

STATE OF NEW YORK

10226

IN ASSEMBLY

May 14, 2024

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Levenberg)
-- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to providing an exemption from requirements for the alienation of parkland for renewable energy generating projects in the county of Westchester

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

1 Section 1. The environmental conservation law is amended by adding a
2 new section 52-0908 to read as follows:

3 § 52-0908. Restriction on alienation exemption in Westchester county;
4 renewable energy generating projects.

5 Notwithstanding section 52-0907 of this title, real property acquired,
6 developed, improved, restored or rehabilitated by a municipality within
7 the county of Westchester pursuant to subdivision four of section
8 52-0901 of this title with funds made available pursuant to this title
9 may be sold or disposed of or used for other than public park purposes
10 without the express authority of an act of the legislature, and when
11 such sale or disposal occurs it:

12 1. applies only to the sale or disposal or rights to airspace directly
13 above such real property; and

14 2. is for the construction, installation and/or operation of a solar
15 energy project not to exceed two megawatts of generating capacity and
16 which is located above real property that was established and used for
17 vehicle parking prior to the effective date of this section.

18 § 2. This act shall take effect immediately and shall apply to alien-
19 ations of parkland for renewable energy generating projects in the coun-
20 ty of Westchester occurring on or after such date.

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

LBD15514-02-4