STATE OF NEW YORK

2720

2023-2024 Regular Sessions

IN SENATE

January 24, 2023

Introduced by Sen. MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business

AN ACT to amend the state administrative procedure act, in relation to requiring certain entities to evaluate license applications for compliance with the goals set forth in the New York state climate leadership and community protection act

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

Section 1. The state administrative procedure act is amended by adding a new section 403 to read as follows:

§ 403. Compliance with the New York state climate leadership and community protection act. 1. Notwithstanding any provision of law to the contrary, the department of environmental conservation, the department of public service, the New York power authority, the Long Island power authority, the office of renewable energy siting, and the New York state energy research and development authority shall, by promulgation of regulations, require an application for a license to include information regarding compliance with the goals set forth in the New York state climate leadership and community protection act. Such information shall require that each applicant provide information stating:

a. how the license aligns with the New York state climate leadership and community protection act, including:

(i) how the license aligns with the greenhouse gas emission limits set forth in section 75-0107 of the environmental conservation law;

(ii) what are the estimated greenhouse gas emissions resulting from the license;

(iii) what energy source will be used;

(iv) what are the short-term and long-term energy sources that will be used for the license and what are the anticipated short-term and long-term effects of using such energy sources;

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

LBD00637-01-3

b. how the license will impact the goals set forth in the New York state climate leadership and community protection act, including calculations of energy usage, incorporating upstream impacts from point of energy usage;

c. an assessment of impact on environmental justice pursuant to article forty-eight of the environmental conservation law; and

d. the number of jobs estimated to be created as a result of the license, if any.

2. This section shall apply to applications for the issuance, modification or renewal of any permit, license, certificate, approval, registration, charter, or similar form of permission or authority required by law, or by state agency rules having the force and effect of law, which is required for a business undertaking, project or activity for an applicant, but shall not include bonds or other forms of security required to be submitted by applicants, any individual licenses for practicing a profession prescribed in title eight of the education law, filings under the uniform commercial code, or routine licenses and permits for individual privileges, including licenses for operating a motor vehicle.

§ 2. This act shall take effect immediately.