

# STATE OF NEW YORK

1546

2025-2026 Regular Sessions

## IN SENATE

January 10, 2025

Introduced by Sens. PARKER, ADDABBO, GIANARIS, HOYLMAN-SIGAL, SALAZAR, SANDERS -- 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 providing the New York power authority with the right of first offer and refusal for certain renewable generation facilities and any power or energy created by such renewable generation facilities

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

1 Section 1. The public service law is amended by adding a new section  
2 28 to read as follows:

3 § 28. New York power authority right of first offer and refusal. The  
4 New York power authority, as established by title one of article five of  
5 the public authorities law, shall be allowed to match the purchase price  
6 of any renewable generation facility, renewable energy generation  
7 project and any power or energy created by a renewable generation facil-  
8 ity or renewable energy generation project, at the time of sale of such  
9 facility or project. In the event that the authority decides to match  
10 and offer such purchase price, within the timeframes provided in this  
11 section, the authority shall assume the role of the sole purchaser of  
12 the renewable generation facility, renewable energy generation project  
13 or any power or energy created by a renewable generation facility or  
14 renewable energy generation project. In the event that the authority  
15 decided to exercise the right of first offer, it shall make such offer  
16 within thirty days after the notice of sale for a renewable energy  
17 generations project or renewable generation facility with a nameplate  
18 capacity of less than twenty-five megawatts and within sixty days for a  
19 renewable energy generation project or renewable generation facility  
20 with a nameplate capacity larger than twenty-five megawatts.

21 § 2. Nothing in this act is intended to limit, impair, or affect the  
22 legal authority of the power authority of the state of New York under  
23 any other provision of title 1 of article 5 of the public authorities  
24 law.

25 § 3. 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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