

STATE OF NEW YORK

4988

2025-2026 Regular Sessions

IN SENATE

February 14, 2025

Introduced by Sen. BYNOE -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to a smart irrigation device rebate pilot program in Nassau and Suffolk counties; and providing for the repeal of such provisions upon the expiration thereof

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

1 Section 1. Section 15-0601 of the environmental conservation law is
2 amended by adding four new subdivisions 4, 5, 6 and 7 to read as
3 follows:

4 4. "Resident applicant" shall mean a resident of Nassau county or
5 Suffolk county owning or residing in a one to four family home.

6 5. "Commercial applicant" shall mean a commercial business, private
7 school, university, not-for-profit corporation, or other nonprofit
8 organization located within Nassau or Suffolk counties.

9 6. "Eligible smart irrigation device" shall mean a smart irrigation
10 device that is new, has not been used or previously owned, and is
11 purchased from a storefront or online retailer.

12 7. "Smart irrigation device" shall mean any device which is intended
13 to be used or is actually used for the irrigation of stormwater and the
14 monitoring of local weather data to automatically alter irrigation sche-
15 dules based on such data, and shall include such devices as smart irri-
16 gation controllers and smart sprinkler systems.

17 § 2. The environmental conservation law is amended by adding a new
18 section 15-0609 to read as follows:

19 § 15-0609. Smart irrigation device rebate pilot program in Nassau and
20 Suffolk counties.

21 1. There is hereby created within the department a smart irrigation
22 device rebate pilot program. The legislature finds that the supply of
23 water from Long Island's aquifers is a precious and finite resource that

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

LBD09546-02-5

1 is specifically threatened by saltwater intrusion. Saltwater intrusion
2 affects many communities on Long Island, including the city of Long
3 Beach, which over the past forty-five years at least, has seen the slow
4 yet steady intrusion of such saltwater into the shallower layers of the
5 Lloyd aquifer, which supplies the city's water. It is essential to
6 properly manage the use of water in order to assure that the water
7 supply will be sufficient to meet current and future needs. The irri-
8 gation of commercial and residential lawns and gardens places a signif-
9 icant demand on the water supply and conservation efforts are a crit-
10 ically important part of proper management of such water supply. Data
11 provided by the United States Geological Survey indicates that Long
12 Island residents use seventy percent more water than the national aver-
13 age; and, consumption spikes in the peak water pumpage season during the
14 summer, mainly because of lawn irrigation. Furthermore, in two thousand
15 seventeen, the department required public water suppliers to develop
16 plans to reduce peak season water pumpage by fifteen percent. According
17 to data from a two thousand twenty-three report from the Long Island
18 commission for aquifer protection, increased irrigation control is need-
19 ed as peak water pumpage in Nassau County was three and one-half percent
20 lower than the average for the previous decade; and, in Suffolk County,
21 water use actually increased. Additionally, smart irrigation systems
22 have a beneficial impact on conserving water and ensure a high level of
23 lawncare beautification by commercial businesses and residents. There-
24 fore, the purpose of the program is to reduce water consumption, proper-
25 ly manage the use of water to meet current and future needs, enhance
26 conservation efforts and increase effective irrigation techniques. The
27 counties of Nassau and Suffolk can benefit from such program.

28 2. In Nassau and Suffolk counties, the department shall create a
29 program, within existing appropriations, to award rebates to commercial
30 applicants and residents within Nassau and Suffolk counties for eligible
31 smart irrigation devices in amounts determined by the department.

32 3. The department shall determine the maximum rebate allowable for
33 commercial applicants and for resident applicants in accordance with the
34 requirements of this section and rules promulgated by the department;
35 provided, however, that the department shall research such maximum
36 rebate allowable for commercial and resident applicants based on effec-
37 tiveness of products at the lowest price point. Rebates shall be allo-
38 cated to applicants on a first-come, first-served basis, determined by
39 the date the application is received, for systems purchased after the
40 effective date of this section, until all appropriated funds for the
41 fiscal year are expended or the program ends, whichever comes first.

42 4. The department shall promulgate rules and regulations to implement
43 and administer the provisions of this section, including rules and regu-
44 lations relating to the types of smart irrigation devices covered under
45 this section and rebate amounts for such devices, the forms, procedure
46 and guidelines required to claim a rebate, the required documentation
47 and basis for establishing eligibility for a rebate, the collection of
48 economic impact data from applicants, and any other requirements the
49 authority deems necessary. In the course of developing such rules and
50 regulations, the department shall consult with relevant stakeholders,
51 including the Nassau county department of health, the Suffolk county
52 department of health and retailers selling eligible smart irrigation
53 devices. The department shall conduct education and outreach, with
54 informational materials made available in at least English and the three
55 most common non-English languages spoken by individuals with limited-
56 English proficiency in Nassau and Suffolk counties, based on United

1 States census data, as necessary to inform potential applicants and
2 manufacturers and retailers of smart irrigation devices about the smart
3 irrigation equipment rebate pilot program.

4 5. The department shall determine and publish on its website on an
5 ongoing basis the amount of available funding for rebates remaining in
6 each fiscal year.

7 6. No later than one year after the effective date of this section,
8 the department shall issue a report to the temporary president of the
9 senate and the speaker of the assembly detailing the status of the smart
10 irrigation device rebate pilot program in Nassau and Suffolk counties.

11 Such report shall include:

12 (a) the amount of funding dedicated by the department for the program
13 in the preceding year;

14 (b) the amount of eligible purchases for which a rebate was awarded;

15 (c) the amount and geographic distribution of rebates;

16 (d) recommendations to improve program effectiveness, including wheth-
17 er such eligible smart irrigation devices should become tax exempt to
18 increase uptake by commercial and residential applicants; and

19 (e) any other information the department deems necessary.

20 § 3. This act shall take effect immediately and shall expire and be
21 deemed repealed one year after it shall have become a law.