

S T A T E O F N E W Y O R K

10771

I N A S S E M B L Y

April 21, 2010

Introduced by M. of A. CUSICK, DESTITO, GALEF, BENEDETTO, DUPREY, CASTELLI, MCENENY, KELLNER, JAFFEE, MAISEL, MILLMAN, CHRISTENSEN, STIRPE, JACOBS, KOON, P. LOPEZ -- Multi-Sponsored by -- M. of A. BING, GLICK, GOTTFRIED, MAGEE, MARKEY, REILLY, TOWNS -- (at request of the Division of Human Rights) -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to insuring the protection of individuals with disabilities under the human rights law

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivisions 1 and 2 of section 291 of the executive law,
2 as amended by chapter 106 of the laws of 2003, are amended to read as
3 follows:

4 1. The opportunity to obtain employment without discrimination because
5 of age, race, creed, color, national origin, sexual orientation, mili-
6 tary status, sex [or], marital status, OR DISABILITY, is hereby recog-
7 nized as and declared to be a civil right.

8 2. The opportunity to obtain education, the use of places of public
9 accommodation and the ownership, use and occupancy of housing accommo-
10 dations and commercial space without discrimination because of age,
11 race, creed, color, national origin, sexual orientation, military
12 status, sex [or], marital status, OR DISABILITY, as specified in section
13 two hundred ninety-six of this article, is hereby recognized as and
14 declared to be a civil right.

15 S 2. Subparagraph 2 of paragraph (d) of subdivision 2-a of section 296
16 of the executive law, as added by chapter 368 of the laws of 1991, is
17 amended to read as follows:

18 (2) To refuse to make reasonable accommodations in rules, policies,
19 practices, or services, when such accommodations may be necessary to
20 afford a person with a disability equal opportunity to use and enjoy a
21 dwelling, INCLUDING REASONABLE MODIFICATION TO COMMON USE PORTIONS OF
22 THE DWELLING, or

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

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1 S 3. Paragraph 2 of subdivision 18 of section 296 of the executive
2 law, as added by chapter 368 of the laws of 1991, is amended to read as
3 follows:

4 (2) To refuse to make reasonable accommodations in rules, policies,
5 practices, or services, when such accommodations may be necessary to
6 afford said person with a disability equal opportunity to use and enjoy
7 a dwelling, INCLUDING REASONABLE MODIFICATION TO COMMON USE PORTIONS OF
8 THE DWELLING, or

9 S 4. Subdivision 13 of section 296 of the executive law, as amended by
10 chapter 106 of the laws of 2003, is amended to read as follows:

11 13. It shall be an unlawful discriminatory practice (i) for any person
12 to [discriminate against,] boycott or blacklist, or to refuse to buy
13 from, sell to or trade with, OR OTHERWISE DISCRIMINATE AGAINST any
14 person, because of the race, creed, color, national origin, sexual
15 orientation, military status [or], sex, OR DISABILITY of such person, or
16 of such person's partners, members, stockholders, directors, officers,
17 managers, superintendents, agents, employees, business associates,
18 suppliers or customers, or (ii) for any person wilfully to do any act or
19 refrain from doing any act which enables any such person to take such
20 action. This subdivision shall not apply to:

21 (a) Boycotts connected with labor disputes; or

22 (b) Boycotts to protest unlawful discriminatory practices.

23 S 5. This act shall take effect immediately.