

STATE OF NEW YORK

7537

2025-2026 Regular Sessions

IN ASSEMBLY

April 1, 2025

Introduced by M. of A. BAILEY -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to enacting the "responsible renewable energy recycling act"; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "responsible renewable energy recycling act".

3 § 2. Article 27 of the environmental conservation law is amended by
4 adding a new title 34 to read as follows:

TITLE 34

RESPONSIBLE RENEWABLE ENERGY RECYCLING ACT

Section 27-3401. Definitions.

8 27-3403. Solar panel collection.

9 27-3405. Solar panel wholesaler and retailer requirements.

10 27-3407. Wind turbine collection.

11 27-3409. Wind turbine wholesaler and retailer requirements.

12 27-3411. Battery collection.

13 27-3413. Battery wholesaler and retailer requirements.

14 27-3415. Department responsibilities.

15 27-3417. Disposal prohibition.

§ 27-3401. Definitions.

17 1. "Collection program" means a system for the collection, transporta-
18 tion and recycling of out-of-service solar panels, out-of-service wind
19 turbines, or out-of-service batteries that are financed and managed or
20 provided by a solar panel, wind turbine, or battery manufacturer indi-
21 vidually or collectively with other manufacturers within this state in
22 accordance with this title.

23 2. "Out-of-service solar panel" means a solar panel that is removed,
24 replaced or otherwise taken out of service.

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

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1 3. "Qualified contractor" means a person engaged in the business of
2 installing, repairing, servicing or the removal of solar panels, wind
3 turbines, or batteries and who employs seven or more service techni-
4 cians.

5 4. "Qualified local government authorities" means any municipal corpo-
6 ration or planning unit as defined in section 27-0107 of this article,
7 or county departments of health.

8 5. "Solar panel" means a bank of solar cells that, when exposed to
9 radiation from the sun, can generate heating or electricity.

10 6. "Manufacturer" means a person who manufactures one or more name
11 brand solar panels, wind turbines, or batteries within this state.

12 7. "Retailer" means a person who sells solar panels, wind turbines, or
13 batteries of any kind primarily to homeowners or other consumers through
14 any sale or distribution mechanism including sales using the internet or
15 catalogs.

16 8. "Wholesaler" means a person who is engaged in the distribution and
17 wholesale selling of solar panels, wind turbines, or batteries to quali-
18 fied contractors or other consumers, and whose total wholesale sales
19 account for eighty percent or more of its total sales. A manufacturer is
20 not, by virtue of manufacturing, a wholesaler.

21 9. "Consumer" means an individual, business, partnership, association,
22 corporation, company, municipality, political subdivision or other legal
23 entity that purchases, operates, owns or uses one or more solar panels,
24 wind turbines, or batteries.

25 10. "Recycling" means refurbishing out-of-service solar panels, out-
26 of-service wind turbines, or out-of-service batteries for continued
27 reuse as a product or capturing the metals via reclamation.

28 11. "Out-of-service wind turbine" means a wind turbine that is
29 removed, replaced or otherwise taken out of service.

30 12. "Battery" means a battery used in a bulk energy battery storage
31 system.

32 13. "Out-of-service battery" means a battery that is removed, replaced
33 or otherwise taken out of service.

34 § 27-3403. Solar panel collection.

35 1. Each solar panel manufacturer shall, individually or collectively,
36 with other solar panel manufacturers, establish and maintain a program
37 for the collection, transportation and recycling of out-of-service solar
38 panels in accordance with the provisions of this section.

39 2. Each solar panel manufacturer shall, individually or collectively
40 with other solar panel manufacturers through a collection program, do
41 the following:

42 (a) On and after July first, two thousand twenty-seven, compile a list
43 of solar panel wholesalers within this state.

44 (b) Establish a system to collect, transport and recycle out-of-ser-
45 vice solar panels from all collection sites.

46 (c) Not include any fees or other charges to consumers or persons
47 participating in the program.

