

NYSBA Submissions to EXPRESS NY

25 Regulatory Changes and Their Potential Cost Savings

April 3, 2026



#	Regulation	Potential Yearly Savings
1.	<u>SEQRA Housing Project Exemptions</u>	\$291M – \$582M
2.	<u>DEC Wetland Regulation — Urbanized Areas</u>	\$233M – \$407M
3.	<u>DEC Wetland General Permit — Mixed Use Housing</u>	\$116M – \$204M
4.	<u>DEC Wetland Maps — Jurisdictional Determinations</u>	\$47M – \$70M
5.	<u>DEC MOU — Realty Subdivision SEQRA Classification</u>	\$27M – \$47M
6.	<u>DEC SEQRA — Shovel-Ready Commercial & Industrial Sites</u>	\$388M – \$543M
7.	<u>DEC Stormwater — Eliminate Mandatory Weekly Inspections</u>	\$93M – \$140M
8.	<u>DEC Seasonal Tree Cutting Restrictions</u>	\$56M – \$84M
9.	<u>DEC SEQRA — Exemption for Small Local Actions</u>	\$78M – \$155M
10.	<u>Insurance Reform — Construction Liability</u>	\$391M – \$586M
11.	<u>Sales Tax Exemption — New Home Construction Materials</u>	\$439M – \$635M
12.	<u>All-Electric Single Family House Mandate</u>	\$223M – \$372M
13.	<u>Architect / Engineer Stamp Threshold Increase</u>	\$35M – \$70M
14.	<u>Building Code Streamlining & AI-Assisted Review</u>	\$140M – \$279M
15.	<u>Energy Code — Require Cost-Benefit Analysis</u>	\$35M – \$70M
16.	<u>Fire Code — Grandfather Existing Driveways & Roads</u>	\$6M – \$16M
17.	<u>Stormwater Standards — Preempt Local Overreach</u>	\$5M – \$8M
18.	<u>Energy Code — Preempt Local Overreach</u>	\$3M – \$6M
19.	<u>Septic System Sizing — Preempt Local Oversizing</u>	\$1M – \$2M
20.	<u>IDA Regulations — Market Rate Housing Eligibility</u>	<i>Pending Analysis</i>
21.	<u>PSC / Utility Deposit — Allow Bond Alternatives</u>	<i>Pending Analysis</i>
22.	<u>Independent Contractors — Workers' Compensation Reform</u>	<i>Pending Analysis</i>
23.	<u>CLCPA — Climate Law Cost Mitigation</u>	<i>Pending Analysis</i>
24.	<u>Pro Housing Communities Program — Zoning Incentive Reform</u>	\$42M – \$112M
25.	<u>Local Building Code Moratorium — Limiting Local Amendments</u>	<i>Pending Analysis</i>

TOTAL POTENTIAL YEARLY SAVINGS
\$2.6 Billion – \$4.4 Billion

SEQRA Housing Project Exemptions

Governor Hochul's Express NY — NYSBA Regulatory Reform Initiative | April 2026

ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
SEQRA is used as the main weapon to prevent housing from being built, adding enormous unnecessary costs and significant time delays. Many times, several years are added to the approval time of a project.	Move housing projects under a certain size threshold into the SEQRA Type II (exempt) category. This will save significant costs on engineers and consultants, while also reducing project timelines by many years.	Significant savings on engineers and consultants, as well as many years saved in getting through the approval process.

