

STATE OF NEW YORK

9297--A

2025-2026 Regular Sessions

IN ASSEMBLY

December 10, 2025

Introduced by M. of A. TAPIA -- read once and referred to the Committee on Energy -- recommitted to the Committee on Energy in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to requiring host community benefits

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

1 Section 1. Host community benefit. 1. Definitions. For the purposes
2 of this act, the following terms shall have the following meanings:

3 (a) "Data center" means all facilities, or a combination of facili-
4 ties, under common ownership at the same site, that receive service from
5 an electric corporation, gas corporation, or municipality, as defined in
6 the public service law, or have applied or requested to receive such
7 service, and have a peak demand of twenty megawatts or more that is used
8 for:

9 (i) computing infrastructure, not including manufacturing;

10 (ii) data processing services;

11 (iii) web hosting services, not including software publishing;

12 (iv) streaming support services, not including streaming distribution;

13 and

14 (v) other related services and functions as defined in rules and regu-
15 lations promulgated by the commission.

16 (b) "Host community" shall mean any town or city within which a data
17 center defined in paragraph (a) of this subdivision, or any portion
18 thereof, has been proposed for development.

19 (c) "Eligible residential technologies" means:

20 (i) cold-climate heat pumps for space heating and cooling;

21 (ii) heat pump water heaters;

22 (iii) rooftop solar photovoltaic systems; and/or

23 (iv) behind-the-meter battery storage systems.

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

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1 (d) "Utility" means an electric distribution utility corporation regu-
2 lated pursuant to section 66 of the public service law.

3 2. Each new data center, or any existing data center undergoing a
4 major expansion that will meet or exceed twenty megawatts of additional
5 load, shall, pursuant to subdivision three of this section, fund a
6 program to: (a) provide a discount or credit on the electric utility
7 bills of the local utility's residential customers in a host community;
8 or (b) install eligible residential technologies for such customers.

9 3. The public service commission shall, within ninety days from the
10 effective date of this subdivision, commence a proceeding to establish a
11 program under which data center owners would be required to fund a
12 program to provide a discount or credit on the electric utility bills of
13 the utility's customers in a host community, or to install eligible
14 residential technologies for such customers. Such proceeding shall
15 establish a process to notify host communities and allow such community
16 to indicate whether discounts or credits on utility bills or the instal-
17 lation of any eligible residential technologies is their preferred use
18 of program funding. Such proceeding shall further determine the amount
19 of such discount, credit, or amount of eligible residential technologies
20 to be installed based on all factors deemed appropriate by the commis-
21 sion, including the expected average electrical demand of the facility,
22 the average number of customers within the data center host community,
23 and the expected aggregate annual electric consumption within such host
24 community, and shall include prioritization of low- and moderate-income
25 households and disadvantaged communities, as defined in subdivision five
26 of section 75-0101 of the environmental conservation law, and the role
27 of utilities, if any, in implementing any aspect of such program.

28 § 2. The Long Island Power Authority shall establish a program for
29 data centers within its service territory to achieve the same objectives
30 as set forth and described in section one of this act.

31 § 3. This act shall take effect on the one hundred eightieth day after
32 it shall have become a law; provided however, subdivision three of
33 section one of this act shall take effect immediately. Effective imme-
34 diately, the addition, amendment and/or repeal of any rule or regulation
35 necessary for the implementation of this act on its effective date are
36 authorized to be made and completed on or before such effective date.