

S T A T E   O F   N E W   Y O R K

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4460--A

2009-2010 Regular Sessions

I N   S E N A T E

April 23, 2009

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Introduced by Sen. C. JOHNSON -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- recommitted to the Committee on Investigations and Government Operations in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to prohibiting discriminatory practices against domestic violence victims

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

- 1     Section 1. Paragraphs (a), (b) and (c) of subdivision 2-a of section  
2     296 of the executive law, as amended by chapter 106 of the laws of 2003,  
3     are amended to read as follows:  
4     (a) To refuse to sell, rent or lease or otherwise to deny to or with-  
5     hold from any person or group of persons such housing accommodations  
6     because of the race, creed, color, disability, national origin, sexual  
7     orientation, military status, age, sex, marital status, DOMESTIC  
8     VIOLENCE VICTIM STATUS, or familial status of such person or persons, or  
9     to represent that any housing accommodation or land is not available for  
10    inspection, sale, rental or lease when in fact it is so available.  
11    (b) To discriminate against any person because of his or her race,  
12    creed, color, disability, national origin, sexual orientation, military  
13    status, age, sex, marital status, DOMESTIC VIOLENCE VICTIM STATUS, or  
14    familial status in the terms, conditions or privileges of any publicly-  
15    assisted housing accommodations or in the furnishing of facilities or  
16    services in connection therewith.  
17    (c) To cause to be made any written or oral inquiry or record concern-  
18    ing the race, creed, color, disability, national origin, sexual orien-  
19    tation, membership in the reserve armed forces of the United States or  
20    in the organized militia of the state, age, sex, marital status, DOMES-  
21    TIC VIOLENCE VICTIM STATUS, or familial status of a person seeking to

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

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1 rent or lease any publicly-assisted housing accommodation; provided,  
2 however, that nothing in this subdivision shall prohibit a member of the  
3 reserve armed forces of the United States or in the organized militia of  
4 the state from voluntarily disclosing such membership.

5 S 2. Subparagraphs 1, 2 and 3 of paragraph (a) of subdivision 5 of  
6 section 296 of the executive law, as amended by chapter 106 of the laws  
7 of 2003, are amended to read as follows:

8 (1) To refuse to sell, rent, lease or otherwise to deny to or withhold  
9 from any person or group of persons such a housing accommodation because  
10 of the race, creed, color, national origin, sexual orientation, military  
11 status, sex, age, disability, marital status, DOMESTIC VIOLENCE VICTIM  
12 STATUS, or familial status of such person or persons, or to represent  
13 that any housing accommodation or land is not available for inspection,  
14 sale, rental or lease when in fact it is so available.

15 (2) To discriminate against any person because of race, creed, color,  
16 national origin, sexual orientation, military status, sex, age, disabili-  
17 ty, marital status, DOMESTIC VIOLENCE VICTIM STATUS, or familial status  
18 in the terms, conditions or privileges of the sale, rental or lease of  
19 any such housing accommodation or in the furnishing of facilities or  
20 services in connection therewith.

21 (3) To print or circulate or cause to be printed or circulated any  
22 statement, advertisement or publication, or to use any form of applica-  
23 tion for the purchase, rental or lease of such housing accommodation or  
24 to make any record or inquiry in connection with the prospective  
25 purchase, rental or lease of such a housing accommodation which  
26 expresses, directly or indirectly, any limitation, specification or  
27 discrimination as to race, creed, color, national origin, sexual orien-  
28 tation, military status, sex, age, disability, marital status, DOMESTIC  
29 VIOLENCE VICTIM STATUS, or familial status, or any intent to make any  
30 such limitation, specification or discrimination.

31 S 3. Subdivision 5 of section 296 of the executive law is amended by  
32 adding a new paragraph (h) to read as follows:

33 (H) IT SHALL BE AN UNLAWFUL DISCRIMINATORY PRACTICE FOR ANY PERSON OR  
34 ENTITY TO OBTAIN FOR, OR PROVIDE TO, ANY PERSON HAVING THE RIGHT TO  
35 SELL, RENT OR LEASE A HOUSING ACCOMMODATION, OR ANY AGENT OR EMPLOYEE  
36 THEREOF, INFORMATION RELATING TO THE DOMESTIC VIOLENCE VICTIM STATUS OF  
37 AN INDIVIDUAL WHO RENTS, LEASES OR SUB-LEASES A HOUSING ACCOMMODATION OR  
38 WHO SEEKS TO PURCHASE, RENT, LEASE OR SUB-LEASE A HOUSING ACCOMMODATION.

39 S 4. This act shall take effect immediately.