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
×	75%	Municipalities Impacted = 1,163
×	5	Projects per Municipality
×	variable	Housing Units per Project
=	5,815	Total Affected Projects
×	\$50,000–\$100,000	Estimated Cost Range per Project
TOTAL POTENTIAL YEARLY SAVINGS \$291 Million – \$582 Million		

Housing impact only
 Additional savings for municipalities: **\$ TBD**

DEC Wetland Regulation — Urbanized Areas

Governor Hochul’s Express NY — NYSBA Regulatory Reform Initiative | April 2026

ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
<p>Any wetland in an urbanized area is automatically considered of significant local importance, rendering enormous amounts of acreage undevelopable in areas with existing infrastructure such as water and sewer. This creates costly permitting burdens and blocks housing density where it is most feasible. If this land is undevelopable, the municipality stands to lose its existing infrastructure investments.</p>	<p>Change the law or regulation so that wetlands in urbanized areas are not automatically labeled as "of significant local importance." Only wetlands that are truly of significant local importance should be regulated as such. Land that already has infrastructure such as water and sewer extended to it should not be rendered undevelopable.</p>	<p>Land with water and sewer infrastructure will not be rendered useless, resulting in significant savings to municipalities and developers.</p>

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
×	75%	Municipalities Impacted = 1,163
×	variable	Projects per Municipality
×	10	Housing Units per Project
=	11,630	Total Affected Projects
×	\$20,000–\$35,000	Estimated Cost Range per Project
<p>TOTAL POTENTIAL YEARLY SAVINGS \$233 Million – \$407 Million</p>		

Housing impact only
 Additional municipal savings from preserved infrastructure investment: **\$ TBD**

DEC Wetland General Permit — Mixed Use Housing

Governor Hochul's Express NY — NYSBA Regulatory Reform Initiative | April 2026

ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
<p>Currently, the proposed general permit for housing does not include mixed-use development. This is an enormous problem because more municipalities are requiring developers to use mixed-use patterns. A mixed-use development would instead require an individualized wetland permit, which is far more costly, complicated, and time-consuming.</p>	<p>Allow the wetland general permit for housing to also cover mixed-use development. This would simplify and streamline the process. A general permit would be significantly less expensive and save many months compared to obtaining an individual permit.</p>	<p>A general permit for housing is significantly less expensive than an individualized permit, saving developers time and money.</p>

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
×	75%	Municipalities Impacted = 1,163
×	5	Projects per Municipality
×	variable	Housing Units per Project
=	5,815	Total Affected Projects
×	\$20,000–\$35,000	Estimated Cost Range per Project
<p>TOTAL POTENTIAL YEARLY SAVINGS \$116 Million – \$204 Million</p>		

Housing impact only

DEC Wetland Maps — Jurisdictional Determinations

Governor Hochul’s Express NY — NYSBA Regulatory Reform Initiative | April 2026

ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
<p>Inaccurate wetland maps are creating significant confusion and triggering unnecessary jurisdictional determination requests. This is causing municipalities to ask for JDs even when not required, which significantly adds to the DEC’s workload and creates delays of up to a year or more, as well as additional engineering costs to a project.</p>	<p>Remove the confusing and inaccurate wetland informational maps or invest in developing significantly more accurate ones. Clarify the rules regarding jurisdictional determination requirements and educate local municipalities on those requirements. Reducing confusion will eliminate many unnecessary jurisdictional determinations and the associated costs and time spent on filings, mapping, and documentation.</p>	<p>Wasteful and unneeded jurisdictional determinations—and all the work of filing, mapping, and proving—will no longer be required.</p>

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
×	75%	Municipalities Impacted = 1,163
×	5	Projects per Municipality
×	variable	Housing Units per Project
=	5,815	Total Affected Projects
×	\$8,000–\$12,000	Estimated Cost Range per Project
<p>TOTAL POTENTIAL YEARLY SAVINGS \$47 Million – \$70 Million</p>		

Housing impact only
 Additional savings for DEC: **\$ TBD**

DEC MOU — Realty Subdivision SEQRA Classification

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ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
The Memorandum of Understanding (MOU) issued by DEC regards any realty subdivision as a Type I action requiring SEQRA. This has the potential to undermine any advances that would be made from modernizing SEQRA.	Withdraw the Memorandum of Understanding. This would eliminate the significant costs associated with the SEQRA review process for realty subdivisions.	The significant cost and time burden of going through the SEQRA process for routine subdivisions will no longer be required.

