

# STATE OF NEW YORK

2583--B

2023-2024 Regular Sessions

## IN SENATE

January 23, 2023

Introduced by Sens. PARKER, GIANARIS, HOYLMAN-SIGAL, SALAZAR, SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- recommitted to the Committee on Energy and Telecommunications in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law, in relation to providing the New York power authority with the right of first offer and refusal for certain renewable generation facilities and any power or energy created by such renewable generation facilities

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

1 Section 1. The public service law is amended by adding a new section  
2 28 to read as follows:

3 § 28. New York power authority right of first offer and refusal. The  
4 New York power authority, as established by title one of article five of  
5 the public authorities law, shall be allowed to match the purchase price  
6 of any renewable generation facility, renewable energy generation  
7 project and any power or energy created by a renewable generation facil-  
8 ity or renewable energy generation project, at the time of sale of such  
9 facility or project. In the event that the authority decides to match  
10 and offer such purchase price, within the timeframes provided in this  
11 section, the authority shall assume the role of the sole purchaser of  
12 the renewable generation facility, renewable energy generation project  
13 or any power or energy created by a renewable generation facility or  
14 renewable energy generation project. In the event that the authority  
15 decided to exercise the right of first offer, it shall make such offer  
16 within thirty days after the notice of sale for a renewable energy

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

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1 generations project or renewable generation facility with a nameplate  
2 capacity of less than twenty-five megawatts and within sixty days for a  
3 renewable energy generation project or renewable generation facility  
4 with a nameplate capacity larger than twenty-five megawatts.

5 § 2. Nothing in this act is intended to limit, impair, or affect the  
6 legal authority of the power authority of the state of New York under  
7 any other provision of title 1 of article 5 of the public authorities  
8 law.

9 § 3. This act shall take effect immediately.