

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2020**

No. 95

Introduced by Council Members Constantinides, Ayala and Brannan.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to marginal emissions

Be it enacted by the Council as follows:

Section 1. Item 6 of section 28-320.3.1.1 of the administrative code of the city of New York, as amended by local law number 147 for the year 2019, is amended to read as follows:

6. The amount of greenhouse gas emissions attributable to natural gas powered fuel cells shall be credited compared to [a] *the electricity grid* marginal emissions factor that will be determined by the commissioner and promulgated into rules of the department.

***Exception:** Natural gas powered fuel cells that commence operation prior to the later of January 1, 2023 or the promulgation of such rules, shall be credited compared to the electricity grid marginal emissions factor published in the most recent New York state energy research and development authority renewable energy standard program impact evaluation and clean energy standard triennial review, or a successor to such report issued by the New York state energy research and development authority.*

§ 2. Section 28-320.3.2.1 of the administrative code of the city of New York, as amended by local law number 147 for the year 2019, is amended to read as follows:

§ 28-320.3.2.1 Greenhouse gas coefficients of energy consumption for calendar years 2030 through 2034. For the purposes of calculating the annual building emissions of a covered building in accordance with this section, the amount of greenhouse gas emissions attributed to particular energy sources shall be determined by the commissioner and promulgated into rules of the department by no later than January 1, 2023. The commissioner shall consult with the advisory board required by this article to develop such greenhouse gas coefficients for utility electricity consumption. When developing such [coefficient] *coefficients*, the commissioner shall consider factors, including but not limited to the best available New York state energy research and

development authority and State Energy Plan *marginal* forecasts for Zone J for the end of the compliance period and beneficial electrification.

§ 3. This local law takes effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on August 27, 2020 and returned unsigned by the Mayor on September 28, 2020.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 95 of 2020, Council Int. No. 1982-A of 2020) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEPHEN LOUIS, Acting Corporation Counsel.