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
×	50%	Municipalities Impacted = 775
×	5	Projects per Municipality
×	variable	Housing Units per Project
=	3,875	Total Affected Projects
×	\$7,000–\$12,000	Estimated Cost Range per Project
TOTAL POTENTIAL YEARLY SAVINGS \$27 Million – \$47 Million		

Housing impact only

Additional savings for municipalities: **\$ TBD**

DEC SEQRA — Shovel-Ready Commercial & Industrial Sites

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ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
<p>Municipalities often zone land for commercial and industrial use without completing the due diligence needed to make sites shovel-ready, leaving developers to undertake the SEQRA review when they propose a project.</p>	<p>Incentivize communities to create SEQRA Shovel ready sites for commercial and industrial zones. A SEQRA shovel-ready site can eliminate the need for a full SEQRA review, saving developers both the cost of the process and years in project approvals.</p>	<p>A SEQRA shovel-ready site eliminates the cost of going through the SEQR process and saves years in the approval timeline.</p>

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
×	50%	Municipalities Impacted = 775
×	2	Projects per Municipality
×	variable	Commercial / Industrial Units per Project
=	1,550	Total Affected Projects
×	\$250,000–\$350,000	Estimated Cost Range per Project
<p>TOTAL POTENTIAL YEARLY SAVINGS \$388 Million – \$543 Million</p>		

Commercial and industrial impact only
 Note: Would add upfront cost for municipalities, but could be more than offset by tax revenue from growth

DEC Stormwater — Eliminate Mandatory Weekly Inspections

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ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
Third-party inspectors are required to conduct weekly inspections of all stormwater management practices on active construction sites. This creates enormous costs with virtually no benefit.	Eliminate the required weekly third-party inspections and shift responsibility to the contractor or developer. This would remove unnecessary and costly inspections.	Unnecessary and costly weekly third-party inspections would be eliminated, reducing project costs significantly.

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
×	75%	Municipalities Impacted = 1,163
×	10	Projects per Municipality
×	variable	Housing Units per Project
=	11,630	Total Affected Projects
×	\$8,000–\$12,000	Estimated Cost Range per Project
TOTAL POTENTIAL YEARLY SAVINGS \$93 Million – \$140 Million		

Housing and commercial impact
 Additional savings for municipalities: **\$ TBD**

DEC Seasonal Tree Cutting Restrictions

Governor Hochul's Express NY — NYSBA Regulatory Reform Initiative | April 2026

ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
<p>Seasonal tree-cutting restrictions from November 1 through March 31 often force developers and builders to clear-cut trees rather than risk leaving behind trees that later interfere with construction. This leads to excessive cutting and the unnecessary loss of mature trees.</p>	<p>Grant greater flexibility to cut trees at any time of the year, provided the disturbance is limited to no more than one acre as the threshold. This change would reduce initial tree removal costs, preserve more mature existing trees, and substantially decrease the amount of new tree planting required.</p>	<p>Lower initial tree removal costs, and crucially, more existing trees would be preserved—resulting in substantially less replanting being required.</p>

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
×	60%	Municipalities Impacted = 930
×	3	Projects per Municipality
×	variable	Housing Units per Project
=	2,790	Total Affected Projects
×	\$20,000–\$30,000	Estimated Cost Range per Project
<p>TOTAL POTENTIAL YEARLY SAVINGS \$56 Million – \$84 Million</p>		

Housing impact only

DEC SEQRA — Exemption for Small Local Actions

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ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
Many local, small-scale approvals, such as variances and special use permits, currently require SEQRA review. This imposes significant costs on both municipalities and petitioners and represents a huge waste of time and money.	Stop requiring SEQRA review for all small-scale or subjective local approvals, such as variances and special use permits. This will save significant time and money for both municipalities and applicants.	Time and money will be saved for all parties involved, including municipalities, applicants, and the State.

