



Memo of Support for Standardized Renewables Taxation Revenue Bill Part X, S. 2509/A. 3009

New York Solar Energy Industries Association (NYSEIA) strongly supports enactment of Part X of the Revenue Bill in the proposed Executive Budget for 2021-22, which amends the Real Property Tax Law (Sections 487 and 575-a) and General Municipal Law (Sections 852, 854, 858 and 859-a) to direct the New York State Tax and Finance Department to publish a standard methodology for real property tax assessment. It also makes it clear that renewable energy is among the types of economic development that Industrial Development Agencies (IDAs) have the authority to support.

NYSEIA is a not-for-profit industry trade association with a mission to advance and accelerate the deployment of distributed solar energy and energy storage in New York State, acting as the voice of the distributed solar and storage industry for more than 125 member organizations on key legislative, regulatory, and statutory policy matters affecting these industries. Our membership is primarily comprised of local, regional and national firms that develop and install distributed solar energy and battery storage systems across New York State.

NYSEIA cares about the taxation of renewable energy because the local process to negotiate property tax agreements with at least three separate jurisdictions – town/city/village, county and school district – can currently take up to two or more years. By providing a standard methodology for assessing solar projects – which are unique land uses for which there is currently no agreement on appropriate tax approaches -- New York's towns, counties, and IDAs will have a consistent foundation on which to make decisions about taxation.

It is important to note that nearly all solar projects in New York are taxed via Payments in Lieu of Taxes (PILOT) agreements, and this bill would maintain the flexibility for communities to continue to use the PILOT approach if they would like.

It is also important to note that NYS law includes a specific method for assessing and taxing the oil and gas industries, and so establishing this in law for solar projects would not be out of the ordinary.