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

8094

2011-2012 Regular Sessions

I N A S S E M B L Y

June 1, 2011

Introduced by M. of A. O'DONNELL -- (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 clarifying the scope of the application of subdivision 4 of section 296 to educational institutions

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

Section 1. Section 292 of the executive law is amended by adding a new subdivision 35 to read as follows:

35. THE TERM "EDUCATIONAL INSTITUTION", WHEN USED IN THIS ARTICLE, SHALL MEAN:

(A) ANY EDUCATION CORPORATION OR ASSOCIATION WHICH HOLDS ITSELF OUT TO THE PUBLIC TO BE NON-SECTARIAN AND EXEMPT FROM TAXATION PURSUANT TO THE PROVISIONS OF ARTICLE FOUR OF THE REAL PROPERTY TAX LAW; OR

(B) ANY PUBLIC SCHOOL, INCLUDING ANY SCHOOL DISTRICT, BOARD OF COOPERATIVE EDUCATION SERVICES, PUBLIC COLLEGE, OR PUBLIC UNIVERSITY.

S 2. Subdivision 4 of section 296 of the executive law, as amended by chapter 106 of the laws of 2003, is amended to read as follows:

4. It shall be an unlawful discriminatory practice for an [education corporation or association which holds itself out to the public to be non-sectarian and exempt from taxation pursuant to the provisions of article four of the real property tax law] EDUCATIONAL INSTITUTION to deny the use of its facilities to any person otherwise qualified, or to permit the harassment of any student or applicant, by reason of his race, color, religion, disability, national origin, sexual orientation, military status, sex, age or marital status, except that any such institution which establishes or maintains a policy of educating persons of one sex exclusively may admit students of only one sex.

S 3. This act shall take effect immediately.

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

LBD09756-01-1