STATE OF NEW YORK

7288--A

Cal. No. 1155

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 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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:

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

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

This Legislature holds that industrial development agencies' use of financial incentives should include implementing environmental pollution mitigation as it relates to any projects which would construct improvements, renovations, and/or purchase low or zero-emission vehicles to better protect the communities in which they operate against pollution and contamination. The necessity to incentivize environmental renovation and improvements in industrial facilities is especially acute as to incentivize environmental renovation and improvements in industrial

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

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facilities as minority communities within New York state suffer disproportionately from exposure to industrial pollution and contamination. Therefore, the utilization of industrial development agencies' financial incentives for this purpose would significantly benefit the economic and physical health of all New York state residents, but it is especially important and essential to minority communities which regrettably bear the burden of a disproportionate concentration of heavily polluting industries.

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

The purposes of the agency shall be to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, **implementing environmental pollution mitigation,** maintaining, equipping and furnishing industrial, manufacturing, warehousing, commercial, research, renewable energy and recreation facilities including industrial pollution control facilities, educational or cultural facilities, railroad facilities, horse racing facilities, automobile racing facilities, renewable energy projects and continuing care retirement communities, provided, however, that, of agencies governed by this article, only agencies created for the benefit of a county and the agency created for the benefit of the city of New York shall be authorized to provide financial assistance in any respect to a continuing care retirement community, and thereby advance the job opportunities, health, general prosperity and economic welfare of the people of the state of New York and to improve their recreation opportunities, **environmental quality,** prosperity and standard of living; and to carry out the aforesaid purposes, each agency shall have the following powers:

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

(22) "Environmental pollution mitigation" shall mean any proposal that provides for equipment, improvements, purchases of low or zero-emission vehicles, structures or facilities or any combination thereof which would result in the control, abatement or prevention of land, sewer, water, air, noxious odor, noise or general environmental pollution deriving from the operation of industrial, manufacturing, warehousing, waste treatment plants, commercial, recreation and research facilities, and aid the conservation, protection and improvement of natural resources and the environment.

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