solar panel" means a bank of solar cells that, when exposed to radiation from the sun, can generate heating or electricity.

6. "Manufacturer" means a person who manufactures one or more name brand solar panels, wind turbines, or batteries within this state.

7. "Retailer" means a person who sells solar panels, wind turbines, or batteries of any kind primarily to homeowners or other consumers through any sale or distribution mechanism including sales using the internet or catalogs.

8. "Wholesaler" means a person who is engaged in the distribution and wholesale selling of solar panels, wind turbines, or batteries to qualified contractors or other consumers, and whose total wholesale sales account for eighty percent or more of its total sales. A manufacturer is not, by virtue of manufacturing, a wholesaler.

9. "Consumer" means an individual, business, partnership, association, corporation, company, municipality, political subdivision or other legal entity that purchases, operates, owns or uses one or more solar panels, wind turbines, or batteries.

10. "Recycling" means refurbishing out-of-service solar panels, out-of-service wind turbines, or out-of-service batteries for continued reuse as a product or capturing the metals via reclamation.

11. "Out-of-service wind turbine" means a wind turbine that is removed, replaced or otherwise taken out of service.

12. "Battery" means a battery used in a bulk energy battery storage system.

13. "Out-of-service battery" means a battery that is removed, replaced or otherwise taken out of service.

§ 27-3403. Solar panel collection.

1. Each solar panel manufacturer shall, individually or collectively, with other solar panel manufacturers, establish and maintain a program for the collection, transportation and recycling of out-of-service solar panels in accordance with the provisions of this section.

2. Each solar panel manufacturer shall, individually or collectively with other solar panel manufacturers through a collection program, do the following:

(a) On and after July first, two thousand twenty-seven, compile a list of solar panel wholesalers within this state.

(b) Establish a system to collect, transport and recycle out-of-service solar panels from all collection sites.

(c) Not include any fees or other charges to consumers or persons participating in the program.

(d) Beginning July first, two thousand twenty-seven, conduct education and outreach efforts, including, but not limited to the following:

(i) establish and maintain a public website for the dissemination of educational materials to promote the collection and recycling of out-of-service solar panels. Such website shall include templates of the educational materials on the internet website in a form and format that can be easily downloaded and printed. The link to such website shall be provided to the department;

(ii) contact solar panel wholesalers at least once each year to encourage their support and participation in educating consumers on the importance of statutory requirements for the collection and recycling of out-of-service solar panels;

(iii) create and maintain a web-based program that allows contractors and consumers to identify collection sites for out-of-service solar panels in the state and provide a list of such collection sites to the department; and

(iv) develop informational articles, press releases, and news stories pertaining to the importance of and opportunities for collecting and recycling out-of-service solar panels and distribute such materials to trade publications, local media, and stakeholder groups.

(e) On or before July first, two thousand twenty-seven, develop and update as necessary educational and other outreach materials for distribution to qualified contractors, contractor associations and consumers. Such materials shall be made available for use by participating solar panel wholesalers, solar panel retailers, qualified contractors, and qualified government authorities. Such materials shall include, but not be limited to, the following:

(i) signage, such as posters and cling signage, that can be prominently displayed to promote the recycling of out-of-service solar panels to qualified contractors and consumers; and

(ii) written materials or templates of materials for reproduction by solar panel wholesalers and solar panel retailers to be provided to consumers at the time of purchase or delivery of a solar panel. Such materials shall include, but not be limited to, information on the importance of recycling out-of-service solar panels and opportunities for the collection of such solar panels.

(f) Provide an opportunity for the department to review and offer feedback and suggestions on the collection program.

3. No later than April first, two thousand twenty-eight, and no later than April first of each year thereafter, each solar panel manufacturer shall, individually or collectively with other solar panel manufacturers, submit an annual report on its collection program to the department covering the one-year period ending December thirty-first of the previous year. Each report shall be posted on the solar panel manufacturer's or program operator's respective internet website. The annual report shall include the following:

(a) the number of out-of-service solar panels collected and recycled under this section during the previous calendar year;

(b) a list of all solar panel manufacturers, solar panel wholesalers, contractors, qualified local government authorities, and solar panel retailers participating in the program as solar panel collection sites;

(c) an accounting of the program's administrative costs;

(d) a description of outreach strategies employed under paragraph (d) of subdivision two of this section;

(e) examples of outreach and educational materials used under paragraph (d) of subdivision two of this section;

(f) the internet website address or addresses where the annual report may be viewed online;

(g) a description of how the out-of-service solar panels were collected and recycled;

(h) any modifications that the solar panel manufacturer is planning to make in its collection program; and

(i) the identification of a collection program contact and the business phone number, mailing address, and e-mail address for the contact.

