

STATE OF NEW YORK

11099

IN ASSEMBLY

April 24, 2026

Introduced by M. of A. GRAY -- read once and referred to the Committee on Labor

AN ACT to amend the labor law and the public service law, in relation to requiring project labor agreements for renewable energy projects receiving state support; and providing for the repeal of certain provisions upon expiration thereof

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 "renewable energy project labor agreement act".

3 § 2. Legislative findings and intent. 1. The legislature hereby finds
4 and declares that New York's climate and clean energy mandates --
5 including the requirement that at least seventy percent of statewide
6 electric generation be produced by renewable energy systems by 2030 and
7 that the electric system achieve zero emissions by 2040 -- require
8 sustained and large-scale investment in renewable energy infrastructure
9 and the workforce that builds it.

10 2. The legislature further finds that the state's most recent land-
11 based renewable energy solicitations, including the 2025 Tier 1 renewa-
12 ble energy standard request for proposals, underscore both the scale and
13 the speed of the build-out now underway, as developers seek to advance
14 projects in time to qualify for federal tax incentives and to meet the
15 state's clean energy standard goals. Analyses of clean energy
16 construction workforces have identified high levels of job turnover,
17 multiple short-term employers, and limited access to benefits in
18 portions of the renewable energy construction sector, indicating a shor-
19 tage of high-quality jobs rather than a shortage of workers.

20 3. The legislature finds that project labor agreements on construction
21 projects have been recognized as tools that can help ensure that
22 projects are completed on time and on budget, with a trained and skilled
23 workforce, while promoting labor-management cooperation, apprenticeship
24 training, safety, and diversity in the construction trades.

25 4. The legislature therefore declares it to be the policy of the state
26 that construction work on renewable energy projects benefitting from

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

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1 state programs, approvals, or financial assistance shall proceed under
2 project labor agreements with bona fide building and construction trade
3 labor organizations, and that such requirements should apply broadly to
4 renewable energy projects, with particular attention to solar energy
5 projects regardless of size, except for limited exclusions for small
6 owner-occupied residential systems.

7 5. It is the intent of the legislature to (a) establish a general
8 requirement in the labor law that covered renewable energy projects
9 operated or supported pursuant to state programs be constructed under
10 project labor agreements; (b) integrate that requirement into the
11 state's consolidated siting framework for major renewable energy facili-
12 ties; and (c) require the public service commission to condition
13 programs implemented under section sixty-six-p of the public service
14 law, and related renewable energy procurement programs, on compliance
15 with project labor agreement requirements.

16 § 3. The labor law is amended by adding a new section 224-g to read as
17 follows:

18 § 224-g. Project labor agreement requirements for certain renewable
19 energy projects. 1. Definitions. For the purposes of this section:

20 (a) "Project labor agreement" shall mean a project labor agreement as
21 defined by subdivision one of section two hundred twenty-two of this
22 article.

23 (b) "Renewable energy system" shall mean a renewable energy system as
24 defined in section sixty-six-p of the public service law.

25 (c) "Major renewable energy facility" shall mean any renewable energy
26 system, as such term is defined in section sixty-six-p of the public
27 service law, with a nameplate generating capacity of twenty-five thou-
28 sand kilowatts or more, and any co-located system storing energy gener-
29 ated from such a renewable energy system prior to delivering it to the
30 bulk transmission system, including all associated appurtenances to
31 electric plants as defined under section two of the public service law,
32 including electric transmission facilities less than ten miles in length
33 in order to provide access to load and to integrate such facilities into
34 the state's bulk electric transmission system.

35 (d) "State entity" shall mean the state of New York, any state agency,
36 department, office, or division, any public authority or public benefit
37 corporation of the state, including but not limited to the New York
38 state energy research and development authority and the power authority
39 of the state of New York, and any local industrial development agency or
40 local development corporation acting on behalf of the state or any such
41 public authority with respect to a renewable energy project that is part
42 of, or counted toward, compliance with the program established under
43 section sixty-six-p of the public service law.

