



Legislation Text

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Int. No. 567

By Council Members Gennaro and Louis

A Local Law to amend the administrative code of the city of New York, in relation to allowing building owners to use zero-emissions credits to comply with annual building emissions requirements

Be it enacted by the Council as follows:

Section 1. Section 28-320.1 of the administrative code of the city of New York, as amended by local law number 77 for the year 2023, is amended by adding a new definition of “zero-emissions credit” in alphabetical order:

ZERO-EMISSIONS CREDIT. The term ‘zero-emissions credit’ means a certificate representing the environmental, social and other non-power attributes of one megawatt-hour of electricity generated from a zero-emissions or emissions-free resource, which certificate is recognized and tradable or transferable within national renewable energy markets or the New York generation attribute tracking system.

§ 2. Section 28-320.3.6 of the administrative code of the city of New York, as amended by local law number 77 for the year 2023, is amended to read as follows:

§ 28-320.3.6 Deductions from reported annual building emissions. The department may authorize a deduction from the annual building emissions required to be reported by an owner pursuant to section 28-320.3 where the owner demonstrates the purchase of greenhouse gas offsets [or], renewable energy credits or zero-emissions credits, or the use of clean distributed energy resources, in accordance with this section. For such sections that limit the dates of applicability of such deductions, the department may promulgate rules to extend such deductions for each future compliance date.

§ 3. Article 320 of Title 28 of the administrative code of the city of New York is amended by adding a new section 28-320.3.6.4 to read as follows:

§ 28-320.3.6.4 Deductions from reported annual building emissions for zero-emissions credits. A deduction from the reported annual building emissions resulting from the consumption of electricity may be authorized equal to the number of zero-emissions credits purchased by or on behalf of a building owner, provided (i) the zero-emissions resource that is the source of the zero-emissions credits is considered by the New York independent system operator to be a resource located in, or whose output directly sinks into, the zone J load zone for the reporting calendar year; (ii) the zero-emissions credits are solely owned and retired by, or on

behalf of, the building owner; and (iii) the zero-emissions credits are from the same year as the reporting year. Covered buildings claiming deductions for zero-emissions credits under this section must provide the department with the geographic location of the zero-emissions resource that created the zero-emissions credits. The department, in consultation with the mayor's office of long-term planning and sustainability, shall promulgate rules to implement this deduction.

§ 4. This local law takes effect immediately.

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