48 (d) Beginning July first, two thousand twenty-seven, conduct education
49 and outreach efforts, including, but not limited to the following:

50 (i) establish and maintain a public website for the dissemination of
51 educational materials to promote the collection and recycling of out-of-
52 service solar panels. Such website shall include templates of the educa-
53 tional materials on the internet website in a form and format that can
54 be easily downloaded and printed. The link to such website shall be
55 provided to the department;

1 (ii) contact solar panel wholesalers at least once each year to
2 encourage their support and participation in educating consumers on the
3 importance of statutory requirements for the collection and recycling of
4 out-of-service solar panels;

5 (iii) create and maintain a web-based program that allows contractors
6 and consumers to identify collection sites for out-of-service solar
7 panels in the state and provide a list of such collection sites to the
8 department; and

9 (iv) develop informational articles, press releases, and news stories
10 pertaining to the importance of and opportunities for collecting and
11 recycling out-of-service solar panels and distribute such materials to
12 trade publications, local media, and stakeholder groups.

13 (e) On or before July first, two thousand twenty-seven, develop and
14 update as necessary educational and other outreach materials for
15 distribution to qualified contractors, contractor associations and
16 consumers. Such materials shall be made available for use by participat-
17 ing solar panel wholesalers, solar panel retailers, qualified contrac-
18 tors, and qualified government authorities. Such materials shall
19 include, but not be limited to, the following:

20 (i) signage, such as posters and cling signage, that can be prominent-
21 ly displayed to promote the recycling of out-of-service solar panels to
22 qualified contractors and consumers; and

23 (ii) written materials or templates of materials for reproduction by
24 solar panel wholesalers and solar panel retailers to be provided to
25 consumers at the time of purchase or delivery of a solar panel. Such
26 materials shall include, but not be limited to, information on the
27 importance of recycling out-of-service solar panels and opportunities
28 for the collection of such solar panels.

29 (f) Provide an opportunity for the department to review and offer
30 feedback and suggestions on the collection program.

31 3. No later than April first, two thousand twenty-eight, and no later
32 than April first of each year thereafter, each solar panel manufacturer
33 shall, individually or collectively with other solar panel manufactur-
34 ers, submit an annual report on its collection program to the department
35 covering the one-year period ending December thirty-first of the previ-
36 ous year. Each report shall be posted on the solar panel manufacturer's
37 or program operator's respective internet website. The annual report
38 shall include the following:

39 (a) the number of out-of-service solar panels collected and recycled
40 under this section during the previous calendar year;

41 (b) a list of all solar panel manufacturers, solar panel wholesalers,
42 contractors, qualified local government authorities, and solar panel
43 retailers participating in the program as solar panel collection sites;

44 (c) an accounting of the program's administrative costs;

45 (d) a description of outreach strategies employed under paragraph (d)
46 of subdivision two of this section;

47 (e) examples of outreach and educational materials used under para-
48 graph (d) of subdivision two of this section;

49 (f) the internet website address or addresses where the annual report
50 may be viewed online;

51 (g) a description of how the out-of-service solar panels were
52 collected and recycled;

53 (h) any modifications that the solar panel manufacturer is planning to
54 make in its collection program; and

55 (i) the identification of a collection program contact and the busi-
56 ness phone number, mailing address, and e-mail address for the contact.

1 4. All solar panel manufacturers participating in the program shall
2 handle and manage any out-of-service solar panels that cannot be recy-
3 clcd and have been determined to be or to contain hazardous waste, as
4 defined pursuant to regulations of the department, consistent with the
5 requirements for the management and disposal of hazardous waste.

6 5. On and after July first, two thousand twenty-seven, no solar panel
7 manufacturer shall sell, offer to sell, distribute, or offer to distrib-
8 ute solar panels unless the manufacturer participates as a collection
9 site for out-of-service solar panels or requests and receives a waiver
10 from the department following a demonstration that such participation
11 would pose an undue burden.

12 § 27-3405. Solar panel wholesaler and retailer requirements.

13 No solar panel wholesaler or solar panel retailer located within this
14 state shall sell, offer for sale or distribute any solar panel for final
15 sale unless the solar panel manufacturer of such solar panel is listed
16 on the department's website, in accordance with the provisions of this
17 title.

18 § 27-3407. Wind turbine collection.

19 1. Each wind turbine manufacturer shall, individually or collectively,
20 with other wind turbine manufacturers, establish and maintain a program
21 for the collection, transportation and recycling of out-of-service wind
22 turbines in accordance with the provisions of this section.

23 2. Each wind turbine manufacturer shall, individually or collectively
24 with other wind turbine manufacturers through a collection program, do
25 the following:

26 (a) On and after July first, two thousand twenty-five, compile a list
27 of wind turbine wholesalers within this state.

