

Government & Legal: US States and Cities News, 2023-2019

Michigan Governor Gretchen Whitmer signed legislation that mandates 100% carbon-free energy generation by 2040. The state also set a goal for utilities to generate 50% of their energy from renewable sources by 2030 and 60% by 2035, up from 12% currently. (Dec 2023)
[AP »](#) [DETROIT FREE PRESS »](#)

New York State filed a lawsuit alleging PepsiCo has harmed the public and the environment with its single-use plastic packaging, one of the first lawsuits of its kind brought on by a state. The lawsuit seeks to force the company to clean up contamination, pay civil penalties and restitution, among other things. (Nov 2023)
[PR »](#) [REUTERS »](#)

The California Public Employees' Retirement System (CalPERS) announced its new [Sustainable Investments 2030 Strategy](#) to reduce carbon emissions intensity of CalPERS' investments by 50% by 2030. CalPERS will commit **over \$100 billion** toward climate solutions by 2030 (more than twice its current \$47 billion in low-carbon assets), and sell off investments that do not have credible plans to reduce carbon emissions. (Nov 2023)
[PR »](#) [ESG TODAY »](#)

New York Governor Kathy Hochul announced “the largest investment in clean energy in U.S. history”: three offshore wind projects and 22 land-based renewable energy projects totaling 6.4 GW — enough to cover 12% of New York's electricity needs. **Hochul also announced a \$300 million state investment in wind turbine blade and nacelle manufacturing.** The energy and manufacturing projects are estimated to generate **\$20 billion in economic investment and 8,300 jobs in New York.** (Oct 2023)
[PR »](#) [ESG TODAY »](#)

The U.S. Climate Alliance, a bipartisan coalition of 25 governors, announced a series of commitments to quadruple heat pump installations by the end of the decade as part of its effort to decarbonize buildings. At least 40% of benefits from the heat pump initiative would flow to disadvantaged communities. The heat pump installations will advance Alliance members' goal of achieving zero-emission new construction as soon as practicable and eliminating emissions from existing buildings at a pace consistent with the Paris Agreement. (Sept 2023)
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California's Attorney General filed a [lawsuit](#) against five oil companies and the American Petroleum Institute (API), alleging a decades-long campaign of deception that led to tens of billions of dollars in damages from climate change. The suit asks the court to order the companies to pay the cost of the impacts of fossil fuels; prohibit oil companies from engaging in further pollution; levy financial penalties on the companies for lying to the public and order the

industry to end their deceptive statements about their impacts; and award punitive damages to the state. (Sept 2023)

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The California Legislature passed a bill requiring businesses operating in California and with annual revenue of over \$1 billion to publicly disclose their direct and indirect greenhouse gas emissions (Scopes 1, 2, and 3). Companies would have to start disclosing Scope 1 and 2 emissions annually in 2026, and Scope 3 emissions in 2027. The governor has until October 14 to sign or veto the bill, or it automatically becomes law. (Sept 2023)

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A group of 22 U.S. states and territories have dropped [their effort to block](#) a proposed \$10.3 billion settlement between 3M and U.S. public water providers over water pollution tied to “forever chemicals” (PFAS). The states withdrew their objections after negotiating changes with 3M and the water providers to the proposed deal, which would settle hundreds of lawsuits over PFAS contamination. The U.S. court hearing the case then gave preliminary approval to move forward to a “fairness hearing” in February. (Sept 2023)

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[A Montana state court ruled](#) that the state’s failure to consider climate change when approving fossil fuel projects was unconstitutional. (The Minnesota Constitution guarantees residents “the right to a clean and healthful environment.”) **The suit, brought by 16 young people in 2020, is the first of its kind in the U.S., and could influence other pending climate lawsuits in the country.** Montana — a significant producer of oil, gas, and coal — **will now have to consider climate change when deciding whether to approve new fossil fuel projects.** The state attorney general’s office said the state would appeal. (Aug 2023)

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California Governor Gavin Newsom directed the Governor’s Office of Business and Economic Development to develop California’s Hydrogen Market Development Strategy. This all-of-government approach aims to build up California’s “clean, renewable hydrogen market” and decarbonize transportation and industrial sectors, working to identify shared strategies, coordinate multiple state agencies, and engage with relevant stakeholders. (Aug 2023)

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Wyoming and Colorado signed a [Memorandum of Understanding](#) to partner on direct air capture (DAC) development and activity. The two states will collaborate on activities such as applying for grants, analyzing carbon dioxide removal markets, identifying a process for resolving issues with cross-border CO2 sequestration, developing a commercialization pipeline for nascent technologies, and engaging local, tribal, and state stakeholders. (July 2023)

