

5990--A

Cal. No. 1353

2017-2018 Regular Sessions

I N S E N A T E

May 9, 2017

Introduced by Sen. GRIFFO -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

AN ACT to amend the general municipal law, in relation to the municipal sustainable energy loan program

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 6 of section 119-ff of the general municipal
2 law, as added by chapter 497 of the laws of 2009, is amended to read as
3 follows:

4 6. "Renewable energy system" means an energy generating system for the
5 generation of electric or thermal energy, to be used primarily at such
6 property, EXCEPT WHEN THE OWNER OF REAL PROPERTY IS A COMMERCIAL ENTITY,
7 by means of solar thermal, solar photovoltaic, wind, geothermal, anaero-
8 bic digester gas-to-electricity systems, fuel cell technologies, or
9 other renewable energy technology approved by the authority not includ-
10 ing the combustion or pyrolysis of solid waste.

11 S 2. Subdivisions 1 and 6 of section 119-gg of the general municipal
12 law, as added by chapter 497 of the laws of 2009, are amended to read as
13 follows:

14 1. The legislative body of any municipal corporation may, by local
15 law, establish a sustainable energy loan program using federal grant
16 assistance or federal credit support OR MONIES FROM THE STATE OF NEW
17 YORK OR ANY STATE AUTHORITY AS DEFINED BY SECTION TWO OF THE PUBLIC
18 AUTHORITIES LAW available for this purpose.

19 6. [The] A. FOR LOANS MADE TO AN OWNER OF REAL PROPERTY THAT IS A
20 COMMERCIAL ENTITY, NOT-FOR-PROFIT ORGANIZATION, OR ENTITY OTHER THAN AN
21 INDIVIDUAL, THE MUNICIPAL CORPORATION SHALL HAVE THE AUTHORITY TO IMPOSE
22 REQUIREMENTS ON THE MAXIMUM AMOUNT THAT MAY BE BORROWED THROUGH SUCH

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

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1 LOAN, WHICH MAY CONSIDER FACTORS INCLUDING BUT NOT LIMITED TO THE PROP-
2 ERTY VALUE, PROJECTED SAVINGS, PROJECT COST, AND EXISTING INDEBTEDNESS
3 SECURED BY SUCH PROPERTY.
4 B. FOR LOANS MADE TO AN OWNER OF REAL PROPERTY WHO IS AN INDIVIDUAL,
5 THE principal amount of each such loan, excluding interest, shall not
6 exceed the lesser of ten percent of the appraised real property value or
7 the actual cost of installing the renewable energy system and energy
8 efficiency improvements, including the costs of necessary equipment,
9 materials, and labor, the costs of each related energy audit and renewa-
10 ble energy system feasibility study, and the cost of verification of
11 such renewable energy system and energy efficiency improvements.
12 S 3. This act shall take effect immediately.