

STATE OF NEW YORK

9745

IN ASSEMBLY

April 3, 2024

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the
Committee on Housing

AN ACT to amend the public housing law, in relation to enacting the "New
York state green new deal for public housing act"

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

1 Section 1. This act shall be known and may be cited as the "New York
2 state green new deal for public housing act".

3 § 2. The public housing law is amended by adding a new article 16 to
4 read as follows:

ARTICLE 16

GREEN NEW DEAL FOR PUBLIC HOUSING

Section 650. Legislative findings.

651. Definitions.

652. Market analysis and planning.

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10 § 650. Legislative findings. The legislature finds and declares that:

11 1. The state of New York has an obligation to reduce its environmental
12 footprint, as the climate leadership and community protection act
13 (CLCPA) of two thousand nineteen establishes certain emission reduction
14 limits as well as additional directives to address climate change,
15 including but not limited to the limiting of statewide greenhouse gas
16 emissions to sixty percent of one thousand nine hundred ninety levels by
17 two thousand thirty and fifteen percent of one thousand nine hundred
18 ninety levels by two thousand fifty, and achieving net-zero greenhouse
19 gas emissions across the state of New York's economy.

20 2. With buildings emissions making up more than thirty percent of all
21 emissions in New York state shall upgrade and equip all public housing
22 with cutting-edge materials, infrastructure, and all-electric appliances
23 made in the United States in order to improve energy efficiency, water
24 quality, and material living standards in public housing and to support
25 manufacturing in New York state.

26 3. New York state and other governing bodies have used economies of
27 scale to lower prices of needed products across various industries and
28 to promote the creation of markets that did not exist prior to govern-

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

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1 ment spending, in order to spur innovation of new technologies, and
2 improve the local economy.

3 4. The biggest cost drivers for building operations in New York state
4 are also those components that lead to extensive greenhouse gas emis-
5 sions, and as a result, it is in the state's interest to protect and
6 promote its affordable housing, while taking advantage of the scale of
7 components needed while concurrently lowering greenhouse gas emissions
8 and costs of operating buildings.

9 5. Deep energy retrofits, efficient materials in new construction, and
10 procurement practices that take advantage of scale and energy efficient
11 products contribute to the efficient use of resources and environmental
12 sustainability.

13 6. Bulk procurement for projects to be completed by public housing
14 authorities and rental assistance demonstration (RAD) partners for ener-
15 gy-efficient appliances, construction materials, and mechanical system
16 components which shall enhance cost-effectiveness and innovation in New
17 York.

18 § 651. Definitions. The following terms, whenever used or referred to
19 in this article, shall have the following meaning:

20 1. "Relevant state agencies" shall include, but not be limited to, the
21 New York state energy research and development authority, the New York
22 state division of housing and community renewal, the department of envi-
23 ronmental conservation and other relevant entities as determined by the
24 commissioner of public housing.

25 2. "RAD" shall mean rental assistance demonstration programs provided
26 by the United States department of housing and urban development pursu-
27 ant to 42 U.S.C. § 1437f and 42 U.S.C. § 1437p.

28 3. "Public housing agency" shall have the same meaning as the term
29 "public housing agency" as defined by the U.S. Housing act, 42 U.S.C.
30 1437a(b)(6).

31 § 652. Market analysis and planning. 1. The department of public hous-
32 ing, in cooperation with relevant state agencies and RAD program part-
33 ners, and other experts in architecture and engineering as determined by
34 the commissioner, shall conduct a study regarding the following subject
35 matter, including, but not limited to:

36 (a) identifying gaps in the current market for energy-efficient appli-
37 ances, construction materials, pre-fabricated components, processes and
38 mechanical system components for use in public housing and RAD reno-
39 ventions, including but not limited to heating and cooling systems,
40 ventilation, domestic hot water and control systems, electrical compo-
41 nents, general conditions and sitework, concrete, masonry, metals,
42 woods, glass and plastics, furnishings, elevator systems, safety and
43 security systems, interior finishes, solar photovoltaic technology,
44 lights, other appliances and the components of a facade to include
45 walls, windows, roof, doors, storefront, and other openings. Such list
46 shall also include materials such as cross-laminated timber, nail-lami-
47 nated timber, dowel-laminated timber, glue-laminated timber, some types
48 of structural composite lumber and other types of mass timber products
49 that decrease construction time and emissions in public housing and RAD
50 projects;