44 (e) "State financial assistance" shall mean any grant, loan, rebate,
45 tax credit, tax exemption, tax abatement, power purchase agreement,
46 renewable energy credit contract, or other financial assistance, whether
47 direct or indirect, provided by a state entity for the purpose of plan-
48 ning, developing, permitting, financing, constructing, or repowering a
49 renewable energy system.

50 (f) "Covered renewable energy project" shall mean:

51 (i) any major renewable energy facility;

52 (ii) any renewable energy system with a nameplate generating capacity
53 of one megawatt alternating current or greater that involves the
54 procurement of renewable energy credits by a public entity, or a third
55 party acting on behalf of and for the benefit of a public entity,

1 including but not limited to systems subject to section two hundred
2 twenty-four-d of this article;

3 (iii) any solar energy project, regardless of nameplate capacity, that
4 (A) is located on property other than a one- or two-family owner-occu-
5 pied residential structure and (B) receives state financial assistance;
6 and

7 (iv) any other renewable energy system that receives state financial
8 assistance and is designated as a covered renewable energy project by
9 the commissioner by regulation, after consultation with the chair of the
10 public service commission and the president and chief executive officer
11 of the New York state energy research and development authority.

12 (g) "Owner" shall mean the person or entity that holds the principal
13 ownership interest in a covered renewable energy project or that enters
14 into contracts for the design and construction of a covered renewable
15 energy project.

16 2. Requirement for project labor agreements. (a) All construction,
17 including initial construction and repowering, of a covered renewable
18 energy project shall be performed pursuant to a project labor agreement
19 between the owner, or a construction manager or general contractor
20 acting on behalf of the owner, and one or more bona fide building and
21 construction trade labor organizations that have established themselves
22 and/or their affiliates as the collective bargaining representatives for
23 persons who will perform work on such project.

24 (b) No state entity shall provide state financial assistance to, award
25 a power purchase agreement or renewable energy credit contract for, or
26 otherwise approve or support a covered renewable energy project unless
27 the owner has certified to such state entity, in the form and manner
28 prescribed by the commissioner, that the construction work on the
29 project will be performed pursuant to a project labor agreement that
30 meets the requirements of this section and subdivision two of section
31 two hundred twenty-two of this article.

32 (c) Any solicitation, request for proposals, or other procurement
33 document issued by a state entity for the purchase of energy, capacity,
34 or environmental attributes from a covered renewable energy project, or
35 for the provision of state financial assistance to a covered renewable
36 energy project, shall include notice of the requirement that such
37 project be constructed pursuant to a project labor agreement, and shall
38 provide that failure to comply with such requirement shall be grounds
39 for rejection of a bid or proposal or for termination of an award or
40 agreement.

41 3. Scope and content of project labor agreements. A project labor
42 agreement required by this section shall:

43 (a) meet the standards set forth in section two hundred twenty-two of
44 this article;

45 (b) apply to all contractors and subcontractors performing
46 construction work on the covered renewable energy project, including
47 site preparation, foundations, installation of generating equipment,
48 electrical collection systems, interconnection facilities, and related
49 balance-of-plant infrastructure, but excluding manufacturing of equip-
50 ment not performed at the project site; and

51 (c) require participation in registered apprenticeship programs to the
52 maximum extent practicable, consistent with subdivision two of section
53 two hundred twenty-two of this article.

54 4. Rules and regulations; coordination. (a) The commissioner shall
55 promulgate such rules and regulations as may be necessary to implement
56 this section, including but not limited to rules establishing procedures

1 for certification of compliance by owners, contractors, and subcontractors,
2 and procedures for enforcement and remedies.

3 (b) The commissioner shall consult with the chair of the public
4 service commission, the director of the office of renewable energy
5 siting and electric transmission, and the president and chief executive
6 officer of the New York state energy research and development authority
7 to ensure that requirements adopted pursuant to this section are harmon-
8 ized with requirements imposed under the executive law and public
9 service law.

