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I N   A S S E M B L Y

April 21, 2010

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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.