



NEW YORK STATE SENATOR

George M. Borrello

## Senator George Borrello Introduces Legislation Establishing the Green Energy Anti-Corruption Act

GEORGE M. BORRELLO | October 16, 2024

| ISSUE: **GREEN ENERGY, CLIMATE ACT, RENEWABLE ENERGY, CLCPA; CLEAN ENERGY MANDATES**



ALBANY – Senator George Borrello has introduced **legislation** to establish the Green Energy Anti-Corruption Act, which authorizes local municipalities to have the final say on whether a renewable energy power plant can be sited in their jurisdiction.

“This legislation is designed to ensure that renewable energy projects are developed with responsibility, transparency, and adherence to local and state regulations, thereby fostering public trust and promoting sustainable development,” said Senator Borrello.

Under this bill, project applications that do not comply with local laws will be denied, empowering municipalities to enforce their regulations and retain control over developments within their jurisdictions. Additionally, the bill prohibits compensation or host agreements with local officials and their immediate family members, while requiring recusal from votes related to any compensation received.

The legislation specifies that all host agreements and land contracts must be publicly accessible, enhancing transparency and enabling public oversight in order to deter unethical practices. “It’s important that taxpayers have full access to all relevant documents related to projects since virtually all these projects involve taxpayer subsidies. All contracts and agreements should be public,” said Senator Borrello.

The bill clarifies that for major renewable energy facilities, municipalities can impose various requirements for development and operation, which requires them to hire independent attorneys for agreement reviews. This requirement ensures unbiased legal counsel and addresses local concerns by promoting better integration with community standards.

“Frequently, wind and solar companies supply their own attorneys to negotiate agreements with municipalities. This often results in deals that favor the developers over the municipalities,” said Senator Borrello.

An important provision states that landowners will no longer be required to relinquish mineral rights when signing host agreements.

“We need to protect landowners’ control over their resources and prevent exploitation by renewable energy developers,” said Senator Borrello. “Developers will sometimes sell their projects, and the new owners might decide to extract minerals or drill for gas and oil, keeping all the profits. This occurs because the landowner had to give up their mineral rights to the previous owner for the initial project. However, there’s no reason why hosting a wind turbine or solar panel installation should require landowners to relinquish their mineral rights.”

Lastly, under this new bill, clear boundaries are established for renewable energy solicitors. This is to prevent impersonation of law enforcement or government officials and to curb abusive communication practices. Violations of these boundaries will be classified as misdemeanors, with penalties aimed at deterring such behavior.

“Overall, this bill is vital for ensuring responsible development of renewable energy projects, protecting local governance, and fostering an environment of trust and accountability within communities,” Senator Borrello concluded.