28 (b) Establish a system to collect, transport and recycle out-of-ser-
29 vice wind turbines from all collection sites.

30 (c) Not include any fees or other charges to consumers or persons
31 participating in the program.

32 (d) Beginning July first, two thousand twenty-five, conduct education
33 and outreach efforts, including, but not limited to the following:

34 (i) establish and maintain a public website for the dissemination of
35 educational materials to promote the collection and recycling of out-of-
36 service wind turbines. Such website shall include templates of the
37 educational materials on the internet website in a form and format that
38 can be easily downloaded and printed. The link to such website shall be
39 provided to the department;

40 (ii) contact wind turbine wholesalers at least once each year to
41 encourage their support and participation in educating consumers on the
42 importance of statutory requirements for the collection and recycling of
43 out-of-service wind turbines;

44 (iii) create and maintain a web-based program that allows contractors
45 and consumers to identify collection sites for out-of-service wind
46 turbines in the state and provide a list of such collection sites to the
47 department; and

48 (iv) develop informational articles, press releases, and news stories
49 pertaining to the importance of and opportunities for collecting and
50 recycling out-of-service wind turbines and distribute such materials to
51 trade publications, local media, and stakeholder groups.

52 (e) On or before July first, two thousand twenty-five, develop and
53 update as necessary educational and other outreach materials for
54 distribution to qualified contractors, contractor associations and
55 consumers. Such materials shall be made available for use by participat-
56 ing wind turbine wholesalers, wind turbine retailers, qualified contrac-

1 tors, and qualified government authorities. Such materials shall
2 include, but not be limited to, the following:

3 (i) signage, such as posters and cling signage, that can be prominent-
4 ly displayed to promote the recycling of out-of-service wind turbines to
5 qualified contractors and consumers; and

6 (ii) written materials or templates of materials for reproduction by
7 wind turbine wholesalers and wind turbine retailers to be provided to
8 consumers at the time of purchase or delivery of a wind turbine. Such
9 materials shall include, but not be limited to, information on the
10 importance of recycling out-of-service wind turbines and opportunities
11 for the collection of these wind turbines.

12 (f) Provide an opportunity for the department to review and offer
13 feedback and suggestions on the collection program.

14 3. No later than April first, two thousand twenty-six, and no later
15 than April first of each year thereafter, each wind turbine manufacturer
16 shall, individually or collectively with other wind turbine manufactur-
17 ers, submit an annual report on its collection program to the department
18 covering the one-year period ending December thirty-first of the previ-
19 ous year. Each report shall be posted on the wind turbine manufacturer's
20 or program operator's respective internet website. The annual report
21 shall include the following:

22 (a) the number of out-of-service wind turbines collected and recycled
23 under this section during the previous calendar year;

24 (b) a list of all wind turbine manufacturers, wind turbine whole-
25 salers, contractors, qualified local government authorities, and wind
26 turbine retailers participating in the program as wind turbine
27 collection sites;

28 (c) an accounting of the program's administrative costs;

29 (d) a description of outreach strategies employed under paragraph (d)
30 of subdivision two of this section;

31 (e) examples of outreach and educational materials used under para-
32 graph (d) of subdivision two of this section;

33 (f) the internet website address or addresses where the annual report
34 may be viewed online;

35 (g) a description of how the out-of-service wind turbines were
36 collected and recycled;

37 (h) any modifications that the wind turbine manufacturer is planning
38 to make in its collection program; and

39 (i) the identification of a collection program contact and the busi-
40 ness phone number, mailing address, and e-mail address for the contact.

41 4. All wind turbine manufacturers participating in the program shall
42 handle and manage any out-of-service wind turbines that cannot be recy-
43 cled and have been determined to be or to contain hazardous waste, as
44 defined pursuant to regulations of the department, consistent with the
45 requirements for the management and disposal of hazardous waste.

46 5. On and after July first, two thousand twenty-five, no wind turbine
47 manufacturer shall sell, offer to sell, distribute, or offer to distrib-
48 ute wind turbines unless the manufacturer participates as a collection
49 site for out-of-service wind turbines or requests and receives a waiver
50 from the department following a demonstration that such participation
51 would pose an undue burden.

52 § 27-3409. Wind turbine wholesaler and retailer requirements.

