STATE OF NEW YORK

443--A

2023-2024 Regular Sessions

IN ASSEMBLY

January 9, 2023

Introduced by M. of A. CARROLL, ROZIC, KIM, COLTON, SIMON, DINOWITZ, DICKENS, WEPRIN, L. ROSENTHAL, CRUZ, GONZALEZ-ROJAS, BURDICK, MITAYNES, SIMONE -- Multi-Sponsored by -- M. of A. COOK, HYNDMAN -- read once and referred to the Committee on Corporations, Authorities and Commissions -- recommitted to the Committee on Corporations, Authorities and Commissions in accordance with Assembly Rule 3, sec. 2 -- 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, 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.

§ 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.

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

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