

STATE OF NEW YORK

10668

IN ASSEMBLY

March 20, 2026

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

AN ACT to amend the environmental conservation law, in relation to establishing new permitting procedures regarding hydraulic fracturing; and to repeal certain provisions of the environmental conservation law related thereto

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

1 Section 1. Subdivision 3 of section 23-0303 of the environmental
2 conservation law is REPEALED.

3 § 2. Subdivision 3 of section 23-0501 of the environmental conserva-
4 tion law is REPEALED.

5 § 3. Subdivision 8 of section 23-0305 of the environmental conserva-
6 tion law is amended by adding a new paragraph 1 and a new subdivision 16
7 to read as follows:

8 1. Process permit applications, consistent with subdivision sixteen of
9 this section, for oil and gas wells utilizing hydraulic fracturing tech-
10 niques consistent with applicable environmental safeguards.

11 16. The department shall promulgate and publish, within one year of
12 the effective date of this subdivision, rules and regulations regarding
13 hydraulic fracturing, including the permitting process. In such rules
14 and regulations, the department shall consider: (1) environmental
15 protections, (2) water management standards, and (3) any other applica-
16 ble standard the department may deem necessary.

17 § 4. Subdivision 2 of section 23-0303 of the environmental conserva-
18 tion law, as added by chapter 846 of the laws of 1981, is amended to
19 read as follows:

20 2. The provisions of this article shall supersede all local laws or
21 ordinances relating to the regulation of the oil, gas and solution
22 mining industries, and hydraulic fracturing; but shall not supersede
23 local government jurisdiction over local roads or the rights of local
24 governments under the real property tax law.

25 § 5. This act shall take effect immediately.

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

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