

# STATE OF NEW YORK

7702

## IN SENATE

January 7, 2022

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

AN ACT to amend the environmental conservation law, in relation to bioheating fuel requirements

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

1 Section 1. Paragraph (b) of subdivision 1 and subdivision 9 of section  
2 19-0327 of the environmental conservation law, as amended by a chapter  
3 of the laws of 2021 amending the environmental conservation law relating  
4 to bioheating fuel requirements, as proposed in legislative bills  
5 numbers S. 3321-A and A. 7290, are amended to read as follows:

6 (b) "Renewable Hydrocarbon Diesel" shall mean a [~~domestically-pro-~~  
7 ~~duced~~] North American-produced fuel derived from vegetable oils, animal  
8 fats, and other renewable feedstocks that meet the requirements of ASTM  
9 international specification D975. Renewable hydrocarbon shall not  
10 include any fuel from co-processed biomass with a feedstock that is not  
11 biomass.

12 (9) No bioheating fuel shall be sold to a customer that would void the  
13 manufacturer's warranty for that burner or boiler type unless the  
14 bioheat provider warranties in writing to the customer that the use of  
15 such bioheating fuel will be covered to the extent and time limits of  
16 the warranty then covering such burner or boiler[~~. The commissioner, in~~  
17 ~~consultation with the department of financial services, shall issue~~  
18 ~~regulations that strictly enforce such provisions~~].

19 § 2. This act shall take effect on the same date and in the same  
20 manner as a chapter of the laws of 2021, amending the environmental  
21 conservation law relating to bioheating fuel requirements, as proposed  
22 in legislative bills numbers S. 3321-A and A. 7290, takes effect.

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

LBD01146-05-2