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Eighteen state governors, led by Florida governor Ron Desantis, launched an alliance aimed at coordinating actions to “[protect individuals from the ESG movement](#).” The alliance agreed to

work together to protect taxpayers from ESG influences across state systems and protect citizens from ESG influences in the financial sector. (March 2023)

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New Jersey passed a new law that incentivizes the decarbonization of the concrete industry. Specifically, the law provides tax credits both for the cost of preparing environmental product declarations that assess the global warming potential of various concrete mixes as well as for the delivery of concrete for use in state projects that has lower emissions associated with its production or that utilizes carbon capture and storage to remove or recycle CO2 generated through the manufacturing process. **New Jersey is the first U.S. state to pass a law like this and the NJ environmental commissioner said he will try to encourage other states to adopt similar laws, using his role as infrastructure work group chair at the Environmental Council of the States.** (Feb 2023)

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The New York state governor, Kathy Hochul, announced a Cap-and-Invest Program that establishes a declining cap on greenhouse gas emissions, invests in programs that drive emissions reductions, limits costs to economically vulnerable households, and maintains the competitiveness of New York industries. The cap will be reduced every year, with a 40% emissions reduction by 2030 and at least an 85% reduction by 2050 (from 1990 levels). In addition, **Governor Hochul will propose legislation to create a universal Climate Action Rebate that is expected to drive more than \$1 billion in future cap-and-invest proceeds to New Yorkers every year.** (Jan 2023)

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A group of U.S. state attorneys general have sent civil investigative demands to the six largest banks in the U.S., alleging that their ESG practices hurt the American energy industry. The attorneys general are seeking documents from the banks, which include JPMorgan Chase, Goldman Sachs, Bank of America, Citigroup, Wells Fargo, and Morgan Stanley, about their involvement in the Net-Zero Banking Alliance. (Oct 2022)

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Louisiana announced it is divesting \$794 million by the end of the year from the company to “protect” the state’s Treasury funds from BlackRock’s “support of ESG investing.” [In a letter to BlackRock CEO](#), state Treasurer John Schroder said BlackRock’s “blatantly anti-fossil fuel policies would destroy Louisiana’s economy.” The state has already divested \$560 million of this total. (Oct 2022)

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California will ban the sale of all new natural gas-fired space heaters and water heating appliances by 2030, the first U.S. state to do so, under a proposal unanimously approved the California Air Resources Board. The proposal does not include gas stoves, but about 50 cities and towns in California have adopted regulations that ban or discourage the use of gas-fueled stoves in new buildings. (Sept 2022)

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The Texas comptroller, Glenn Hegar, released [a list of 10 companies and 348 investment funds](#) that will be barred from entering into most contracts with Texas state and local entities because they all allegedly “boycott energy companies.” State pension funds and local governments issuing municipal bonds will also have to divest from companies on the list, which include **BlackRock, Credit Suisse, and UBS**. As Axios [reports](#), several targeted companies pushed back on the decision citing facts that counter the claims. West Virginia took a similar action last month, banning five major financial firms. (Aug 2022)

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The California Air Resources Board voted to require all new vehicles to be zero-emissions by 2035, with milestones of 35% zero-emissions by 2026 and 68% in 2030. Electric vehicles currently make up 16% of California’s new-vehicle sales. The rule would allow people to continue driving and purchasing used gas-fueled vehicles after 2035 as well as allowing one-fifth of sales to be plug-in hybrids. (Aug 2022)

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The attorneys general of West Virginia and Arizona, joined by 22 others, wrote to the SEC arguing that its [Enhancement and Standardization of Climate-Related Disclosures for Investors](#) proposed in April of this year is an agency overreach and should be abandoned. They cited last week’s SCOTUS ruling limiting the EPA’s regulatory authority over power plants as a parallel, arguing that both cases represent the kind of sweeping change that would require legislation from Congress. The challenge to the proposed rule may be the first of many looking to reverse agency-led climate-related rules, based on the *West Virginia vs. EPA* precedent. (July 2022)

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California Governor Gavin Newsom has signed a new law that will “cut plastic pollution and hold the plastics industry accountable for their waste.” The Plastic Pollution Prevention and Packaging Producer Responsibility Act mandates a 65% rate of recycling for plastic packaging and plastic food service ware by 2032 (with interim targets of 30% and 40% in 2028 and 2030, respectively) and a 25% cut in the production of those goods over the same period. The new law also levies a \$500 million (total) per year annual surcharge on producers of the plastics in question, to be allocated the California Plastic Pollution Mitigation Fund. (July 2022)