4. All solar panel manufacturers participating in the program shall handle and manage any out-of-service solar panels that cannot be recycled and have been determined to be or to contain hazardous waste, as defined pursuant to regulations of the department, consistent with the requirements for the management and disposal of hazardous waste.

5. On and after July first, two thousand twenty-seven, no solar panel manufacturer shall sell, offer to sell, distribute, or offer to distribute solar panels unless the manufacturer participates as a collection site for out-of-service solar panels or requests and receives a waiver from the department following a demonstration that such participation would pose an undue burden.

§ 27-3405. Solar panel wholesaler and retailer requirements.

No solar panel wholesaler or solar panel retailer located within this state shall sell, offer for sale or distribute any solar panel for final sale unless the solar panel manufacturer of such solar panel is listed on the department's website, in accordance with the provisions of this title.

§ 27-3407. Wind turbine collection.

1. Each wind turbine manufacturer shall, individually or collectively, with other wind turbine manufacturers, establish and maintain a program for the collection, transportation and recycling of out-of-service wind turbines in accordance with the provisions of this section.

2. Each wind turbine manufacturer shall, individually or collectively with other wind turbine manufacturers through a collection program, do the following:

(a) On and after July first, two thousand twenty-five, compile a list of wind turbine wholesalers within this state.

(b) Establish a system to collect, transport and recycle out-of-service wind turbines from all collection sites.

(c) Not include any fees or other charges to consumers or persons participating in the program.

(d) Beginning July first, two thousand twenty-five, conduct education and outreach efforts, including, but not limited to the following:

(i) establish and maintain a public website for the dissemination of educational materials to promote the collection and recycling of out-of-service wind turbines. Such website shall include templates of the educational materials on the internet website in a form and format that can be easily downloaded and printed. The link to such website shall be provided to the department;

(ii) contact wind turbine wholesalers at least once each year to encourage their support and participation in educating consumers on the importance of statutory requirements for the collection and recycling of out-of-service wind turbines;

(iii) create and maintain a web-based program that allows contractors and consumers to identify collection sites for out-of-service wind turbines in the state and provide a list of such collection sites to the department; and

(iv) develop informational articles, press releases, and news stories pertaining to the importance of and opportunities for collecting and recycling out-of-service wind turbines and distribute such materials to trade publications, local media, and stakeholder groups.

(e) On or before July first, two thousand twenty-five, develop and update as necessary educational and other outreach materials for distribution to qualified contractors, contractor associations and consumers. Such materials shall be made available for use by participating wind turbine wholesalers, wind turbine retailers, qualified contrac-

tors, and qualified government authorities. Such materials shall include, but not be limited to, the following:

(i) signage, such as posters and cling signage, that can be prominently displayed to promote the recycling of out-of-service wind turbines to qualified contractors and consumers; and

(ii) written materials or templates of materials for reproduction by wind turbine wholesalers and wind turbine retailers to be provided to consumers at the time of purchase or delivery of a wind turbine. Such materials shall include, but not be limited to, information on the importance of recycling out-of-service wind turbines and opportunities for the collection of these wind turbines.

(f) Provide an opportunity for the department to review and offer feedback and suggestions on the collection program.

3. No later than April first, two thousand twenty-six, and no later than April first of each year thereafter, each wind turbine manufacturer shall, individually or collectively with other wind turbine manufacturers, submit an annual report on its collection program to the department covering the one-year period ending December thirty-first of the previous year. Each report shall be posted on the wind turbine manufacturer's or program operator's respective internet website. The annual report shall include the following:

(a) the number of out-of-service wind turbines collected and recycled under this section during the previous calendar year;

(b) a list of all wind turbine manufacturers, wind turbine wholesalers, contractors, qualified local government authorities, and wind turbine retailers participating in the program as wind turbine collection sites;

(c) an accounting of the program's administrative costs;

(d) a description of outreach strategies employed under paragraph (d) of subdivision two of this section;

(e) examples of outreach and educational materials used under paragraph (d) of subdivision two of this section;

(f) the internet website address or addresses where the annual report may be viewed online;

(g) a description of how the out-of-service wind turbines were collected and recycled;

(h) any modifications that the wind turbine manufacturer is planning to make in its collection program; and

(i) the identification of a collection program contact and the business phone number, mailing address, and e-mail address for the contact.

