STATE OF NEW YORK

4079

2023-2024 Regular Sessions

IN ASSEMBLY

February 9, 2023

Introduced by M. of A. CUNNINGHAM -- read once and referred to the Committee on Judiciary

AN ACT to amend the real property law, in relation to requiring every residential lease to provide conspicuous notice of the availability of community solar for the provision of a tenant's electricity needs

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

Section 1. The real property law is amended by adding a new section 231-c to read as follows:

§ 231-c. Community distributed generation facility notice in residential leases. 1. Every residential lease shall provide conspicuous notice in bold face type as to the availability of a community distributed generation facility, also known as community solar, as an electricity provider. The lease shall also provide notice that more information can be found on the New York state energy research and development authority website and may include a link to such authority's website.

2. As used in this section, the term "community distributed generation facility" shall mean a photovoltaic system with a rated capacity of not more than five megawatts of alternating current that is connected to an electric system and operated in conjunction with an electric corporation's transmission and distribution facilities. Participating electric customers receive a bill credit for the electricity generated in proportion to the size of their interest in the facility, with at least sixty percent of the facility's production allocated to participating customers in increments of twenty-five kilowatts or less.

§ 2. This act shall take effect six months after it shall have become a law.

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

LBD05274-01-3