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The Biden Administration and eleven East Coast states launched the “Federal-State Offshore Wind Implementation Partnership” to accelerate the development of offshore wind facilities. As the first course of action, the Partnership announced commitments to help strengthen the U.S. offshore wind supply chain by expanding key elements such as manufacturing facilities, port capabilities, and workforce development. The Biden Administration also announced steps to advance a National Offshore Wind Supply Chain Roadmap and designate offshore wind vessels as “Vessels of National Interest” to facilitate more offshore wind construction. (June 2022)

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Sixteen states, four environmental groups and the United Auto Workers have filed **three separate lawsuits against the United States Postal Service (USPS) and Postmaster General Louis DeJoy over their decision to purchase roughly 40,000 internal combustion vehicles for their delivery fleet.** The lawsuits contend that the defendants signed the contracts before conducting a thorough and accurate environmental assessment. The White House and the EPA have also asked that the purchase be reconsidered and that a greater emphasis be placed on cutting emissions. (May 2022)

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New offshore wind initiatives (Jan 2022):

- **The Interior Department’s Bureau of Ocean Energy Management (BOEM) will hold an offshore wind lease sale for a record 480,000 acres next month,** in the “New York Bight” area off the coasts of New York and New Jersey. The sale is projected to generate 5.6-7 gigawatts of clean energy and power 2 million homes. Notably, **lease provisions will require lessees to identify any ocean users, tribes, and underserved communities affected by projects,** and will financially incentivize lessees to source offshore wind components domestically. [MORE »](#)
- **The BOEM and the states of New York and New Jersey released a “shared vision” for their new collaboration to develop a domestic offshore wind supply chain** that benefits state and regional residents, including disadvantaged and overburdened communities. [MORE »](#)
- The **National Oceanic and Atmospheric Administration (NOAA) and BOEM are forming an interagency agreement** to advance offshore wind energy “while protecting biodiversity and promoting cooperative ocean use.” [MORE »](#)
- The [National Offshore Wind Research and Development Consortium](#) is **awarding over \$3 million to six offshore wind R&D projects,** including GE Renewable Energy and GE Research. [MORE »](#)

New York unveiled the [Fashion Sustainability and Social Accountability Act](#), which would be the first state legislation to hold fashion retailers accountable for their environmental impact. The bill **would require apparel and footwear brands selling in the state and generating over \$100 million in revenue to map at least 50% of their supply chain, disclose areas in the chain where they have the most social/environmental impact, and make clear plans to reduce the impact. Noncompliant companies would be fined up to 2% of their annual revenue,** with their names published on an annual list by the state attorney general. (Jan 2022)

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New York Governor Kathy Hochul signed a new law to ban the sale or lease of all new gas-powered cars and trucks in the state by 2035. The law also aims to have all off-road vehicles and equipment be zero-emissions “where feasible” by 2035 and all new medium- and heavy-duty trucks for sale or lease in the state be zero-emissions “where feasible” by 2045. (Sept 2021)

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Maine Governor Janet Mills signed into law the nation's first extended producer responsibility bill for packaging materials, making packaging producers financially responsible for funding the recycling of their products. (July 2021)

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15 Republican state treasurers threatened to pull hundreds of billions of dollars of assets from large financial institutions divesting from fossil fuel firms in [a letter](#) to Special Presidential Envoy for Climate John Kerry. (May 2021)

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Washington State adopted the Climate Commitment Act, capping GHG emissions and creating a marketplace for polluting industries (agriculture is exempt) to buy and sell credits from the state for every ton of GHGs emitted. The new law goes into effect in 2023, and over time, the state will reduce the number of carbon allowance credits available to force polluters to decarbonize. At least 35% of the state revenue generated will be invested in communities disproportionately affected by environmental pollution. (May 2021)

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Texas's House of Representatives passed a bill (Senate approved in April) requiring the state's pension funds to stop investing in firms planning to divest from fossil-fuel companies. (May 2021)

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Arizona's utility regulators rejected proposed rules requiring state electricity providers from sourcing 100% of clean energy, despite support for the rules from the state's regulated utilities. (May 2021)

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Hawaii declared a "climate emergency," becoming the first U.S. state to do so. Nearly 13% of the global population now lives in a jurisdiction that has made a similar declaration. (May 2021)

