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

4799

2013-2014 Regular Sessions

I N A S S E M B L Y

February 11, 2013

Introduced by M. of A. DenDEKKER, CASTRO, WEPRIN -- Multi-Sponsored by -- M. of A. BOYLAND, BRENNAN, CERETTO, ORTIZ, ROBINSON, TITONE -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to unlawful discriminatory practices by government agencies relating to persons recovering from alcohol and/or substance abuse

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

Section 1. The executive law is amended by adding a new section 296-c to read as follows:

S 296-C. UNLAWFUL DISCRIMINATORY PRACTICES BY GOVERNMENT AGENCIES RELATING TO PERSONS RECOVERING FROM ALCOHOL AND/OR SUBSTANCE ABUSE. 1. FOR THE PURPOSES OF THIS SECTION:

(A) "GOVERNMENT AGENCY" SHALL MEAN ANY DEPARTMENT, DIVISION, BOARD, BUREAU, COMMISSION, OFFICE, AGENCY, CORRECTIONAL FACILITY, AUTHORITY OR PUBLIC CORPORATION OF THE STATE OR A COUNTY, CITY, TOWN OR VILLAGE GOVERNMENT OR ANY OTHER INSTRUMENTALITY OF LOCAL GOVERNMENT OR PUBLIC EDUCATIONAL INSTITUTION.

(B) "ALCOHOL ABUSE" AND/OR "SUBSTANCE ABUSE" SHALL HAVE THE SAME MEANINGS AS SET FORTH IN SECTION 1.03 OF THE MENTAL HYGIENE LAW.

2. IT SHALL BE AN UNLAWFUL DISCRIMINATORY PRACTICE FOR A GOVERNMENT AGENCY EMPLOYER TO DENY EMPLOYMENT TO A PROSPECTIVE EMPLOYEE SOLELY ON THE BASIS THAT SUCH PROSPECTIVE EMPLOYEE IS RECOVERING FROM ALCOHOL AND/OR SUBSTANCE ABUSE.

S 2. This act shall take effect immediately.

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

LBD07958-01-3