What New York's Gas Ban Means for the Future of All-Electric Buildings

A new all-electric building law in New York is the country's first large-scale test for gas-ban legislation, setting a precedent for other states.

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Key Takeaways

- New York's all-electric building mandate is a major test case for gas bans nationwide.
- The law faces continued opposition but is moving forward.
- The mandate will have significant implications for construction, the electrical grid, and future electrification efforts.

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A new all-electric building mandate in New York that has so far weathered challenges is set to become the country's first large-scale test case for the survivability and workability of controversial gas-ban legislation.

The first state to put a prohibition on natural gas usage for heating and appliances, the Empire State will ban hookups in new buildings seven stories or smaller beginning in 2026, and most all new construction beginning in 2029. Other municipalities have instituted such bans, including New York City, which has one on the books, and one in Berkeley, Calif., that was reversed by a court.

The state's All-Electric Buildings Act was enacted by the state legislature in 2023. But court challenges only recently turned down and delays in required changes to the state's building code left the law in limbo.

In late July, a lingering challenge to the AEBA in federal court for the Northern District of New York ultimately failed. A judge ruled it didn't violate a federal law preventing state and local governments from setting standards relating to energy efficiency energy usage of appliances. Plaintiffs, led by The National Association of Homebuilders, argued in the 2023 filing that New York's law conflicted with the Energy Policy and Conservation Act (EPCA).

At about the same time, the state's Fire Prevention and Building Code Council finally voted to incorporate the AEBA into the latest state building code update. Since the act's passage, opponents had been lobbying the council in a bid to head it off from another avenue separate from the courts, a tact that could have effectively blocked it from being implemented and enforced administratively through the code.

But the opposition isn't resting. In June, the New York State Builders Association and other groups, including the International Brotherhood of Electrical Workers (IBEW) Local 97, asked the U.S. Department of Justice to intervene.

In a letter to Attorney General Pam Bondi, the coalition requested that the office "investigate and pursue legal action to delay, postpone, or preempt New York State's impending statewide ban on fossil fuel appliances and infrastructure in new buildings." The law, the letter said, conflicts with President Trump's executive order on "Protecting American Energy from State Overreach," and should suffer the same fate as the Berkeley legislation that conflicted with the EPCA.

Should it survive, New York's new requirement will be closely watched. Other like-minded jurisdictions will take an interest as will a cast of stakeholders that includes property owners, developers, design and engineering firms and construction contractors. "All-electric" in a large state of 20 million will be a highly visible and consequential development and a test case for changing how structures are designed and built; assessing the impact of a mandate on electrical demand; and further exploration of distributed power generation.

To get a read on the law's likely implications, *EC&M* queried Vinod Palal, PE, principal and director of electrical engineering at Goldman Copeland, a New York City-based consulting engineering firm on a few key points, including:

Electrical infrastructure: "Electrical work will be a larger part of building MEP budgets and there will be a design impact in the space planning of a new building. Larger electrical rooms will be required for the bigger surface equipment and associated distribution (larger chase for more electrical conduits to run up and down the building). More rentable square footage will have to be clawed back for purposes of electrical infrastructure. More equipment will be running on electricity, so there will be an increase in the size of the required electrical service. Electrical installation costs, including labor, will rise as larger electrical service equipment and associated conductors will be required."

Modeling for other efforts: "It's safe to say that eyes will be on New York to see the outcome of this. Other states will have to determine the feasibility and practicality of all-electric buildings. Some don't have as robust an electrical infrastructure system or capacity as New York's is reported to be. And others are more susceptible to weather events that impact the reliability of the electrical system. In markets with a robust electrical system and not as subject to climate-related outages, there may be a trend toward pursuing more electric buildings. Another consideration is that state electricity costs vary."

Electrical grid impact: "There's always a concern when adding load to an existing infrastructure, and the new law is definitely a net add. In addition, the current electrical infrastructure is dated and in need of upgrade. But utilities in the state are saying the existing electrical infrastructure is up to the task. Also consider that new electrical infrastructure projects are underway and in the pipeline even as this new requirement lands."

Its place in overall electrification efforts: "This can be a step toward a more ambitious and robust electrical infrastructure for the country. With cooperation of local municipalities, local power companies, and building owners, there's potential that all-electric buildings, coupled with renewable on-site power generation and on-site power storage can be used to create neighborhoods of microgrid systems providing electrical resiliencies for interconnected buildings."