51 (b) ascertaining which costs in construction and operations are most
52 extreme for various housing typologies in New York state, with specific
53 attention to public housing and RAD developments, and ensuring that
54 technologies meet international passive house standards, which include:

55 (i) the space heating energy demand, and cooling demand for warmer
56 climates, shall not exceed fifteen kilowatt hours per square meter of

1 net living space treated floor area per year or ten watts per square
2 meter peak demand, with an additional allowance for dehumidification in
3 climates where active cooling is needed;

4 (ii) the total energy to be used for all domestic applications,
5 including but not limited to, heating, hot water and domestic electric-
6 ity, shall not exceed sixty kilowatt hours per square meter of treated
7 floor area per year for a passive house;

8 (iii) a maximum of 0.6 air changes per hour at fifty pascals pressure,
9 as verified with an onsite pressure test, in both pressurized and
10 depressurized states, in terms of air tightness;

11 (iv) thermal comfort shall be met for all living areas during winter
12 and summer, with not more than ten percent of the hours in a given year
13 over twenty-five degrees celsius;

14 (c) developing a standardized list of energy-efficient appliances,
15 construction materials, pre-fabricated components, processes and mechan-
16 ical system components for use in public housing and RAD renovations,
17 including but not limited to heating and cooling systems, ventilation,
18 domestic hot water control systems, electrical components, general
19 conditions and sitework, concrete, masonry, metals, woods, glass and
20 plastics, furnishings, elevator systems, safety and security systems,
21 interior finishes, solar photovoltaic technology, lights, other appli-
22 ances and the components of a facade to include walls, windows, roof,
23 doors, storefront, and other openings. Such list shall also include
24 materials such as cross-laminated timber, nail-laminated timber, dowel-
25 laminated timber, glue-laminated timber, some types of structural
26 composite lumber and other types of mass timber products which shall
27 encourage good architectural design that yields maximal environmental
28 performance and reduction in carbon footprints, both embodied and opera-
29 tional, emphasizing products that are difficult to access due to costs
30 and specific market-based issues;

31 (d) developing a list of missing products, materials, and components
32 that are not available in the existing market, and that could offer
33 reductions in public housing and carbon footprints, both embodied and
34 operational;

35 (e) developing a plan for the issuance of requests for proposals for
36 the supply of items on the list under paragraph (c) of this subdivision
37 by relevant state agencies, with the purpose of encouraging investment
38 and innovation by securing one-time or long-term contracts with winners
39 of the requests for proposals, and where the purchase could offer
40 reductions in public housing and RAD building carbon footprints, both
41 embodied and operational;

42 (f) developing a plan for the procurement of products on the list
43 under paragraph (c) of this subdivision by relevant state agencies, with
44 the purpose of achieving cost advantages through bulk buying of materi-
45 als through large one-time or long-term contracts, to be used for RAD
46 and public housing developments; and

47 (g) developing a plan for the issuance of requests for proposals for
48 the supply of items on the list under paragraph (c) of this subdivision
49 by relevant state agencies, with the purpose of encouraging investment
50 and innovation by securing one-time or long-term contracts with winners
51 of the requests for proposals, and where the purchase could offer
52 reductions in public housing and RAD building carbon footprints, both
53 embodied and operational.

54 2. The commissioner shall publish the results of the study within one
55 year of the effective date of this section and shall publish the plans
56 developed pursuant to paragraphs (e), (f) and (g) of subdivision one of

1 this section within one hundred days of publishing such study. All rele-
2 vant agencies shall immediately take steps to plan and implement
3 purchases, requests for proposals, and the needed contracts and adminis-
4 trative actions necessary to reach the goals outlined in this section,
5 provided that such steps do not exceed the appropriation provided to
6 such relevant agency.

7 3. The commissioner shall submit a biennial report to the temporary
8 president of the senate and the speaker of the assembly on the progress,
9 impact and cost-effectiveness of the green procurement practices imple-
10 mented pursuant to this section.

11 § 3. This act shall take effect immediately.