

STATE OF NEW YORK

7288

2025-2026 Regular Sessions

IN SENATE

April 8, 2025

Introduced by Sen. BYNOE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law, in relation to permitting industrial development agencies to accept applications for consideration of financial incentives for projects which will include environmental pollution mitigation

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

1 Section 1. Legislative Intent. The Legislature hereby finds that the
2 purpose of industrial development agencies is to advance job opportu-
3 nities, general prosperity, and the health and standard of living for
4 the people of the State of New York.

5 This Legislature recognizes that "the placement of polluting indus-
6 tries near low-income and majority-minority neighborhoods is a pattern
7 repeated across the country" and that such structural racism leads to
8 gross health disparities in the African-American and Hispanic communi-
9 ties, especially when it comes to respiratory illness. The prevalence of
10 these illnesses in turn inhibits these communities from working to build
11 wealth and achieve financial security and therefore sows long term
12 economic hardship and perpetuates race-based income disparities.

13 This Legislature holds that industrial development agencies' use of
14 financial incentives should include implementing environmental pollution
15 mitigation as it relates to any projects which would construct improve-
16 ments, renovations, and/or purchase low or zero-emission vehicles to
17 better protect the communities in which they operate against pollution
18 and contamination. The necessity to incentivize environmental renovation
19 and improvements in industrial facilities is especially acute as to
20 incentivize environmental renovation and improvements in industrial
21 facilities as minority communities within New York state suffer dispro-
22 portionately from exposure to industrial pollution and contamination.
23 Therefore, the utilization of industrial development agencies' financial

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

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1 incentives for this purpose would significantly benefit the economic and
2 physical health of all New York state residents, but it is especially
3 important and essential to minority communities which regrettably bear
4 the burden of a disproportionate concentration of heavily polluting
5 industries.

6 § 2. The opening paragraph of section 858 of the general municipal
7 law, as amended by section 6 of part X of chapter 59 of the laws of
8 2021, is amended to read as follows:

9 The purposes of the agency shall be to promote, develop, encourage and
10 assist in the acquiring, constructing, reconstructing, improving, imple-
11 menting environmental pollution mitigation, maintaining, equipping and
12 furnishing industrial, manufacturing, warehousing, commercial, research,
13 renewable energy and recreation facilities including industrial
14 pollution control facilities, educational or cultural facilities, rail-
15 road facilities, horse racing facilities, automobile racing facilities,
16 renewable energy projects and continuing care retirement communities,
17 provided, however, that, of agencies governed by this article, only
18 agencies created for the benefit of a county and the agency created for
19 the benefit of the city of New York shall be authorized to provide
20 financial assistance in any respect to a continuing care retirement
21 community, and thereby advance the job opportunities, health, general
22 prosperity and economic welfare of the people of the state of New York
23 and to improve their recreation opportunities, environmental quality,
24 prosperity and standard of living; and to carry out the aforesaid
25 purposes, each agency shall have the following powers:

26 § 3. Section 854 of the general municipal law is amended by adding a
27 new subdivision 22 to read as follows:

28 (22) "Environmental pollution mitigation" shall mean any proposal that
29 provides for equipment, improvements, purchases of low or zero-emission
30 vehicles, structures or facilities or any combination thereof which
31 would result in the control, abatement or prevention of land, sewer,
32 water, air, noxious odor, noise or general environmental pollution
33 deriving from the operation of industrial, manufacturing, warehousing,
34 waste treatment plants, commercial, recreation and research facilities,
35 and aid the conservation, protection and improvement of natural
36 resources and the environment and thereby provide these properties and
37 programs tax credits for the purpose of protecting the health and well-
38 being of these communities.

39 § 4. This act shall take effect on the ninetieth day after it shall
40 have become a law.