

# STATE OF NEW YORK

9735

## IN SENATE

April 2, 2026

Introduced by Sen. KAVANAGH -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the public service law, in relation to enacting the "home utility weatherization jobs act"

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 "home utility weatherization jobs act".
- 3 § 2. Legislative findings and intent. The legislature finds and  
4 declares that:
- 5 (a) The Climate Leadership and Community Protection Act (CLCPA)  
6 requires significant reductions in greenhouse gas emissions, including a  
7 40% reduction in statewide greenhouse gas emissions by 2030 and an 85%  
8 reduction in statewide greenhouse gas emissions by 2050;
- 9 (b) The Climate Action Council Final Scoping Plan (Plan) deems it  
10 essential that buildings make significant investments in energy effi-  
11 ciency, and the Plan's integration analysis demonstrates that widespread  
12 improvements to building envelope will reduce energy demand from the  
13 building sector by 30% to 50% by 2050;
- 14 (c) Energy efficiency is and will continue to be a key and necessary  
15 component of achieving the CLCPA's greenhouse gas emissions targets and  
16 has proven to be one of the most cost-effective strategies available;
- 17 (d) Weatherization efforts that prioritize a whole-building approach  
18 to reducing energy needs, such as through building envelope enhance-  
19 ments, are an effective way to reduce greenhouse gas emissions while at  
20 the same time facilitating further emissions reduction measures such as  
21 full electrification or hybrid heating systems by reducing heating load;
- 22 (e) Improving the integrity of the building envelope through upgrades  
23 or retrofits may result in deep energy savings;
- 24 (f) While existing energy efficiency programs administered by the New  
25 York state energy research and development authority and some utilities  
26 are available for low- to moderate-income (LMI) customers, there are  
27 some gaps in coverage, including LMI tenants who do not live in build-

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

LBD02457-04-6

1 ings covered by existing LMI programs, individuals who do not qualify as  
2 LMI customers, rental properties, and where existing programs do not  
3 remove or mitigate up-front financial burdens for customers;

4 (g) Weatherization efforts can provide significant benefits to disad-  
5 vantaged and other communities through the reduction of energy usage and  
6 decreases in greenhouse gas emissions;

7 (h) Weatherization and energy efficiency projects can promote strong  
8 economic development and good jobs for local residents, including resi-  
9 dents in disadvantaged communities;

10 (i) Utilities' access to capital and to a trusted workforce able to  
11 effectively execute projects, and experience with implementing energy  
12 efficiency programs specifically, positions them well to develop and  
13 implement programs to weatherize residential buildings; and

14 (j) It is therefore the intent of the legislature to remove legal  
15 barriers to utility development of weatherization programs and require  
16 the public service commission to authorize utilities to immediately  
17 commence piloting the development and implementation of targeted utility  
18 weatherization pilot programs to further the goals of the CLCPA.

19 § 3. The public service law is amended by adding a new section 66-x to  
20 read as follows:

21 § 66-x. Neighborhood scale weatherization and electrification read-  
22 iness. 1. As used in this section:

23 (a) "building" means a residential building or the residential units  
24 located within a non-residential building;

25 (b) "building envelope" means the assemblies, components and materials  
26 of a building that form the thermal barrier between the interior space  
27 of the building and the exterior environment, including but not limited  
28 to walls, floors, roofing, foundation, windows and doors;

29 (c) "pre-weatherization work" means any measures necessary to prepare  
30 the building for air sealing and insulation including work that  
31 addresses applicable code and/or safety requirements that arise during,  
32 are identified as a result of, or that would impede the successful  
33 completion of the weatherization work being performed, and should  
34 include identification of electrification-ready work;

35 (d) "electrification-ready work" means that (i) branch circuits,  
36 conduit and/or raceway, wiring, junction boxes, and receptacles for  
37 future electric equipment or appliances are properly labeled and  
38 installed, as applicable; (ii) physical space is reserved for future  
39 electric equipment or appliances; and (iii) electrical capacity and  
40 reserved physical space for circuit breakers in the main electrical  
41 service panel are properly labeled;

42 (e) "neighborhood scale weatherization and electrification-ready  
43 project" means a project implemented by a gas corporation, electric  
44 corporation or combination gas and electric corporation to improve the  
45 integrity of a series of building envelopes in close geographic proximi-  
46 ty following outreach to all buildings within a targeted pilot area,  
47 that may include but not be limited to, locating and sealing air leaks,  
48 increasing insulation, weatherstripping windows and doors and moisture  
49 control such as installing attic vents, and pre-weatherization and/or  
50 electrification-ready work;

51 (i) Such projects shall (A) not include the purchase and installation  
52 of appliances, including but not limited to, boilers and hot water heat-  
53 ers; (B) leverage all local, state, and federal funding available and  
54 work in collaboration with New York state energy research and develop-  
55 ment authority, the division of homes and community renewal, regional  
56 energy hubs, and other partners; (C) be completed at no cost to the

