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DEPARTMENT OF STATE

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December 30, 2025

Jeremiah Williams, Building Energy Code Program Manager
U.S. Department of Energy
Office of Energy Efficiency and Renewable Energy
1000 Independence Avenue, SW
Washington, DC 20585

RE: New York State Certification of Residential and Commercial Building Energy Codes. Residential Provisions of the 2021 and 2024 IECC; Commercial Provisions of ASHRAE 90.1 2019 and 2022.

Dear Jeremy Williams,

The State Fire Prevention and Building Code Council (“Code Council”) is authorized to review and amend or adopt a new State Energy Conservation Construction Code (the “NYS Energy Code”), pursuant to New York State Energy Law § 11-103(2). The Code Council is established within the New York State Department of State (Executive Law § 374(1)). In compliance with Title III of the Energy Conservation and Production Act (ECPA) of 1976, as amended (42 U.S.C. §§ 6831 et seq.), and the requirements of 42 U.S.C. § 6833, this is to certify that the State of New York has adopted an updated version of the NYS Energy Code. The updated version of the NYS Energy Code will become effective on December 31, 2025.

Regarding residential buildings, the updated version of the NYS Energy Code consists of the “Residential Provisions” of the 2025 Energy Conservation Construction Code of New York State (the “2025 ECCCNY”), which is based on the 2024 edition of the International Energy Conservation Code (the “2024 IECC Residential Provisions”), published by the International Code Council.

Regarding commercial buildings, the updated version of the NYS Energy Code consists of (1) the “Commercial Provisions” of the 2025 ECCCNY, which is based on the 2024 edition of the International Energy Conservation Code (the “2024 IECC Commercial Provisions”), and (2) the 2025 New York State Energy Standard for Buildings Except Low-Rise Residential Buildings (NYS ASHRAE 90.1-2025), which is based on the 2022 edition of ASHRAE Energy Standard for Buildings and Sites Except Low-Rise Residential Buildings (“ASHRAE 90.1-2022”).

Public notice of the proposal to adopt the updated version of the NYS Energy Code was published in the New York State Register on March 19, 2025, in Volume XLVII, Issue 11, at pages 3-9. An excerpt of the March 19, 2025, edition of the State Register, which includes the published Notice of Proposed Rule Making for the NYS Energy Code, is enclosed. The published notice (the “Notice of Proposed Rule Making”) included the following statements:

Energy Law § 11-103(2) also provides that the Energy Code for commercial buildings must meet or exceed the most recently published “Energy Standard for Buildings Except Low-Rise Residential Buildings” (ASHRAE 90.1), or achieve equivalent or greater energy savings; and that the Energy Code for residential buildings must meet or exceed the then most recently published edition of the publication entitled “International Energy Conservation Code” (IECC), or achieve equivalent or greater energy savings.

The current version of the Energy Code for commercial buildings equals or exceeds ASHRAE 90.1-2016. The proposed rule will amend the Energy Code for commercial buildings to a code that equals or exceeds the 2022 edition of ASHRAE 90.1 (“ASHRAE 90.1-2022”). ASHRAE 90.1-2022 is the most recently published ASHRAE 90.1, and the 2024 NYS ASHRAE 90.1 is based on ASHRAE 90.1-2022, with modifications to achieve energy savings greater than ASHAE 90.1-



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2022, as recommended by NYSERDA. Therefore, the Energy Code, as proposed by this rule, will satisfy that part of Energy Law § 11-103(2) that requires the Energy Code for commercial buildings to meet or exceed the then most recently published ASHRAE 90.1.

The current version of the Energy Code for residential buildings is based on the 2018 edition of the IECC ("2018 IECC"). The proposed rule will amend the Energy Code for residential buildings to a code that includes the "Residential Provisions" of the 2025 Energy Conservation Construction Code of New York State ("2025 ECCCNY") based upon the most recent (2024) edition of the IECC ("2024 IECC"), with modifications to achieve energy savings greater than the 2024 IECC, as recommended by NYSERDA. Therefore, the Energy Code, as proposed by this rule, will satisfy that part of Energy Law § 11-103(2) that requires the Energy Code for residential buildings to meet or exceed the most recent edition of the IECC.

As more fully discussed in Part 3 "General Needs, Benefits, and Costs" of the full Regulatory Impact Statement, it is anticipated that (1) buildings that comply with the Energy Code, as proposed by this rule, will use less energy than buildings that comply with the current Energy Code; (2) on average, the Energy Code, as proposed by this rule, will be cost effective for commercial buildings and residential buildings; and (3) on average, the increase in the cost of constructing a commercial or residential building according to the requirements of the Energy Code as proposed by this rule over the cost of constructing a similar commercial or residential building according to the requirements of the current version of the Energy Code will be less than the present value of the of savings in energy costs that could be expected over the life-cycle cost of the building.

Public hearings were conducted at the times and places specified in the published Notice of Proposed Rule Making: 10:00 a.m., May 20, 2025, at the Department of State, 99 Washington Ave., Conference Rm. 505, Albany, NY; 10:00 a.m., May 21, 2025, virtual via WebEx; and 10:00 a.m., May 22, 2025, virtual via WebEx.

The updated version of the NYS Energy Code was adopted by the State Fire Prevention and Building Code Council at the Code Council meeting on July 25, 2025. The Notice of Adoption was published in the State Register on October 1, 2025, in Volume XLVII, Issue 39, at pages 18-19. An Amended Notice of Adoption was published in the State Register on December 24, 2025, in Volume XLVII, Issue 51, at pages 10-12. An excerpt of the published December 24th, 2025 edition of the State Register, which includes the Notice of Adoption for the NYS Energy Code, is enclosed.

The rule adopting the updated version of the NYS Energy Code will become effective on December 31, 2025.

The New York State Department of State believes that the updated version of the NYS Energy Code is, for residential buildings, equivalent to or more stringent than the 2021 IECC Residential Provisions and the 2024 IECC Residential Provisions.

The New York State Department of State believes that the updated version of the NYS Energy Code is, for commercial buildings, equivalent to or more stringent than ASHRAE 90.1-2019 and ASHRAE 90.1 2022.

If anything further is required as evidence of New York State's compliance with the requirements of Title III of ECPA, please advise me by mail at the address stated below, by telephone at (518) 474-4073, or by email at John.Addario@dps.ny.gov.

Sincerely,

Jeremiah Williams, Building Energy Code Program Manager
U.S. Department of Energy
Office of Energy Efficiency and Renewable Energy
December 30, 2025

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John Addario PE, Director
Division of Building Standards and Codes

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