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
×	100%	Municipalities Impacted = 1,550
×	25	Projects per Municipality
×	variable	Housing Units per Project
=	38,750	Total Affected Projects
×	\$2,000–\$4,000	Estimated Cost Range per Project
TOTAL POTENTIAL YEARLY SAVINGS \$78 Million – \$155 Million		

Housing impact only
Including savings for municipalities

Insurance Reform — Construction Liability

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ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
The cost of liability insurance for all forms of construction in New York is extremely high compared to every other state in the nation.	Change the law to adopt a comparable comparative negligence standard, as every other state in the nation has done. This would encourage more insurance carriers to return to the New York market, increase competition, address fraudulent claims, and reduce the overall cost of liability insurance.	More insurance carriers will return to the New York market, creating a more competitive marketplace and reducing the overall cost of liability insurance.

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
×	90%	Municipalities Impacted = 1,395
×	variable	Projects per Municipality
×	35	Housing Units per Project
=	48,825	Total Affected Units
×	\$8,000–\$12,000	Estimated Cost Range per Unit
TOTAL POTENTIAL YEARLY SAVINGS \$391 Million – \$586 Million		

New housing impact only

Additional savings for commercial construction: **\$ TBD**Additional yearly savings for existing multifamily units: **\$ TBD**

Sales Tax Exemption — New Home Construction Materials

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ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
Paying sales tax on new home construction materials increases project costs, which in turn raises the cost of housing.	Eliminate sales tax on materials for new home construction to significantly reduce the cost of building new homes.	A significant reduction in new home construction costs, making housing more affordable for builders and buyers.

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
×	90%	Municipalities Impacted = 1,395
×	variable	Projects per Municipality
×	35	Housing Units per Project
=	48,825	Total Affected Units
×	\$9,000–\$13,000	Estimated Cost Range per Unit (assumes 50% of construction cost is materials)
TOTAL POTENTIAL YEARLY SAVINGS \$439 Million – \$635 Million		

Housing impact only

NOTE: This would represent a loss of revenue to counties and New York State

All-Electric Single Family House Mandate

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ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
Building an all-electric single-family home is extremely costly. The upcoming mandate could add \$15,000 or more per home for heat pumps, electrical upgrades, and utility delays—pricing thousands of New York families out of homeownership.	Allow the marketplace to determine the type of housing built, reducing construction costs and helping make homes more affordable.	Construction costs will be reduced by allowing builders to use the most cost-effective energy systems available.

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
×	80%	Municipalities Impacted = 1,240
×	variable	Projects per Municipality
×	12	Housing Units per Project
=	14,880	Total Affected Units
×	\$15,000–\$25,000	Estimated Cost Range per Unit
TOTAL POTENTIAL YEARLY SAVINGS \$223 Million – \$372 Million		

Housing impact only

Architect / Engineer Stamp Threshold Increase

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ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
<p>Renovation or addition projects valued over \$20,000 are required to have an architect or engineer stamp. This \$20,000 threshold was created several decades ago and has never been adjusted for inflation. Requiring a stamp for a small renovation project is extremely costly and unnecessary.</p>	<p>Raise the threshold for requiring a stamp from \$20,000 to \$150,000 and index for inflation in the future. Costly and unnecessary architectural engineering stamps will not be necessary.</p>	<p>Costly and unnecessary architectural/engineering stamps will no longer be required for small renovation projects.</p>

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
×	75%	Municipalities Impacted = 1,163
×	variable	Projects per Municipality
×	30	Housing Units per Project
=	34,890	Total Affected Units
×	\$1,000–\$2,000	Estimated Cost Range per Unit
<p>TOTAL POTENTIAL YEARLY SAVINGS \$35 Million – \$70 Million</p>		

Housing and commercial impact

Building Code Streamlining & AI-Assisted Review

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ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
<p>Many of the new building code requirements are extremely expensive, often with little measurable benefit. Developers must complete numerous additional submissions, such as manual J, S, D calculations, duct system balancing, and other energy-related submittals, which add significant time and cost to every project. These requirements increase staffing needs, slow permitting, and drive up the initial cost of building a home, with minimal value to homeowners or municipalities.</p>	<p>Streamline building code submissions and grant officials the authority to waive unnecessary requirements. Require a cost-benefit analysis for all new code mandates and introduce AI-assisted permit review to speed approvals. These reforms would reduce soft costs, eliminate redundant filings, and save developers and municipalities hundreds of millions annually, making housing more affordable.</p>	<p>Reduced initial cost of building a home by eliminating costly energy requirements that provide little real-world benefit.</p>

