§ 1872. Green residential building program. 1. Definitions. As used in this section, the following terms shall have the following meanings:

(a) "Green residential building standards" means standards, guidelines, a rating system, and/or criteria relating to design and building techniques established or promulgated by the authority pursuant to this section, which are intended to: (i) promote smart growth and smart site planning; (ii) reduce greenhouse gas emissions; (iii) achieve energy efficiency and reduce energy consumption; (iv) facilitate the incorporation of environmentally responsible products; (v) promote the efficient use of natural resources; (vi) promote the conservation of materials and resources; (vii) reduce waste; and (viii) create a healthy indoor living environment.

(b) "Owner" means a person who owns a residential building on the date that: (i) a certificate of occupancy is issued to such building in the case of a new residential building; or (ii) substantial renovations to an existing residential building are completed pursuant to standards and criteria established by the authority.

(c) "Qualified occupied square footage" means the habitable spaces of a residential building pursuant to standards and criteria established by the authority, and shall not include storage areas, mechanical rooms, utility rooms, and attic and crawl spaces.

(d) "Residential building" means a single family home or multi-family home with less than twelve dwelling units pursuant to standards and criteria established by the authority.

(e) "Substantial renovations" mean significant improvements or restorations to, or substantial replacement or repair of materials, systems or components of, a residential building pursuant to standards and criteria established by the authority.

2. Application of program. The authority is hereby authorized to establish and administer a green residential building program to provide incentives for the construction of new residential buildings, and the substantial renovation of residential buildings, pursuant to standards and criteria established by the authority.

3. Incentive payments. (a) As part of the green residential building program created pursuant to this section, the authority is authorized to

provide for and award incentive payments to:

(i) qualified owners of new residential buildings that the authority determines have been constructed pursuant to applicable green residential building standards, and that satisfy other program standards and criteria as established by the authority, and who have received a certificate of occupancy for such building on and after January first, two thousand ten, and before October thirty-first, two thousand thirteen; and

(ii) qualified owners of existing residential buildings that the authority determines have undergone substantial renovations pursuant to applicable green residential building standards, and that satisfy other applicable program standards and criteria as established by the authority, where the renovations to such building are completed on and after January first, two thousand ten, and before October thirty-first, two thousand thirteen.

In determining the amount of an incentive payment, the authority is authorized to consider whether the person who is eligible to receive the incentive payment has received, will be receiving or is eligible to receive financial assistance or incentives from any other source for the construction or renovations that are the subject of an incentive payment.

(b) No incentive payment made pursuant to this subdivision shall exceed:

(i) with respect to a residential building with two or fewer dwelling units, an amount equal to the product of the amount of qualified occupied square footage, not to exceed two thousand square feet, and three dollars and seventy-five cents;

(ii) with respect to a residential building with greater than two dwelling units but fewer than six dwelling units, an amount equal to the product of the amount of qualified occupied square footage, not to exceed three thousand square feet, and three dollars and seventy-five cents;

(iii) with respect to a residential building with at least six dwelling units, an amount equal to the product of the amount of qualified occupied square footage, not to exceed four thousand square feet, and three dollars and seventy-five cents; and

(c) In addition to the limitations on incentive payments set forth in paragraph (b) of this subdivision, no qualified owner shall receive more than one hundred twenty thousand dollars in qualified incentive payments during any calendar year.

4. Regulations. (a) The authority shall promulgate rules and regulations to establish green residential building standards and/or criteria as part of any green residential building program created pursuant to this section. In establishing such standards and criteria, the authority may consult standards and criteria established or adopted by other organizations, including but not limited to, the United States green building council under its leadership in energy and environmental design programs and the American National Standards Institute.

(b) The authority shall promulgate rules and regulations for the administration of any green residential building established pursuant to this section, including but not limited to eligibility criteria, application procedures, award determinations, dollar-per-square footage award levels, training and qualification procedures for builders and technicians, and inspection procedures, documentation and compliance requirements for the program.

(c) The authority is authorized to: (i) consult with the department of environmental conservation, the department of state, the division of housing and community renewal and any other agency or public authority which the authority deems appropriate in the development of green residential building standards and any other standards and criteria developed pursuant to this subdivision; (ii) prepare, in consultation with such agencies and authorities, and to make available to the public, green residential building program manuals and brochures for the purpose of ensuring that the standards and criteria applicable to such program are available to persons who may wish to participate in the program, to facilitate the construction of green buildings and the renovation of existing residential buildings using green construction principles; and (iii) coordinate the administration of any green residential building program created pursuant to this section with other programs that are administered by the authority.

5. Reporting. No later than September first, two thousand eleven and

September first of each year thereafter, the president shall prepare and furnish a written report to the governor, the temporary president of the senate, and the speaker of the assembly concerning the authority's activities under this section. Such report shall include, but shall not be limited to:

(a) the name and address of each recipient of incentive payments made by the authority pursuant to this section during the preceding calendar year;

(b) the amount of any incentive payment made to each such person; and

(c) a description of the project and the work performed that earned the incentive payment.