53 No wind turbine wholesaler or retailer located within this state shall
54 sell, offer for sale or distribute any wind turbine for final sale
55 unless the manufacturer of such wind turbine is listed on the depart-
56 ment's website, in accordance with the provisions of this title.

1 § 27-3411. Battery collection.

2 1. Each battery manufacturer shall, individually or collectively, with
3 other battery manufacturers, establish and maintain a program for the
4 collection, transportation and recycling of out-of-service batteries in
5 accordance with the provisions of this section.

6 2. Each battery manufacturer shall, individually or collectively with
7 other battery manufacturers through a collection program, do the follow-
8 ing:

9 (a) On and after July first, two thousand twenty-five, compile a list
10 of battery wholesalers within this state.

11 (b) Establish a system to collect, transport and recycle out-of-ser-
12 vice batteries from all collection sites.

13 (c) Not include any fees or other charges to consumers or persons
14 participating in the program.

15 (d) Beginning July first, two thousand twenty-five, conduct education
16 and outreach efforts, including, but not limited to the following:

17 (i) establish and maintain a public website for the dissemination of
18 educational materials to promote the collection and recycling of out-of-
19 service batteries. Such website shall include templates of the educa-
20 tional materials on the internet website in a form and format that can
21 be easily downloaded and printed. The link to such website shall be
22 provided to the department;

23 (ii) contact solar panel wholesalers at least once each year to
24 encourage their support and participation in educating consumers on the
25 importance of statutory requirements for the collection and recycling of
26 out-of-service batteries;

27 (iii) create and maintain a web-based program that allows contractors
28 and consumers to identify collection sites for out-of-service batteries
29 in the state and provide a list of collection sites to the department;
30 and

31 (iv) develop informational articles, press releases, and news stories
32 pertaining to the importance of and opportunities for collecting and
33 recycling out-of-service batteries and distribute such materials to
34 trade publications, local media, and stakeholder groups.

35 (e) On or before July first, two thousand twenty-five, develop and
36 update as necessary educational and other outreach materials for
37 distribution to qualified contractors, contractor associations and
38 consumers. Such materials shall be made available for use by participat-
39 ing battery wholesalers, battery retailers, qualified contractors, and
40 qualified government authorities. Such materials shall include, but not
41 be limited to, the following:

42 (i) signage, such as posters and cling signage, that can be prominent-
43 ly displayed to promote the recycling of out-of-service batteries to
44 qualified contractors and consumers; and

45 (ii) written materials or templates of materials for reproduction by
46 battery wholesalers and battery retailers to be provided to consumers at
47 the time of purchase or delivery of a battery. Such materials shall
48 include, but not be limited to, information on the importance of recycl-
49 ing out-of-service batteries and opportunities for the collection of
50 such batteries.

51 (f) Provide an opportunity for the department to review and offer
52 feedback and suggestions on the collection program.

53 3. No later than April first, two thousand twenty-six, and no later
54 than April first of each year thereafter, each battery manufacturer
55 shall, individually or collectively with other battery manufacturers,
56 submit an annual report on its collection program to the department

1 covering the one-year period ending December thirty-first of the previ-
2 ous year. Each report shall be posted on the battery manufacturer's or
3 program operator's respective internet website. The annual report shall
4 include the following:

5 (a) the number of out-of-service batteries collected and recycled
6 under this section during the previous calendar year;

7 (b) a list of all battery manufacturers, battery wholesalers, contrac-
8 tors, qualified local government authorities, and battery retailers
9 participating in the program as battery collection sites;

10 (c) an accounting of the program's administrative costs;

11 (d) a description of outreach strategies employed under paragraph (d)
12 of subdivision two of this section;

13 (e) examples of outreach and educational materials used under para-
14 graph (d) of subdivision two of this section;

15 (f) the internet website address or addresses where the annual report
16 may be viewed online;

17 (g) a description of how the out-of-service batteries were collected
18 and recycled;

19 (h) any modifications that the battery manufacturer is planning to
20 make in its collection program; and

21 (i) the identification of a collection program contact and the busi-
22 ness phone number, mailing address, and e-mail address for the contact.

23 4. All battery manufacturers participating in the program shall handle
24 and manage any out-of-service batteries that cannot be recycled and have
25 been determined to be or to contain hazardous waste, as defined pursuant
26 to regulations of the department, consistent with the requirements for
27 the management and disposal of hazardous waste.

