STATE OF NEW YORK

6297

2023-2024 Regular Sessions

IN SENATE

April 12, 2023

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to the New York state climate action council

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

Section 1. Section 75-0117 of the environmental conservation law, as added by chapter 106 of the laws of 2019, is amended to read as follows:

§ 75-0117. Investment of funds.

1. State agencies, authorities and entities, in consultation with the environmental justice working group and the climate action council, shall, to the extent practicable, invest or direct available and relevant programmatic resources in a manner designed to achieve a goal for disadvantaged communities to receive forty percent of overall benefits of spending on clean energy and energy efficiency programs, projects or investments in the areas of housing, workforce development, pollution reduction, low income energy assistance, energy, transportation and economic development, provided however, that disadvantaged communities shall receive no less than thirty-five percent of the overall benefits of spending on clean energy and energy efficiency programs, projects or investments [~~and~~]**,** provided**;** further that this section shall not alter funds already contracted or committed as of the effective date of this section**, and provided, further that no resources described in this section shall be invested or directed before undergoing the public engagement process described in subdivision two of this section**.

2. State agencies, authorities, and entities shall design and implement a public engagement process to guide the investment of available and relevant programmatic resources as described in subdivision one of this section. Such process shall be designed with the goal of maximizing the involvement of disadvantaged community members in the development of local clean energy and energy efficiency programs, projects, and invest-

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

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ments, including in the permitting, planning, and budgeting processes needed to implement such program, project, and investment decisions. Such public engagement process shall include, but not be limited to:

(a) Coordination with local community-based organizations for the planning, execution, and advertisement of meetings, forums, surveys, and other opportunities for public input;

(b) Sufficient lead time to advertise opportunities for public input before such opportunities occur;

(c) Fair compensation for community-based organizations and individuals who help design, advertise, and execute on such opportunities, to the extent practicable;

(d) A language access plan to engage non-English proficient members of a disadvantaged community in the public engagement process, including dedication of bilingual agency staff;

(e) A plan to engage and accommodate individuals with disabilities by using tools such as, but not limited to, visual aids, open or closed captioning, large print and Braille transcriptions, audio descriptions, sign language interpretation, assistive listening devices, and wheelchair accessible entrances, exits, and spaces, wherever practicable;

(f) A plan to describe potential clean energy and energy efficiency programs in clear and accessible language that is easily understood by lay-persons; and

(g) Integration of the principles of cultural competence and racial, ethnic, and social justice into every aspect of such public engagement process.

3. State agencies, authorities, and entities may refer to the report drafted pursuant to section six of chapter one hundred six of the laws of two thousand nineteen in the design of the public engagement process described in subdivision two of this section.

§ 2. This act shall take effect on the ninety-first day after it shall have become a law.