STATE OF NEW YORK

5180

2017-2018 Regular Sessions

IN SENATE

March 10, 2017

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

AN ACT to amend the administrative code of the city of New York, in relation to the authority to contract for energy

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

Section 1. Section 22-302 of the administrative code of the city of New York is amended to read as follows:

§ 22-302 Acquisition of energy and facilities. The city shall contract for or otherwise purchase or acquire hydroelectric or other forms of energy as shall be available from the power authority of the state of New York, the state, any state agency, any other municipal corporation, or any private or public corporation, and shall arrange to use, lease or acquire the transmission, substation and distribution facilities necessary to furnish such power to the city and, for compensation, to residential, commercial, industrial and other customers; provided, however, that the city will not acquire or build any electric or gas transmission or distribution facilities which are parallel to, or duplicative of electric or gas transmission or distribution facilities of any utility companies within the city, nor take any action to impair any agreements, franchises, rights or obligations of any utility company within the city including, to provide safe, adequate and efficient service to conduct its business in the city and to protect its assets unless so authorized by further local law and public referendum.

Notwithstanding the provisions of any law, rule, regulation, policy, order or executive action to the contrary, the city shall not contract for or otherwise purchase energy or environmental attributes associated with energy from the power authority of the state of New York, or any individual, trustee, partnership, association, corporation, company, municipality, state, political subdivision or other legal entity if such energy is transmitted over an electric transmission line, including but

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

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not limited to a high voltage direct current electric transmission line, that enters commercial operation after the effective date of the chapter of the laws of two thousand seventeen that added this paragraph and that interconnects a location outside the territorial limits of the United States to a location within the state of New York and such transmission line does not provide access within the state to electric generating facilities located within the state of New York to transmit energy to a location within the state of New York.

§ 2. This act shall take effect immediately.