

STATE OF NEW YORK

8461

2017-2018 Regular Sessions

IN ASSEMBLY

June 16, 2017

Introduced by M. of A. MAYER -- 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

1 Section 1. RESOLVED (if the Senate concur), That section 11 of article
2 1 of the constitution be amended to read as follows:

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

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

15 The protection against discrimination afforded by this section is
16 self-executing. To that end, equal rights for purposes of this section
17 extend to every person whose protection against public and private
18 discrimination is needed to ensure an inclusive society with equal
19 opportunity for personal fulfillment and respect for everyone in New
20 York in all their diversity.

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

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

LBD89109-01-7

1 be curtailed to the minimum extent necessary to avoid such preemption or
2 loss of funding.

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