1 individual building owner; (D) include pre-weatherization work, to the  
2 extent practicable and cost effective. If such pre-weatherization work  
3 is not practicable and cost effective, it may be completed at cost to  
4 the individual building owner in advance of the neighborhood scale  
5 weatherization and electrification-ready project; (E) be in close  
6 geographic proximity with a goal of performing work on contiguous build-  
7 ings, on a block-by-block or neighborhood basis. Once a targeted pilot  
8 area has been approved by the commission for such project, no buildings  
9 within that area shall be bypassed for such project without just cause;  
10 such proposed building omissions, and the cause for them, shall be  
11 presented to the commission, who may approve or disapprove of such omis-  
12 sions on a case-by-case basis. The need for pre-weatherization work,  
13 and/or weatherization work shall not be accepted as justification for  
14 bypassing a building. If there are nearby buildings that, due to envi-  
15 ronmental or infrastructure-related factors, can be incorporated into a  
16 project in a reasonable, unburdensome manner, these buildings may be  
17 included in such project's proposal, and the commission may approve or  
18 disapprove of a non-contiguous building's inclusion on a case-by-case  
19 basis; and

20 (ii) The gas corporation, electric corporation or combination gas and  
21 electric corporation shall share information about electrification read-  
22 iness with the building owner, who may then choose whether to have elec-  
23 trification-ready work completed as part of the neighborhood scale  
24 weatherization and electrification project;

25 (f) "targeted pilot areas" means the specific geographic regions  
26 selected for the implementation of each neighborhood scale weatheriza-  
27 tion and electrification-ready pilot program. Targeted pilot areas shall  
28 be determined by each gas corporation, electric corporation or combina-  
29 tion gas and electric corporation. The boundaries of targeted pilot  
30 areas shall be drawn with the goal of performing work on contiguous  
31 properties on a block-by-block or neighborhood basis;

32 (g) "energy audit" means a review of each building within a series of  
33 contiguous buildings for the purpose of building a weatherization and  
34 electrification-ready strategy which includes, but is not limited to,  
35 identifying air leaks, examining insulation, inspecting all heating and  
36 cooling systems and ductwork, and inspecting electrical wiring and iden-  
37 tifying electrical capacity. Such audit shall be aligned with industry  
38 standards as identified by the department. Documentation of denial of  
39 access to a building to complete the review shall qualify as completion  
40 for purposes of this section;

41 (h) "project labor agreement" shall mean a pre-hire collective  
42 bargaining agreement between a gas corporation, electric corporation,  
43 combination of gas and electric corporation or a third party on behalf  
44 of such corporation or corporations, and a bona fide building and  
45 construction trade labor organization establishing the labor organiza-  
46 tion as the collective bargaining representative for all persons who  
47 will perform work on a public work project, and which provides that only  
48 contractors and subcontractors who sign a pre-negotiated agreement with  
49 the labor organization can perform project work. All contractors and  
50 subcontractors associated with this work shall be required to utilize an  
51 apprenticeship agreement as defined in article twenty-three of the labor  
52 law; and

53 (i) "cost-effective" means determining whether the costs of materials  
54 and their installation for the energy efficiency and electrification-  
55 ready measures for a project will be recovered through (i) savings in  
56 energy costs over the design life of the relevant buildings; (ii)

1 averted costs related to reduced demand on energy systems and the energy  
2 grid including the avoidance of costs related to expanding or maintain-  
3 ing energy infrastructure; (iii) secondary effects, including, but not  
4 limited to, reductions in greenhouse gas emissions and other pollutants;  
5 and (iv) societal benefits, including, but not limited to, averted  
6 health costs, workforce development, and the benefits of mitigating  
7 disproportionate environmental burdens on disadvantaged communities.

8 2. The commission shall initiate a proceeding within three months of  
9 the effective date of this section to support the development of neigh-  
10 borhood scale weatherization and electrification-ready projects for the  
11 purpose of meeting the greenhouse gas emissions and equity goals of the  
12 Climate Leadership and Community Protection Act (CLCPA).

