

5360

2015-2016 Regular Sessions

I N   A S S E M B L Y

February 20, 2015

---

Introduced by M. of A. GALEF -- read once and referred to the Committee  
on Codes

AN ACT to amend the executive law, in relation to unlawful discriminatory  
practices

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

1     Section 1. Subdivision 5 of section 292 of the executive law, as  
2     amended by chapter 481 of the laws of 2010, is amended to read as  
3     follows:  
4     5. The term "employer" does not include any employer with fewer than  
5     four persons in his or her employ except as set forth in section two  
6     hundred ninety-six-b of this [title] ARTICLE, PROVIDED, HOWEVER, THAT IN  
7     THE CASE OF AN ACTION FOR DISCRIMINATION BASED ON SEX PURSUANT TO SUBDI-  
8     VISION ONE OF SECTION TWO HUNDRED NINETY-SIX OF THIS ARTICLE, WITH  
9     RESPECT TO SEXUAL HARASSMENT ONLY, THE TERM "EMPLOYER" SHALL INCLUDE ALL  
10    EMPLOYERS WITHIN THE STATE.  
11    S 2. Severability clause. If any clause, sentence, paragraph, subdivi-  
12    sion, section or part of this act shall be adjudged by a court of compe-  
13    tent jurisdiction to be invalid, such judgment shall not affect, impair  
14    or invalidate the remainder thereof, but shall be confined in its opera-  
15    tion to the clause, sentence, paragraph, subdivision, section or part  
16    thereof directly involved in the controversy in which such judgment  
17    shall have been rendered. It is hereby declared to be the intent of the  
18    legislature that this act would have been enacted even if such invalid  
19    provisions had not been included herein.  
20    S 3. This act shall take effect on the ninetieth day after it shall  
21    have become a law.

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

LBD07114-01-5