

STATE OF NEW YORK

5682

2017-2018 Regular Sessions

IN ASSEMBLY

February 14, 2017

Introduced by M. of A. CURRAN, RAIA -- Multi-Sponsored by -- M. of A. HAWLEY -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the civil rights law, in relation to increasing the monetary and criminal penalties for aggravated harassment or discrimination

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 40-d of the civil rights law, as amended by chapter
2 191 of the laws of 1982, is amended to read as follows:

3 § 40-d. Penalty for violation. Any person who shall violate any of the
4 provisions of the foregoing section, or subdivision three of section
5 240.30 or section 240.31 of the penal law, or who shall aid or incite
6 the violation of any of said provisions shall for [~~each and every~~] the
7 first violation thereof be liable to a penalty of not less than [~~one~~]
8 five hundred dollars nor more than [~~five~~] twenty-five hundred dollars,
9 and for each subsequent violation thereof be liable to a penalty of not
10 less than twenty-five hundred dollars nor more than twelve thousand five
11 hundred dollars, to be recovered by the person aggrieved thereby in any
12 court of competent jurisdiction in the county in which the defendant
13 shall reside. In addition, any person who shall violate any of the
14 provisions of the foregoing section shall be deemed guilty of a class [~~A~~
15 ~~misdemeanor~~] E felony for the first violation thereof and a class D
16 felony for any subsequent violation thereof. At or before the commence-
17 ment of any action under this section, notice thereof shall be served
18 upon the attorney general.

19 § 2. This act shall take effect on the first of November next succeed-
20 ing the date on which it shall have become a law.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[~~-~~] is old law to be omitted.

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