

## Insights

# NEW YORK STATE AMENDS THE CLIMATE LEADERSHIP AND COMMUNITY PROTECTION ACT

Jun 08, 2026

On May 26, 2026, Governor Kathy Hochul signed a law, included in the State budget bill, to amend the Climate Leadership and Community Protection Act (“CLCPA”), New York’s landmark statute requiring steep reductions in statewide greenhouse gas emissions (“GHG emissions”). This Client Alert summarizes the CLCPA amendment.

## EMISSION REDUCTIONS

The CLCPA, as originally enacted, required that 2030 statewide GHG emissions be 40 percent lower than statewide greenhouse gas emissions (“GHG emissions”) in 1990 and 2050 statewide GHG emissions be 85 percent lower than the 1990 baseline. The statute also authorized the promulgation of regulations to “ensure compliance” with these mandates, regardless of cost.

The amendments effectively jettison the 2030 milestone, instead keying the authority to promulgate regulations to a new 2040 milestone, by which time statewide emissions are to be 60 percent lower than the 1990 baseline. This new milestone is required only “to the maximum extent feasible and cost effective.”

## REGULATION SCHEDULE

The CLCPA, as originally enacted, required the Department of Environmental Conservation to promulgate regulations no later than December 31, 2024, to achieve the required emissions reductions by 2030 and 2050. The Department did not meet this deadline. As amended, the CLCPA now requires that the Department promulgate the regulations by December 31, 2028.

## NEW GHG METRIC

The CLCPA amendments change the statute’s GHG metric in three principal ways.

1. The CLCPA now expresses GHG emissions as tons of “carbon dioxide equivalents,” which was originally defined as “the amount of carbon dioxide by mass that would produce the same global warming impact as a given mass of another greenhouse gas over an integrated twenty-year time

frame after emission.”

- The amended statute now states that the global warming impact should be measured over a 100-year, rather than a 20-year, time frame.
  - A consequence of using a longer timeframe is that it substantially reduces the apparent potency of short-lived but highly warming gases, most notably methane, which is the principal component of natural gas.
  - Natural gas supply chains involve significant methane leakage, which is weighted more heavily over a 20-year period when calculating carbon dioxide equivalents.
2. The CLCPA now excludes from the definition of “statewide greenhouse gas emissions” the greenhouse gases produced outside of the state from the extraction and transmission of fossil fuels imported into the state. This change also reduces the emissions associated with the combustion of natural gas.
  3. The CLCPA now excludes carbon dioxide emissions from biogenic sources.

These metric changes will require the Department of Environmental Conservation to revise its GHG reporting requirements (6 N.Y.C.R.R. Part 253) and its calculation of the GHG emission limits for 2030 and 2050 (6 N.Y.C.R.R. Part 496).

## OTHER CHANGES

As amended, the CLCPA now contains specific criteria for the Department to consider in promulgating an economy-wide cap-and-invest program, increases the investments that are required in disadvantaged communities, and changes the schedule for the New York State Climate Action Council to produce its updates to the plan to achieve the GHG emission limits.

## RELATED BUDGET ITEMS

According to the [New York State budget office](#), the budget dedicates:

- More than \$450 million to reducing building emissions, including:
  - Investments in energy-efficient retrofits;
  - Clean heating technologies like heat pumps;
  - [EmPower+](#) (a program to fund energy efficiency improvements at the primary residence of low- and moderate-income households); and

- [Clean Green Schools](#) (a program to fund energy efficient improvements at pre-kindergarten through grade 12 educational buildings).
- More than \$200 million for thermal energy networks, including projects at SUNY and CUNY campuses and state and municipal facilities;
- More than \$250 million to support electric school buses, fast-charging stations, and [NYSERDA's Charge Ready NY](#) initiative; and
- \$200 million to drive the expansion of renewable energy through projects led by the New York Power Authority and local governments and by modernizing grid infrastructure.

## **RELATED CAPABILITIES**

- PFAS

## MEET THE TEAM



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