4. All wind turbine manufacturers participating in the program shall handle and manage any out-of-service wind turbines that cannot be recycled and have been determined to be or to contain hazardous waste, as defined pursuant to regulations of the department, consistent with the requirements for the management and disposal of hazardous waste.

5. On and after July first, two thousand twenty-five, no wind turbine manufacturer shall sell, offer to sell, distribute, or offer to distribute wind turbines unless the manufacturer participates as a collection site for out-of-service wind turbines or requests and receives a waiver from the department following a demonstration that such participation would pose an undue burden.

§ 27-3409. Wind turbine wholesaler and retailer requirements.

No wind turbine wholesaler or retailer located within this state shall sell, offer for sale or distribute any wind turbine for final sale unless the manufacturer of such wind turbine is listed on the department's website, in accordance with the provisions of this title.

§ 27-3411. Battery collection.

1. Each battery manufacturer shall, individually or collectively, with other battery manufacturers, establish and maintain a program for the collection, transportation and recycling of out-of-service batteries in accordance with the provisions of this section.

2. Each battery manufacturer shall, individually or collectively with other battery manufacturers through a collection program, do the following:

(a) On and after July first, two thousand twenty-five, compile a list of battery wholesalers within this state.

(b) Establish a system to collect, transport and recycle out-of-service batteries from all collection sites.

(c) Not include any fees or other charges to consumers or persons participating in the program.

(d) Beginning July first, two thousand twenty-five, conduct education and outreach efforts, including, but not limited to the following:

(i) establish and maintain a public website for the dissemination of educational materials to promote the collection and recycling of out-of-service batteries. Such website shall include templates of the educational materials on the internet website in a form and format that can be easily downloaded and printed. The link to such website shall be provided to the department;

(ii) contact solar panel wholesalers at least once each year to encourage their support and participation in educating consumers on the importance of statutory requirements for the collection and recycling of out-of-service batteries;

(iii) create and maintain a web-based program that allows contractors and consumers to identify collection sites for out-of-service batteries in the state and provide a list of collection sites to the department; and

(iv) develop informational articles, press releases, and news stories pertaining to the importance of and opportunities for collecting and recycling out-of-service batteries and distribute such materials to trade publications, local media, and stakeholder groups.

(e) On or before July first, two thousand twenty-five, develop and update as necessary educational and other outreach materials for distribution to qualified contractors, contractor associations and consumers. Such materials shall be made available for use by participating battery wholesalers, battery retailers, qualified contractors, and qualified government authorities. Such materials shall include, but not be limited to, the following:

(i) signage, such as posters and cling signage, that can be prominently displayed to promote the recycling of out-of-service batteries to qualified contractors and consumers; and

(ii) written materials or templates of materials for reproduction by battery wholesalers and battery retailers to be provided to consumers at the time of purchase or delivery of a battery. Such materials shall include, but not be limited to, information on the importance of recycling out-of-service batteries and opportunities for the collection of such batteries.

(f) Provide an opportunity for the department to review and offer feedback and suggestions on the collection program.

3. No later than April first, two thousand twenty-six, and no later than April first of each year thereafter, each battery manufacturer shall, individually or collectively with other battery manufacturers, submit an annual report on its collection program to the department

covering the one-year period ending December thirty-first of the previous year. Each report shall be posted on the battery manufacturer's or program operator's respective internet website. The annual report shall include the following:

(a) the number of out-of-service batteries collected and recycled under this section during the previous calendar year;

(b) a list of all battery manufacturers, battery wholesalers, contractors, qualified local government authorities, and battery retailers participating in the program as battery collection sites;

(c) an accounting of the program's administrative costs;

(d) a description of outreach strategies employed under paragraph (d) of subdivision two of this section;

(e) examples of outreach and educational materials used under paragraph (d) of subdivision two of this section;

(f) the internet website address or addresses where the annual report may be viewed online;

(g) a description of how the out-of-service batteries were collected and recycled;

(h) any modifications that the battery manufacturer is planning to make in its collection program; and

(i) the identification of a collection program contact and the business phone number, mailing address, and e-mail address for the contact.

