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## New York Set to Enact First-in-the-Nation State Law Ending Gas in New Buildings

### *Historic Anti-Pollution Action Will Save Money & Save Lives, But Defers Action to 2026 to Placate Deep-Pocketed Gas Lobby*

**Albany, NY** – Today, the State Legislature and Governor agreed to enact a [historic deal](#) to end fossil fuels in new buildings via the 2023-24 New York state budget. Once enacted, New York will become the first state to end gas in new construction by law, beginning in 2026 for buildings under seven stories; 2029 for taller ones. The timeline of the law's effect defers action until the beginning of 2026, one year later than advocates' demands.

“At the behest of New York’s grassroots climate movement, Governor Hochul and legislative leaders are taking a historic step, making New York the first state in the nation to prohibit fossil fuels in new construction by law. New Yorkers are resisting fossil fuels everywhere they pop up, from the power plants that pollute our air to the pipelines that put our communities in harm’s way. Now buildings can be a part of that solution,” said **Alex Beauchamp, Northeast Region Director at Food & Water Watch**. “Unfortunately, we’re still moving too slowly, and Governor Hochul is to blame. Instead of fighting for the swift transition off fossil fuels that the climate crisis demands, the governor caved at the eleventh hour, giving the fossil fuel industry another year of delay to profit at our expense. We won’t stop fighting until we end our devastating addiction to fossil fuels.”

The [politically popular move](#) will reduce climate-heating pollution, create jobs in clean energy, reduce childhood asthma, and save New Yorkers money — analyses have found that [building all-electric leads to hundreds of dollars in energy cost savings for consumers](#). As the prices of gas and fuel oil rise, New Yorkers across the state, regardless of climate zone, would save more with an all-electric home.

“My family lost everything to a climate disaster. This is a moment of mixed emotions because this policy is a political compromise between what’s needed for the people and the death-dealing fossil fuel industry, the people who hurt my family so badly. On the one hand, New York, my home, will be the first state to end fossil fuels in new buildings by law. That’s huge because my community needs to save money, breathe clean air, and get good jobs in clean energy, not die in an extreme weather crisis, as members of my family have. Sadly, this great new law will go into effect years later than it should. New York is far behind what’s needed for climate justice. We needed Governor Hochul to deliver at the scale of the crisis, but in the end we got a half-measure. I want to thank our bill sponsors, and all the movement leaders who fight for what’s right,” said **Rachel Rivera**,

**a member of New York Communities for Change and Sandy survivor who lives in Brownsville, Brooklyn.**

Advocacy groups are disappointed that the law will take effect too slowly to maximize benefits to New Yorkers. A delayed start date at the beginning of 2026 threatens to lock in higher energy bills and decades of new pollution from the 40,000 new buildings that are constructed each year. Groups had been backing proposed legislation to mirror New York City's all-electric new buildings law, to take effect at the beginning of 2024, providing earlier cost savings and pollution reduction. The final deal also drew criticism for exemptions including for fuel cell systems and certain commercial buildings, which wouldn't have to comply until 2029. Large warehouses and box stores operated by the likes of Amazon stand to benefit from these carve outs, which reduce the bill's positive impact and further defer to corporate lobbyists.

Each year, the state [adds approximately 250,000 metric tons of climate-heating pollution](#) from the tens of thousands of new homes and buildings that are built to be dependent on gas boilers and furnaces, thereby jeopardizing meeting the state's legally mandated climate targets.

The law does not include a "poison pill" the gas lobby pushed that advocates opposed; the provision, left on the cutting room floor, would have allowed local governments to, in effect, veto the law locally.

Assemblymember Emily Gallagher and Senator Brian Kavanagh, the bill's prime sponsors, led the charge, with Governor Hochul also proposing this vital policy. With the State Senate and State Assembly's leaders, Andrea Stewart-Cousins and Carl Heastie, committing to action in budget resolutions released in March, a legislation path opened for this historic, though needlessly delayed, action. In the "end game," the State Senate pushed for climate and jobs action and remains the clear leader on the issue.

"Facing big spending from the oil and gas industry on disinformation campaigns to stall climate action, New York passed a historic law to move new buildings off fossil fuels. We want to thank the bill sponsors and the thousands of young people that fought with us to make this law happen. However, the Governor and legislative leaders compromised and allowed a too-slow timeline, making it all the more difficult to meet fast approaching greenhouse gas emission reduction benchmarks. For the young people we work with, this is a gamble with their futures," **said Megan Ahearn, Program Director for NYPIRG.**

A rising multiracial climate movement fought hard for the policy's enactment, first winning NYC's landmark law in December, 2021, then moving to push for action at the state level. Enactment of this policy by Ithaca and Beacon, NY also paved the way to final passage. Activists statewide from a variety of groups also pushed hard, with rallies, protests, and local events across the state building to a people-powered victory.

The resulting legislation ensures that backup generators are allowed for emergencies and includes some exemptions for building uses that still require gas, but these are narrow exemptions

that only apply to a tiny proportion of new construction. However, the law takes effect much slower than is justified, locking tens of thousands of new buildings to higher bills and pollution for decades to come.

“Following enactment of New York’s nation-leading climate law, thanks to the voices of thousands of New Yorkers, New York has made a historic move to end fossil fuels in new buildings. But as the state with the highest building-sector emissions and most premature deaths in the country from fossil fuel combustion in buildings, it is disappointing that the Governor and Legislature caved to fossil fuel industry lies and delayed the implementation timeline. We thank the bill sponsors and our partners for their work leading to this victory,” **said Liz Moran, New York Policy Advocate for Earthjustice.**

The groups and legislators defeated a multimillion dollar effort by the gas industry and its allies to defeat this legislation. Nonetheless, lawmakers were influenced by the lies, backed by deep pocketed lobbyists, to push off the policy effective date.

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