

STATE OF NEW YORK

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IN SENATE

(Prefiled)

January 9, 2013

Introduced by Sen. MAZIARZ -- 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 and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the state finance law and the energy law, in relation to appliance and equipment energy efficiency standards

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

1 Section 1. Section 165 of the state finance law is amended by adding a
2 new subdivision 9 to read as follows:

3 9. Consumer audio and video products as defined in subdivision eleven
4 of section 16-102 of the energy law purchased by or for the state or any
5 agency thereof shall meet or exceed the following requirements: a. that
6 such products meet the Electronic Product Environmental Assessment Tool
7 (EPEAT) gold standards for environmental performance for at least nine-
8 ty-five percent of products purchased in all relevant electronic product
9 categories, unless there is no EPEAT gold standard for such product;

10 b. that such products meet the current version of the applicable
11 ENERGY STAR standard;

12 c. that policies are established and implemented to extend the useful
13 life of the agency electronic equipment;

14 d. that environmentally sound practices are used with respect to
15 disposition of agency electronic equipment that has reached the end of
16 its useful life; and

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

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1 e. that such products are life-cycle cost-effective and practicable
2 and where the relevant product's utility and performance are not compro-
3 mised as a result.

4 § 2. Paragraph (a) of subdivision 2 of section 16-106 of the energy
5 law, as added by chapter 431 of the laws of 2005, is amended to read as
6 follows:

7 (a) On or before [~~June thirtieth, two thousand six~~] January thirty-
8 first, two thousand fourteen, the secretary, in consultation with the
9 president, shall adopt regulations in accordance with the provisions of
10 this article establishing: (i) energy efficiency performance standards
11 for new products of the types set forth in paragraphs (a) through (n) of
12 subdivision one of section 16-104 of this article, with the exception of
13 such [~~paragraph~~] paragraphs (e) (consumer audio and video products) and
14 (g) (incandescent reflector lamps); (ii) procedures for testing the
15 energy efficiency of the products covered by paragraphs (a) through (n)
16 of subdivision one of section 16-104 of this article; (iii) procedures
17 for manufacturers to certify that products covered under this article
18 meet the energy efficiency standards to be promulgated under this arti-
19 cle; and (iv) such further matters as are necessary to insure the proper
20 implementation and enforcement of the provisions of this article. With
21 respect to consumer audio, video and information technology products,
22 included in subdivision nine of section one hundred sixty-five of the
23 state finance law, the secretary, in consultation with the president,
24 shall conduct a study to determine whether an energy performance stand-
25 ard for such product should be established, taking into account factors
26 including but not limited to, the potential impact on electricity usage,
27 product availability, manufacturing cost, innovation, product conver-
28 gence, product features and function, and consumer and environmental
29 benefits. Based on the recommendations of such study, the secretary, in
30 consultation with the president, may adopt regulations in accordance
31 with the provisions of this article establishing energy performance
32 standards for such products on or before January thirty-first, two thou-
33 sand fourteen. With respect to incandescent reflector lamps, included in
34 paragraph (g) of subdivision one of section 16-104 of this article, the
35 secretary, in consultation with the president, shall conduct a study to
36 determine whether an energy efficiency performance standard for such
37 product should be established, taking into account factors including the
38 potential impact on electricity usage, product availability and consumer
39 and environmental benefits. If it is determined based on this study that
40 such a standard would reduce energy use and would not be preempted by
41 the federal law, the secretary, in consultation with the president,
42 shall adopt regulations in accordance with the provisions of this arti-
43 cle establishing energy performance standards for such product on or
44 before January first, two thousand eight.

45 § 3. This act shall take effect immediately; provided, however, that
46 no energy efficiency performance standard shall become effective for a
47 product less than one hundred eighty days after such energy efficiency
48 performance standard shall become final.