4. All battery manufacturers participating in the program shall handle and manage any out-of-service batteries that cannot be recycled and have been determined to be or to contain hazardous waste, as defined pursuant to regulations of the department, consistent with the requirements for the management and disposal of hazardous waste.

5. On and after July first, two thousand twenty-five, no battery manufacturer shall sell, offer to sell, distribute, or offer to distribute batteries unless such manufacturer participates as a collection site for out-of-service batteries or requests and receives a waiver from the department following a demonstration that such participation would pose an undue burden.

§ 27-3413. Battery wholesaler and retailer requirements.

No battery wholesaler or battery retailer located within this state shall sell, offer for sale or distribute any battery for final sale unless the manufacturer of such battery is listed on the department's website, in accordance with the provisions of this title.

§ 27-3415. Department responsibilities.

1. No later than June first, two thousand twenty-eight, the department shall maintain on its website information regarding the collection and recycling of out-of-service solar panels, out-of-service wind turbines, and out-of-service batteries in the state. Such information shall include the following:

(a) a description of the collection programs established under this section and a list of manufacturers participating in the collection program pursuant to this title; and

(b) a list of all wholesalers, qualified contractors, qualified local government authorities, and retailers participating in the program as collection sites.

2. No later than November first, two thousand twenty-nine, the department shall submit a written report to the governor and the legislature regarding the effectiveness of the collection programs established under this title, information on the number of out-of-service solar panels, out-of-service wind turbines, and out-of-service batteries collected, and how such out-of-service solar panels, out-of-service wind turbines,

and out-of-service batteries were managed. The department shall use such information to recommend whether the provisions of this title should be extended, along with any other statutory changes. In preparing the report, the department shall consult with solar panel manufacturers, environmental organizations, municipal recyclers, and other interest groups.

§ 27-3417. Disposal prohibition.

1. No transporter shall knowingly commingle solar panels, wind turbines, or batteries with solid waste or recyclable materials.

2. No transporter shall knowingly deliver solar panels, wind turbines, or batteries or knowingly cause such materials to be delivered to the following facilities located within this state:

(a) an incinerator;

(b) a landfill;

(c) a transfer station; or

(d) a facility who the transporter knows or should know will either commingle such materials with other solid waste or deliver such materials to an incinerator or a landfill for disposal.

3. No operator of an incinerator or a landfill shall knowingly accept solar panels, wind turbines, or batteries for disposal.

4. No operator of a transfer station shall knowingly commingle solar panels, wind turbines, or batteries with other solid waste or cause such materials to be transferred to an incinerator or landfill for disposal.

5. Each landfill and incinerator shall post, in a conspicuous location at the facility, a sign stating that solar panels, wind turbines, or batteries are not accepted at the facility.

§ 3. a. Any consumer or qualified contractor who replaces solar panels, wind turbines, or batteries from a building shall deliver such solar panels, wind turbines, or batteries to an appropriate collection site.

b. Any person or contractor who demolishes a building shall ensure that all solar panels, wind turbines, or batteries are removed from the building prior to demolition and shall deliver the solar panels, wind turbines, or batteries to a collection site.

c. Any department, authority, instrumentality, or municipal corporation of the state administering a program that involves the removal or replacement of solar panels, wind turbines, or batteries as a result of any statutory requirement, shall inform contractors of their statutory obligations to deliver the solar panels, wind turbines, or batteries to a collection site and prohibiting the disposal of such solar panels, wind turbines, or batteries in a solid-waste facility.

d. Any contractor, organization or subcontractor of such organization, who contracts with or receives funding or financing provided in whole or in part by or through any department, agency, instrumentality, or political subdivision of this state for the sale, distribution, service, removal, collection and recycling of solar panels, wind turbines, or batteries shall ensure the collection, transportation and proper management of out-of-service solar panels, out-of-service wind turbines, or out-of-service batteries in accordance with the provisions of title 34 of article 27 of the environmental conservation law.

§ 4. This act shall take effect immediately and shall expire and be deemed repealed January 1, 2035.