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The attorney general of West Virginia threatened the SEC with a lawsuit if it mandated companies to file ESG-related disclosures. (April 2021)

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21 states filed a lawsuit against President Biden to overturn his executive order rescinding permits for the Keystone XL oil pipeline. (March 2021)

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The Chicago suburb of Evanston approved reparations for black residents for harm from racial discrimination in housing—potentially a first action of its kind the United States. Qualifying households will be granted up to \$25,000 for down payments or home repairs. (March 2021)

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New York State awarded one of the largest single renewable energy contracts in U.S. history, a 2.5-gigawatt offshore wind project, to Equinor and B.P. Once complete, renewable energy will fulfill more than half of the state's electricity demand, putting the state ahead of its goal to achieve 70% renewable energy by 2030. (January 2021)

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Massachusetts, Connecticut, Rhode Island, and the District of Columbia will be the first jurisdictions to launch the [Transportation and Climate Initiative Program \(TCI-P\)](#)—a bi-partisan program that aims to **invest \$300 million annually** to modernize transportation, improve public health, and reduce emissions. The TCI-P will generate \$300 million every year by **requiring large fossil-fuel providers to purchase allowances to offset pollution caused by the sale of fuel** in the participating jurisdictions. (January 2021)

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Massachusetts Governor Charlie Baker announced plans to **ban the sale of new gas-powered vehicles in the state by 2035**. (Jan 2021)

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San Francisco will no longer allow the use of natural gas in new buildings. The measure extends to buildings that apply for a building permit after June 1, 2020. (November 2020)

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Voters in Columbus, Ohio approved a plan to **supply the city with 100% renewable energy by 2023**. (November 2020)

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Nevada voters approved a mandate that **requires electric utilities to generate at least 50% of the state's electricity from renewables by 2030**. (November 2020)

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The **Arizona Corporation Commission** agreed on a plan that **requires regulated electric utilities in Arizona to source 100% of their power from carbon-free sources** — including renewables and carbon-free nuclear — **by 2050**. The plan includes an **interim target** for regulated electric utilities to **source 50% of their power from renewables by 2035**. (November 2020)

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California Governor Gavin Newsom signed an **executive order banning the sale of new gasoline-powered passenger vehicles and trucks by 2035**, and requiring medium and heavy-duty trucks to be zero-emission by 2045 (where possible). Governor Newsom also **called on the**

state Legislature to pass legislation that **stops the issuance of new hydraulic fracturing permits** in the state. (September 2020)

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A group of **12 cities** — including **London, Los Angeles, and New York City** — have **pledged to divest city financial assets from fossil fuel companies** and increase investments in the green economy whenever possible. (September 2020)

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The **California Air Resources Board** has **finalized framework agreements with a group of automakers** — including BMW of North America, Ford Motor Company, Honda, Volkswagen, and Volvo— to **cut vehicle emissions in the state through the 2026 model year**. Under the framework agreements, gasoline and diesel cars and light trucks will get cleaner through 2026 at about the same rate as the former Obama-era program. (August 2020)

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New York issued its **request for proposals** for up to **2.5 gigawatts of offshore wind capacity** and **1.5 gigawatts of onshore renewables**, marking the **largest clean energy solicitation in U.S. history**. (July 2020)

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A group of **15 U.S. states and the District of Columbia** will collaborate to **boost the market for electric medium- and heavy-duty vehicles** and **phase out diesel-powered trucks by 2050**. The states include California, Colorado, Connecticut, Hawaii, Maine, Maryland, Massachusetts, New Jersey, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, and Washington, DC. (July 2020)

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The **New York Public Service Commission** approved a **\$700 million subsidy program** that aims to help **build more than 55,000 new EV charging stations** across the state. (July 2020)

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The **U.S. District Court for the District of Columbia** ordered the **temporary shutdown of the Dakota Access pipeline** over concerns about its **environmental impact**. (July 2020)

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A **coalition of Attorneys General from 23 states** filed a **lawsuit against the Trump Administration over its final rule to roll back fuel economy standards**. The lawsuit alleges the EPA and National Highway Traffic Safety Administration used a flawed analysis to justify the rollback. (June 2020)

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The **City of Houston** signed a **7-year contract with NRG Energy** to purchase **100% renewable energy** for all municipal operations. As a result, the City is **estimated to save \$65 million in electricity costs** over the contract period. (May 2020)

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Virginia Governor Ralph Northam signed legislation requiring **100% of the state's electricity to be carbon-free by 2050**. The legislation also requires **nearly all coal-fired plants in the state to close by the end of 2024**. (April 2020)