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
×	90%	Municipalities Impacted = 1,395
×	variable	Projects per Municipality
×	50	Housing Units per Project
=	69,750	Total Affected Units
×	\$2,000–\$4,000	Estimated Cost Range per Unit
<p>TOTAL POTENTIAL YEARLY SAVINGS \$140 Million – \$279 Million</p>		

Housing impact only
 Additional savings for municipalities: **\$ TBD**

Energy Code — Require Cost-Benefit Analysis

Governor Hochul’s Express NY — NYSBA Regulatory Reform Initiative | April 2026

ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
Many energy code changes do not make economic sense and add thousands of dollars in unnecessary costs, increasing the cost of new home construction.	Require a cost-benefit analysis for all new energy code mandates and eliminate those that fail the eight-year payback test, reducing construction costs and eliminating unjustified expenses.	Reduced cost of new home construction by removing economically unjustifiable energy mandates.

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
×	75%	Municipalities Impacted = 1,163
×	variable	Projects per Municipality
×	20	Housing Units per Project
=	23,260	Total Affected Units
×	\$1,500–\$3,000	Estimated Cost Range per Unit
<p>TOTAL POTENTIAL YEARLY SAVINGS \$35 Million – \$70 Million</p>		

Housing impact only

Fire Code — Grandfather Existing Driveways & Roads

Governor Hochul’s Express NY — NYSBA Regulatory Reform Initiative | April 2026

ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
<p>Many long-standing driveways and roads do not meet fire code size requirements, leading to denied permits for renovations and additions to existing homes. Homeowners are often required to spend thousands upgrading the driveway or private road, or obtaining a variance from the state code council.</p>	<p>By grandfather existing driveways and roads homeowners would avoid unnecessary upgrades or the costly process of obtaining a state variance.</p>	<p>Unnecessary driveway and road upgrades—and the costly process of obtaining a state variance—will no longer be required.</p>

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
×	25%	Municipalities Impacted = 388
×	variable	Projects per Municipality
×	4	Housing Units per Project
=	1,552	Total Affected Units
×	\$4,000–\$10,000	Estimated Cost Range per Unit
<p>TOTAL POTENTIAL YEARLY SAVINGS \$6 Million – \$16 Million</p>		

Housing impact only

Stormwater Standards — Preempt Local Overreach

Governor Hochul’s Express NY — NYSBA Regulatory Reform Initiative | April 2026

ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
New York State has a threshold of one acre or more of land disturbance that requires a Stormwater Pollution Prevention Plan. Many local communities are setting lower thresholds than the state requirement, adding significant unnecessary costs and causing project delays.	Clarify that local municipalities cannot impose stricter standards than the state. This will reduce home construction costs by eliminating the need to design, install, and inspect additional stormwater management practices.	Home construction costs will be reduced since stormwater practices will not need to be over-designed, over-installed, or over-inspected beyond state minimums.

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
×	10%	Municipalities Impacted = 155
×	5	Projects per Municipality
×	variable	Housing Units per Project
=	775	Total Affected Projects
×	\$7,000–\$10,000	Estimated Cost Range per Project
TOTAL POTENTIAL YEARLY SAVINGS \$5 Million – \$8 Million		

Housing impact only

Energy Code — Preempt Local Overreach

Governor Hochul's Express NY — NYSBA Regulatory Reform Initiative | April 2026

ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
Local communities are exceeding the already stringent New York State energy code, adding substantial costs to new home construction. Unnecessary and expensive energy upgrades increase overall housing costs.	Prevent local communities from exceeding state energy codes. This will reduce new home costs and save millions in unnecessary construction expenses.	New home costs will be reduced since unnecessary and expensive energy upgrades beyond the state standard will no longer be required.