28 5. On and after July first, two thousand twenty-five, no battery
29 manufacturer shall sell, offer to sell, distribute, or offer to distrib-
30 ute batteries unless such manufacturer participates as a collection site
31 for out-of-service batteries or requests and receives a waiver from the
32 department following a demonstration that such participation would pose
33 an undue burden.

34 § 27-3413. Battery wholesaler and retailer requirements.

35 No battery wholesaler or battery retailer located within this state
36 shall sell, offer for sale or distribute any battery for final sale
37 unless the manufacturer of such battery is listed on the department's
38 website, in accordance with the provisions of this title.

39 § 27-3415. Department responsibilities.

40 1. No later than June first, two thousand twenty-eight, the department
41 shall maintain on its website information regarding the collection and
42 recycling of out-of-service solar panels, out-of-service wind turbines,
43 and out-of-service batteries in the state. Such information shall
44 include the following:

45 (a) a description of the collection programs established under this
46 section and a list of manufacturers participating in the collection
47 program pursuant to this title; and

48 (b) a list of all wholesalers, qualified contractors, qualified local
49 government authorities, and retailers participating in the program as
50 collection sites.

51 2. No later than November first, two thousand twenty-nine, the depart-
52 ment shall submit a written report to the governor and the legislature
53 regarding the effectiveness of the collection programs established under
54 this title, information on the number of out-of-service solar panels,
55 out-of-service wind turbines, and out-of-service batteries collected,
56 and how such out-of-service solar panels, out-of-service wind turbines,

1 and out-of-service batteries were managed. The department shall use
2 such information to recommend whether the provisions of this title
3 should be extended, along with any other statutory changes. In preparing
4 the report, the department shall consult with solar panel manufacturers,
5 environmental organizations, municipal recyclers, and other interest
6 groups.

7 § 27-3417. Disposal prohibition.

8 1. No transporter shall knowingly commingle solar panels, wind
9 turbines, or batteries with solid waste or recyclable materials.

10 2. No transporter shall knowingly deliver solar panels, wind turbines,
11 or batteries or knowingly cause such materials to be delivered to the
12 following facilities located within this state:

13 (a) an incinerator;

14 (b) a landfill;

15 (c) a transfer station; or

16 (d) a facility who the transporter knows or should know will either
17 commingle such materials with other solid waste or deliver such materi-
18 als to an incinerator or a landfill for disposal.

19 3. No operator of an incinerator or a landfill shall knowingly accept
20 solar panels, wind turbines, or batteries for disposal.

21 4. No operator of a transfer station shall knowingly commingle solar
22 panels, wind turbines, or batteries with other solid waste or cause such
23 materials to be transferred to an incinerator or landfill for disposal.

24 5. Each landfill and incinerator shall post, in a conspicuous location
25 at the facility, a sign stating that solar panels, wind turbines, or
26 batteries are not accepted at the facility.

27 § 3. a. Any consumer or qualified contractor who replaces solar
28 panels, wind turbines, or batteries from a building shall deliver such
29 solar panels, wind turbines, or batteries to an appropriate collection
30 site.

31 b. Any person or contractor who demolishes a building shall ensure
32 that all solar panels, wind turbines, or batteries are removed from the
33 building prior to demolition and shall deliver the solar panels, wind
34 turbines, or batteries to a collection site.

35 c. Any department, authority, instrumentality, or municipal corpo-
36 ration of the state administering a program that involves the removal or
37 replacement of solar panels, wind turbines, or batteries as a result of
38 any statutory requirement, shall inform contractors of their statutory
39 obligations to deliver the solar panels, wind turbines, or batteries to
40 a collection site and prohibiting the disposal of such solar panels,
41 wind turbines, or batteries in a solid-waste facility.

42 d. Any contractor, organization or subcontractor of such organization,
43 who contracts with or receives funding or financing provided in whole or
44 in part by or through any department, agency, instrumentality, or poli-
45 tical subdivision of this state for the sale, distribution, service,
46 removal, collection and recycling of solar panels, wind turbines, or
47 batteries shall ensure the collection, transportation and proper manage-
48 ment of out-of-service solar panels, out-of-service wind turbines, or
49 out-of-service batteries in accordance with the provisions of title 34
50 of article 27 of the environmental conservation law.

51 § 4. This act shall take effect immediately and shall expire and be
52 deemed repealed January 1, 2035.