STATE OF NEW YORK

10281

IN SENATE

May 11, 2026

Introduced by Sen. SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law and the public authorities law, in relation to prohibiting the use of funds, financial incentives or subsidies where facilities or property are used primarily for e-commerce storage and transfers, or the facilitation thereof

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

Section 1. Section 862 of the general municipal law is amended by adding a new subdivision 3 to read as follows:

(3) No funds, financial incentives or subsidies of the agency shall be used in respect of any project where facilities or property are used primarily for electronic commerce (e-commerce) storage and transfers, or the facilitation thereof.

§ 2. The second undesignated paragraph of section 1953 of the public authorities law, as amended by chapter 579 of the laws of 2021, is amended to read as follows:

Notwithstanding the provisions of this section to the contrary, such financial assistance may, however, be provided to a project where facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities to obtain such goods or services constitute more than one-third of the total project cost, where: (i) the predominant purpose of the project would be to make available goods or services which would not, but for the project, be reasonably accessible to the residents of the city of Troy because of a lack of reasonably accessible retail trade facilities offering such goods or services; or (ii) the project is located in a highly distressed area. With respect to projects authorized pursuant to this paragraph no project shall be approved unless the authority shall find after the public hearing required by section twenty-three hundred seven of this chapter that undertaking the project will serve the public purposes of this article by preserving permanent, private sector jobs or increasing the overall number of permanent, private sector jobs in the state. Where the authority makes such a finding, prior to providing

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

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financial assistance to the project by the authority, the chief executive officer of the city of Troy shall confirm the proposed action of the authority. **No funds, financial incentives or subsidies of the authority shall be used in respect of any project where facilities or property are used primarily for electronic commerce (e-commerce) storage and transfers, or the facilitation thereof.** To carry out said purposes, the authority shall have power:

§ 3. The second undesignated paragraph of section 2306 of the public authorities law, as amended by chapter 304 of the laws of 2013, is amended to read as follows:

Notwithstanding the provisions of this section to the contrary, such financial assistance may, however, be provided to a project where facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities to obtain such goods or services constitute more than one-third of the total project cost, where: (i) the predominant purpose of the project would be to make available goods or services which would not, but for the project, be reasonably accessible to the residents of the city of Auburn because of a lack of reasonably accessible retail trade facilities offering such goods or services; or (ii) the project is located in a highly distressed area. With respect to projects authorized pursuant to this paragraph no project shall be approved unless the authority shall find after the public hearing required by section twenty-three hundred seven of this title that undertaking the project will serve the public purposes of this article by preserving permanent, private sector jobs or increasing the overall number of permanent, private sector jobs in the state. Where the authority makes such a finding, prior to providing financial assistance to the project by the authority, the chief executive officer of the city of Auburn shall confirm the proposed action of the authority. **No funds, financial incentives or subsidies of the authority shall be used in respect of any project where facilities or property are used primarily for electronic commerce (e-commerce) storage and transfers, or the facilitation thereof.** To carry out said purpose, the authority shall have power:

§ 4. This act shall take effect immediately.