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
×	10%	Municipalities Impacted = 155
×	variable	Projects per Municipality
×	20	Housing Units per Project
=	3,100	Total Affected Units
×	\$1,000–\$2,000	Estimated Cost Range per Unit
<p>TOTAL POTENTIAL YEARLY SAVINGS \$3 Million – \$6 Million</p>		

Housing impact only

Septic System Sizing — Preempt Local Oversizing

Governor Hochul's Express NY — NYSBA Regulatory Reform Initiative | April 2026

ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
Some communities require septic systems larger than necessary for the house being built, adding unnecessary construction costs.	Septic systems should be sized based only on the size of the house. Adhering to state standards instead of local oversizing requirements could save millions in unnecessary construction costs.	Needlessly oversized and expensive septic systems will not be required.

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
×	5%	Municipalities Impacted = 78
×	variable	Projects per Municipality
×	5	Housing Units per Project
=	390	Total Affected Units
×	\$2,000–\$5,000	Estimated Cost Range per Unit
TOTAL POTENTIAL YEARLY SAVINGS \$1 Million – \$2 Million		

Housing impact only

IDA Regulations — Market Rate Housing Eligibility

Governor Hochul’s Express NY — NYSBA Regulatory Reform Initiative | April 2026

ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
<p>There is significant confusion as to whether market rate housing projects can be eligible for IDA tax forgiveness, preventing developers from accessing a potentially valuable incentive tool. This ambiguity discourages developers from pursuing IDA incentives and leaves communities without a tool they could otherwise use to stimulate local housing development.</p>	<p>Clarify in regulation that IDAs can offer tax incentives to market rate housing projects. Some communities would elect to provide tax incentives through their IDAs, unlocking new housing development in areas where market rate construction is currently cost-prohibitive or financially uncertain.</p>	<p>Some communities would elect to provide tax incentives through their IDAs, unlocking new housing development.</p>

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
×	TBD%	Municipalities Impacted
×	TBD	Projects per Municipality
×	TBD	Housing Units per Project
=	TBD	Total Affected Units
×	\$ TBD	Estimated Cost Range per Unit
<p>TOTAL POTENTIAL YEARLY SAVINGS Savings data pending analysis</p>		

Housing impact only
 Savings data pending analysis

PSC / Utility Deposit — Allow Bond Alternatives

Governor Hochul’s Express NY — NYSBA Regulatory Reform Initiative | April 2026

ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
Utilities require letters of credit or cash for utility deposits and do not allow the posting of a bond as an alternative, tying up capital unnecessarily for developers and increasing project financing costs during the critical construction phase.	Allow the posting of bonds as an alternative to letters of credit or cash for utility deposits. Providing flexibility in how deposits are collateralized will reduce the capital burden on developers without increasing risk to utilities.	The cost of providing utility deposits held by utility companies will be reduced, freeing up developer capital.

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
x	TBD%	Municipalities Impacted
x	TBD	Projects per Municipality
x	TBD	Housing Units per Project
=	TBD	Total Affected Units
x	\$ TBD	Estimated Cost Range per Unit
TOTAL POTENTIAL YEARLY SAVINGS Savings data pending analysis		

Housing impact only
 Savings data pending analysis

Independent Contractors — Workers' Compensation Reform

Governor Hochul's Express NY — NYSBA Regulatory Reform Initiative | April 2026

ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
<p>Under New York State law, sole proprietors with no employees are exempt from carrying Workers' Compensation insurance. However, under WCL Section 56, when hired as a subcontractor, the general contractor or developer becomes liable for any workers' compensation claim they may file. As a result, hiring firms are forced to require proof of WC coverage from sole proprietors who are otherwise legally exempt, adding unnecessary costs to small independent contractors and hiring firms alike.</p>	<p>New York State should amend WCL Section 56 so that a sole proprietor's existing exemption from Workers' Compensation coverage carries through when they are engaged as a subcontractor. If the State has already recognized a sole proprietor as exempt, the hiring general contractor or developer should not bear liability for their coverage before the Workers' Compensation Board.</p>	<p>A wasteful and unnecessary insurance burden will be lifted from small independent contractors.</p>

