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:

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

§ 28. New York power authority right of first offer and refusal. The New York power authority, as established by title one of article five of the public authorities law, shall be allowed to match the purchase price of any renewable generation facility, renewable energy generation project and any power or energy created by a renewable generation facility or renewable energy generation project, at the time of sale of such facility or project. In the event that the authority decides to match and offer such purchase price, within the timeframes provided in this section, the authority shall assume the role of the sole purchaser of the renewable generation facility, renewable energy generation project or any power or energy created by a renewable generation facility or renewable energy generation project. In the event that the authority decided to exercise the right of first offer, it shall make such offer 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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generations project or renewable generation facility with a nameplate capacity of less than twenty-five megawatts and within sixty days for a renewable energy generation project or renewable generation facility with a nameplate capacity larger than twenty-five megawatts.

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

§ 3. This act shall take effect immediately.