10 5. Construction. Nothing in this section shall be construed to:

11 (a) limit or diminish any obligation to pay prevailing wages pursuant
12 to this article or any other provision of law; or

13 (b) prohibit a state entity from imposing project labor agreement
14 requirements on projects or activities not covered by this section.

15 § 4. The public service law is amended by adding a new section 149 to
16 read as follows:

17 § 149. Project labor agreements for major renewable energy facilities.

18 1. The office of renewable energy siting and electric transmission shall
19 require, as a condition of issuance of a siting permit for a major
20 renewable energy facility, that the applicant demonstrate to the satis-
21 faction of the office that all construction work on such facility will
22 be performed pursuant to a project labor agreement, as such term is
23 defined in section two hundred twenty-two of the labor law, that meets
24 the requirements of section two hundred twenty-four-g of the labor law.

25 2. The applicant shall submit, in such form and manner as the office
26 may prescribe, either (a) an executed project labor agreement, or (b) a
27 binding commitment to enter into a project labor agreement prior to the
28 commencement of construction, together with evidence that negotiations
29 toward such agreement have been commenced with one or more bona fide
30 building and construction trade labor organizations having jurisdiction
31 over the area in which the facility is to be located.

32 3. The office shall incorporate into each siting permit for a major
33 renewable energy facility enforceable conditions requiring compliance
34 with the project labor agreement obligation established by this section
35 and by section two hundred twenty-four-g of the labor law, and shall
36 coordinate with the department of labor with respect to monitoring and
37 enforcement.

38 § 5. Section 66-p of the public service law is amended by adding a new
39 subdivision 9 to read as follows:

40 9. Project labor agreements for renewable energy projects. (a) In
41 administering the program established under this section and any related
42 procurement of renewable energy credits or other attributes, the commis-
43 sion shall ensure that renewable energy systems that are counted toward
44 the targets established by this section and that constitute covered
45 renewable energy projects under section two hundred twenty-four-g of the
46 labor law are constructed pursuant to project labor agreements.

47 (b) The commission shall, by order or regulation, require jurisdic-
48 tional load serving entities and state entities administering procure-
49 ment or incentive programs in furtherance of this section to condition
50 eligibility for participation, and eligibility for long-term contracts
51 for the purchase of renewable energy credits or other attributes, on
52 compliance with the project labor agreement requirements of section two
53 hundred twenty-four-g of the labor law.

54 (c) The commission shall coordinate with the department of labor and
55 the New York state energy research and development authority to align
56 program rules, solicitations and standard contract terms with the

requirements of this subdivision and section two hundred twenty-four-g of the labor law.

§ 6. The requirements of this act shall apply to:

(a) any covered renewable energy project for which a solicitation, request for proposals, or other procurement document issued by a state entity is first issued on or after the effective date of this act;

(b) any application for a siting permit for a major renewable energy facility that is first deemed complete by the office of renewable energy siting and electric transmission on or after the effective date of this act; and

(c) any renewable energy system that first enters into a contract to sell renewable energy credits or other environmental attributes to a state entity on or after the effective date of this act.

§ 7. Nothing in this act shall be construed to impair an existing contract for the construction of a renewable energy project that has been fully executed prior to the effective date of this act, provided that any substantial amendment or extension of such contract occurring on or after such effective date shall conform to the requirements of this act.

§ 8. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 9. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that the amendments to article 8 of the public service law made by section four of this act shall not affect the repeal of such article and shall be deemed repealed therewith. Effective immediately, the commissioner of labor, the chair of the public service commission, the director of the office of renewable energy siting and electric transmission, and the president and chief executive officer of the New York state energy research and development authority are authorized and directed to promulgate any rules, regulations, orders or program modifications and to take any other steps necessary for the implementation of this act on or before such effective date.