

# STATE OF NEW YORK

7898--A

2025-2026 Regular Sessions

## IN SENATE

May 13, 2025

Introduced by Sen. HINCHEY -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- recommitted to the Committee on Energy and Telecommunications in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the economic development law, in relation to certain construction project contracts to include siting of renewable energy systems, qualified energy storage systems, or electric major utility transmission facilities

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

1 Section 1. The economic development law is amended by adding a new  
2 section 107 to read as follows:

3 § 107. Renewable energy and transmission siting considerations. Any  
4 contract for new construction projects entered into, overseen, or  
5 enforced by the department or the empire state development corporation  
6 with a value of greater than or equal to five million dollars in state  
7 funding participation shall include, to the greatest extent feasible,  
8 siting of renewable energy systems as defined in section sixty-six-p of  
9 the public service law, qualified energy storage systems as defined in  
10 section seventy-four of the public service law, or electric major utili-  
11 ty transmission facilities as defined in section one hundred twenty of  
12 the public service law within the terms of construction of such project.  
13 The department or the empire state development corporation may consult  
14 with the New York state energy research and development authority, or  
15 any other relevant agency or authority when considering the siting of  
16 qualified energy storage systems, renewable energy systems and electric  
17 major utility transmission facilities. If such a project cannot accommo-  
18 date the siting of renewable energy systems, electric major utility  
19 transmission facilities, or a qualified energy storage system, the

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

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1 department or the empire state development corporation shall issue a  
2 brief determination in writing including a description of the reasons  
3 for the decision.

4 § 2. This act shall take effect immediately.