13 3. Within six months of the effective date of this section, each gas  
14 corporation, electric corporation, or combination gas and electric  
15 corporation shall submit to the commission for review and approval at  
16 least one and up to ten neighborhood scale weatherization and electrifi-  
17 cation-ready projects. Such projects may be submitted jointly by corpo-  
18 rations operating in the same territory. If such projects are submitted  
19 jointly, each jointly submitted project shall be considered one half of  
20 a project for each corporation for purposes of meeting such requirement  
21 of submitting at least one and up to ten projects. At least forty  
22 percent of projects shall be in targeted pilot areas located within  
23 disadvantaged communities as identified by the climate justice working  
24 group. Every proposed project shall be developed to reduce system costs  
25 and avoid the potential for infrastructure investments, such as by  
26 reducing demand in constrained areas, avoiding costly wire or pipeline  
27 upgrades or replacements, reducing peak demand, or other such cost  
28 reduction measures. The projects shall be varied in type of region and  
29 building typology, to the extent possible. The neighborhood scale weath-  
30 erization and electrification-ready projects shall be posted on the  
31 commission's website and be subject to a public comment period of no  
32 fewer than sixty days. All projects submitted to the commission shall  
33 include, but not be limited to, the following: (a) the buildings and  
34 customers eligible for the proposed project, which shall include a  
35 description of how the proposed project fills existing gaps related to  
36 low- to moderate-income customers and other customers in targeted pilot  
37 areas; (b) a staffing plan identifying the workforce and specific work  
38 to be performed; (c) maps of the locations of these projects, which  
39 should target contiguous properties over entire street blocks; (d)  
40 proposed total annual costs of the project; (e) projected annual green-  
41 house gas emissions reductions resulting from the proposed projects; and  
42 (f) the projected savings on infrastructure investment from the  
43 reduction in usage. In developing projects, a gas corporation, electric  
44 corporation, or combination electric and gas corporation shall coordi-  
45 nate with other utility participants and the New York state energy  
46 research and development authority.

47 4. Within one year of the effective date of this section, the commis-  
48 sion shall determine whether it is in the public interest to approve or  
49 modify such neighborhood scale weatherization and electrification-ready  
50 projects and shall issue an order directing the implementation of such  
51 projects. In determining whether a project is in the public interest,  
52 the commission shall consider whether such project: (a) facilitates  
53 energy reliability and reduces energy costs for customers in targeted  
54 pilot areas; (b) supports the state's achievement of the climate justice  
55 and greenhouse gas emissions reduction goals of the CLCPA; and (c)  
56 promotes job training and workforce development.

1 5. The gas corporation, electric corporation, or combination gas and  
2 electric corporation shall collect data to inform strategies for the  
3 neighborhood scale weatherization and electrification-ready projects.  
4 Such data shall include:

5 (a) for every eligible building: (i) if applicable, the number of  
6 vacant units and reason for vacancy, if ascertainable; and (ii) whether  
7 an energy audit was agreed to.

8 (b) for buildings that have undergone energy audits: (i) age, type,  
9 and estimated retirement date of heating source or heating system; (ii)  
10 any deferred maintenance, including, but not limited to: roof repairs,  
11 vermiculite in attic, knob-and-tube wiring, mold in attic, water in  
12 basement, asbestos tape in basement, and asbestos shingles; and (iii)  
13 the results of the energy audit. Such data shall be anonymized and  
14 aggregated by zip code and be made available on such gas corporation,  
15 electric corporation, or combination gas and electric corporation's  
16 website.

17 6. The commission shall authorize each gas corporation, electric  
18 corporation or combination gas and electric corporation to fully recover  
19 in the context of rate or other duly authorized proceedings the costs  
20 associated with each such corporation's neighborhood scale weatheriza-  
21 tion and electrification-ready project. Each corporation may also  
22 utilize additional sources of funding, including, but not limited to,  
23 funding provided by the state. Each gas corporation, electric corpo-  
24 ration or combination gas and electric corporation shall defer any unre-  
25 covered expenses associated with an approved or modified neighborhood  
26 scale weatherization and electrification-ready project as a regulatory  
27 asset pending a subsequent rate or other duly authorized proceeding. All  
28 unrecovered expense balances shall accrue carrying charges at such  
29 corporation's pre-tax approved rate of return.

30 7. Each gas, electric, or combination gas and electric corporation  
31 shall report to the commission, on a quarterly basis, and until  
32 completion of the neighborhood scale weatherization and electrifica-  
33 tion-ready project or enhanced neighborhood scale weatherization and  
34 electrification-ready projects as determined by the commission, the  
35 status of each project. The commission shall post and make publicly  
36 available such reports on its website. The report shall include, but not  
37 be limited to: (a) projects completed; (b) barriers to implementation,  
38 if any; (c) costs of the projects; (d) number of jobs retained, created  
39 or enhanced by the projects; and (e) any other such information the  
40 commission deems to be in the public interest.

41 8. Any neighborhood scale weatherization and electrification-ready  
42 projects approved or modified under this section shall require that  
43 energy audits are conducted by employees of the gas corporation, elec-  
44 tric corporation, or combination gas and electric corporation repres-  
45 ented by a bona fide labor organization of jurisdiction that is actively  
46 engaged in representing the gas corporation, electric corporation, and  
47 combination gas and electric corporation employees. The use of contrac-  
48 tors is prohibited except as necessary for training or implementation of  
49 the projects.

50 9. Every neighborhood scale weatherization and electrification-ready  
51 project shall be subject to a project labor agreement.

52 § 4. This act shall take effect immediately.