

STATE OF NEW YORK

10075

IN ASSEMBLY

January 30, 2026

Introduced by M. of A. WOERNER, LUPARDO -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, the public service law and the real property tax law, in relation to prohibiting incentives for the siting or operation of commercial renewable energy systems in sensitive environmental areas

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

1 Section 1. Section 151 of the agriculture and markets law, as amended
2 by chapter 375 of the laws of 2008, is amended to read as follows:

3 § 151. Agricultural environmental management program. There is hereby
4 established within the department an agricultural environmental manage-
5 ment program to assist farmers in maintaining the economic viability of
6 their farm operations while addressing environmental impacts from those
7 operations, including, but not limited to, soil, air and water pollution
8 and greenhouse gas emissions. The program may also include assistance to
9 farmers for the development of agriculturally-derived renewable energy
10 sources. The program may consist of planner certification to qualify
11 persons to prepare AEM plans; technical assistance to farmers partic-
12 ipating in the program; financial assistance, within funds available, to
13 soil and water conservation districts and farmers to prepare and imple-
14 ment plans; other incentives for program participation; and evaluation
15 of program procedures and projects to assess effectiveness. No such
16 assistance shall be provided for the siting or operation of commercial
17 renewable energy systems, such as solar farms, on agricultural land, but
18 may be provided for agrivoltaic energy systems or renewable energy
19 systems designed primarily to provide on-farm electricity.

20 § 2. The opening paragraph of section 323 of the agriculture and
21 markets law, as amended by chapter 150 of the laws of 2013, is amended
22 to read as follows:

23 The commissioner shall initiate and maintain a state agricultural and
24 farmland protection program to provide financial and technical assist-
25 ance, within funds available, to counties, municipalities, soil and
26 water conservation districts, and not-for-profit conservation organiza-

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

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1 tions for their agricultural and farmland protection efforts. No such
2 financial or technical assistance shall be provided for any project
3 siting or proposing to site renewable energy systems on land in an agri-
4 cultural district, other than a project that primarily provides elec-
5 tricity for on-farm use. Activities to be conducted by the commissioner
6 shall include, but not be limited to:

7 § 3. Section 66-p of the public service law is amended by adding a new
8 subdivision 9 to read as follows:

9 9. Notwithstanding any other provision of law to the contrary, no zero
10 emission credits or other incentives shall be granted to a renewable
11 energy system sited or proposed to be sited:

12 (a) within an agricultural district, other than an agrivoltaic energy
13 system or a system designed primarily to provide on-farm electricity;

14 (b) within a critical environmental area pursuant to section eight
15 hundred ten of the executive law;

16 (c) within a department of environmental conservation designated
17 grassland bird conservation center;

18 (d) within a New York state bird conservation area pursuant to section
19 11-2001 of the environmental conservation law; or

20 (e) within a wildlife management area pursuant to article
21 twenty-five-AA of the agriculture and markets law.

22 § 4. Section 487 of the real property tax law is amended by adding a
23 new subdivision 11 to read as follows:

24 11. Notwithstanding the provisions of this section to the contrary, no
25 exemption shall be granted to a renewable energy system sited or
26 proposed to be sited:

27 (a) within an agricultural district, other than an agrivoltaic energy
28 system or a system designed primarily to provide on-farm electricity;

29 (b) within a critical environmental area pursuant to section eight
30 hundred ten of the executive law;

31 (c) within a department of environmental conservation designated
32 grassland bird conservation center;

33 (d) within a New York state bird conservation area pursuant to section
34 11-2001 of the environmental conservation law; or

35 (e) on privately held land within a wildlife management area pursuant
36 to article twenty-five-AA of the agriculture and markets law.

37 § 5. This act shall take effect immediately.