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New York has **delayed enforcement of its plastic bag ban** until May 15 due to the COVID-19 pandemic. (Mar 2020)

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Pacific Gas & Electric has **pleaded guilty to 84 counts of involuntary manslaughter** and one **count of unlawfully starting a fire** in connection with the **2018 Camp Fire in California**. (Mar 2020)

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Massachusetts Governor Charlie Baker has **temporarily banned the use of reusable shopping bags and lifted all regulations on plastic bag bans** due to the COVID-19 pandemic. (Mar 2020)

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Maine Governor Janet Mills has **delayed implementation of the state's plastic bag ban to 2021** due to the COVID-19 pandemic. (Mar 2020)

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New Hampshire Governor Chris Sununu has **temporarily banned the use of reusable shopping bags** due to the COVID-19 pandemic. (Mar 2020)

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Los Angeles Mayor Eric Garcetti signed an Executive Directive requiring **all new or retrofitted municipal buildings** to be **100% carbon free going forward**. (Feb 2020)

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New York Governor Andrew Cuomo unveiled New York's **Green New Deal**, which includes plans to achieve **100% clean power by 2040**, **invest \$1.5 billion** in **20 large-scale renewable energy projects** across upstate New York, develop an **implementation plan** to make **New York carbon neutral**, and more. (2019)

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New Mexico lawmakers **passed a bill requiring the state to source 100% of its electricity from carbon-free sources by 2045**. New Mexico is the third state in the U.S. to commit to 100% carbon-free electricity. (2019)

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New York became the **third state to ban single-use plastic bags**. The ban is expected to come into force in **March 2020**. (2019)

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The **Washington State Senate** **voted in favor** of a law requiring the state to **source 100% renewable energy by 2045**. The law also mandates the state to **phase out coal use by 2025**. (2019)

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Mayor Eric Garcetti released [Los Angeles' Green New Deal](#), which **sets accelerated sustainability targets** for the city. The accelerated goals and new targets include plans to build a **zero carbon electricity grid** by 2045; **send zero waste to landfill** by 2050; ensure **every building in Los Angeles is emissions free** by 2050; recycle **100% of its wastewater** by 2035; and **increase tree canopy** in low-income, severely heat impacted areas **by at least 50%** by 2028. (2019)

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Maine has issued a **statewide ban on styrofoam food containers**, becoming **the first state to do so**. The ban will go into effect **January 1, 2021**. (2019)

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The **New York State Assembly** passed a bill that **establishes targets** for the state to **achieve 100% carbon-free electricity by 2040** and **economy-wide net-zero carbon emissions by 2050**. (2019)

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San Francisco International Airport became the **first airport to ban the sale of plastic water bottles**. (2019)

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Virginia Governor Ralph Northam signed [Executive Order 43](#), which sets out plans for the state to **achieve 100% carbon-free electricity by 2050**. (2019)

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California city **San Jose banned natural gas from new home construction projects**, requiring “all new single-family homes, low-rise multifamily buildings, and detached granny flats” to be electric starting next year. (2019)

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Virginia Governor Ralph Northam signed an agreement with Dominion Energy to **purchase 75 MW of wind energy** to power **state government-owned buildings and facilities**, representing the **largest contract of its kind**. (2019)

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A group of **14 cities** — including London, Los Angeles, and Paris — have **signed the C40 Good Food Cities Declaration**, a commitment to **align food procurement policies** with the **Planetary Health Diet**, **reduce food loss and waste by 50%** from 2015 levels, and more. (2019)

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Monsanto (owned by Bayer) was ordered to **pay \$2 billion in damages** to a couple after a California jury ruled that **glyphosate, the active ingredient in Roundup, caused non-Hodgkin lymphoma** in both individuals. This was the **third verdict since August 2018 against Monsanto finding Roundup caused cancer**. (2019)

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A group of **23 states** — including **California, Michigan, and New York** — filed a **lawsuit against the Trump administration** to block any action that would limit or undo **California's authority to set strict auto emissions standards**. (2019)

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A **New York Judge ruled Exxon Mobil not guilty** of allegations that it “misled shareholders over the true cost of climate change,” citing that New York’s Attorney General did not provide sufficient evidence. (2019)

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The state of **Massachusetts** has **filed a lawsuit against Exxon Mobil** for allegedly “misleading investors and consumers for decades about the role fossil fuels play in climate change,” according to *Reuters*. (2019)

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