

STATE OF NEW YORK

5518

2019-2020 Regular Sessions

IN SENATE

May 3, 2019

Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to placing a moratorium on fossil fuel infrastructure

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

1 Section 1. Article 23 of the environmental conservation law is amended
2 by adding a new title 29 to read as follows:

TITLE 29

MORATORIUM ON FOSSIL FUEL INFRASTRUCTURE

5 Section 23-2901. Moratorium on fossil fuel infrastructure.

6 § 23-2901. Moratorium on fossil fuel infrastructure.

7 1. Legislative intent. New York state faces an existential climate,
8 ecological, economic, and security emergency which threatens our munic-
9 ipalities, state, nation, and the world; a World War II-scale mobiliza-
10 tion is needed to eliminate greenhouse gas emissions. Human-caused
11 climate change and air pollution are due to using fossil fuels. Climate
12 change disproportionately impacts communities of color, children, elder-
13 ly, Native Americans, indigenous peoples, the ill, the poor, farmers,
14 and future generations. The state shall promote a controlled reduction
15 of fossil fuel utilization and a transition to clean, renewable energy
16 for the purpose of improving safety, public health, environmental
17 protection, economic growth, and energy reliability as well as providing
18 cost savings, creating jobs, and preventing climate catastrophe.

19 2. For the purposes of this section, "fossil fuel" shall mean coal,
20 petroleum products and fuel gases.

21 3. A moratorium shall be established on any and all fossil fuel
22 infrastructure projects. No new permits, licenses, or any form of
23 permission shall be granted for any fossil fuel infrastructure project
24 nor shall any funding, investment, or any other financial assistance be
25 granted to any fossil fuel infrastructure project as long as there are

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

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economically and technologically feasible alternatives to ensure energy reliability. This section shall not apply to upgrades in existing infrastructure for the purposes of improving safety, public health, environmental protection, and increased energy efficiency. Such moratorium shall apply to the entirety of the state including all departments, agencies, offices, municipalities, and any other governmental body.

4. The moratorium shall be lifted upon an act of the legislature.

§ 2. This act shall take effect immediately.