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
×	TBD%	Municipalities Impacted
×	TBD	Projects per Municipality
×	TBD	Housing Units per Project
=	TBD	Total Affected Units
×	\$ TBD	Estimated Cost Range per Unit
<p>TOTAL POTENTIAL YEARLY SAVINGS Savings data pending analysis</p>		

Housing impact only
 Savings data pending analysis

CLCPA — Climate Law Cost Mitigation

Governor Hochul's Express NY — NYSBA Regulatory Reform Initiative | April 2026

ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
<p>The extreme cost of implementing CLCPA mandates is placing a severe financial burden on housing production and New York's construction industry. Compliance requirements add tens of thousands of dollars in cost per unit and are accelerating an already acute housing affordability crisis.</p>	<p>Dramatically lengthen the timeframe for CLCPA implementation—or eliminate the most costly mandates altogether. Phase in climate requirements at a pace that does not destabilize the housing market, and require a cost-benefit analysis before imposing new mandates on housing construction.</p>	<p>Extremely costly climate mandates will be eliminated or phased in at a pace that does not destabilize the housing market.</p>

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
×	TBD%	Municipalities Impacted
×	TBD	Projects per Municipality
×	TBD	Housing Units per Project
=	TBD	Total Affected Units
×	\$ TBD	Estimated Cost Range per Unit
<p>TOTAL POTENTIAL YEARLY SAVINGS Savings data pending analysis</p>		

Housing impact only
Savings data pending analysis

Pro Housing Communities Program — Zoning Incentive Reform

Governor Hochul’s Express NY — NYSBA Regulatory Reform Initiative | April 2026

ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
<p>Most roadblocks to new housing production occur at the local level through restrictive zoning ordinances. Communities need to be incentivized to reform their zoning to be more favorable to housing creation. Without targeted incentives, many localities will maintain restrictive zoning that limits housing supply and drives up costs.</p>	<p>Use the Pro Housing Communities Program to incentivize communities to reform their zoning, making more housing allowed as of right. This will provide an accessible pathway for communities to begin the process of reforming their zoning without requiring immediate legislative action.</p>	<p>Zoning that allows housing to be built as-of-right accelerates housing production and increases affordability.</p>

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
×	30%	Municipalities Impacted
×	30	Units per Municipality
=	13,950	Total Affected Units
×	\$3,000 – \$8,000	Estimated Cost Range per Unit
<p>TOTAL POTENTIAL YEARLY SAVINGS \$42 Million – \$112 Million</p>		

Housing impact only

Local Building Code Moratorium — Limiting Local Amendments

Governor Hochul’s Express NY — NYSBA Regulatory Reform Initiative | April 2026

ISSUE / PROBLEM	SOLUTION / REASON	RESULT / EFFECT
<p>New York’s housing crisis is being exacerbated by a patchwork of local amendments to the State Building Code and Energy Code, which increase construction costs, create uncertainty, and delay urgently needed housing. While current law allows local governments to modify state codes, these changes often go beyond legitimate health and safety needs and instead impose additional mandates that undermine housing affordability.</p>	<p>Adopt a framework similar to California’s AB 130, enacting a six-year moratorium on new local building and energy code modifications affecting residential construction. Exceptions would be permitted only for previously adopted equivalent standards, emergency health and safety threats, fire safety measures, or requirements tied to a previously adopted local plan supporting mixed-fuel residential construction.</p>	<p>Greater uniformity in building standards will reduce costs, streamline compliance, and accelerate housing production statewide, particularly benefiting middle-income homebuyers and renters.</p>

SAVINGS CALCULATION		
	1,550	Total Municipalities (towns, cities & villages)
x	TBD%	Municipalities Impacted
<p>TOTAL POTENTIAL YEARLY SAVINGS Savings data pending analysis</p>		

Housing impact only
Savings data pending analysis