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:

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

1. The opportunity to obtain employment without discrimination because of age, race, creed, color, national origin, sexual orientation, military status, sex [or], marital status, OR DISABILITY, is hereby recognized as and declared to be a civil right.

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

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

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

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

LBD16016-01-0

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

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

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

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

(a) Boycotts connected with labor disputes; or

(b) Boycotts to protest unlawful discriminatory practices.

S 5. This act shall take effect immediately.