

STATE OF NEW YORK

9584

IN ASSEMBLY

January 23, 2018

Introduced by M. of A. SEAWRIGHT -- read once and referred to the
Committee on Judiciary

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing amendments to section 11 of article 1 of the constitution, in
relation to equality of rights and protection against discrimination

Section 1. Resolved (if the Senate concur), That section 11 of article
1 of the constitution be amended to read as follows:

§ 11. [~~No person shall be denied the equal protection of the laws of
this state or any subdivision thereof. No person shall, because of race,
color, creed or religion, be subjected to any discrimination in his or
her civil rights by any other person or by any firm, corporation, or
institution, or by the state or any agency or subdivision of the state.~~]

Equality of rights shall not be denied or abridged because of race,
color, creed, religion, national origin, citizenship, marital status,
age, gender, sex, pregnancy, sexual orientation, gender identity or
expression, physical or mental disability, other immutable or ascriptive
characteristic, or like grounds for discrimination, exclusion, or disad-
vantage, by any other person or by any firm, corporation, or institu-
tion, or by the state or any agency or subdivision of the state.

Equal rights for purposes of this section extend to every person whose
protection against public and private discrimination is needed to ensure
an inclusive society with equal opportunity for personal fulfillment and
respect for everyone in New York in all their diversity.

Nothing herein shall be used to invalidate a law, program, or activity
that is protected or required under this section. To the extent that
enforcement of any part of this section is finally declared invalid as
preempted by federal law, whether on constitutional or statutory
grounds, or finally determined to result in a loss of federal funding,
the state may by law provide that the enforcement of this section will
be curtailed to the minimum extent necessary to avoid such preemption or
loss of funding.

§ 2. Resolved (if the Senate concur), That the foregoing amendment be
referred to the first regular legislative session convening after the
next succeeding general election of members of the assembly, and, in
conformity with section 1 of article 19 of the constitution, be
published for three months previous to the time of such election.

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

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