

STATE OF NEW YORK

6975

2017-2018 Regular Sessions

IN SENATE

December 28, 2017

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the public officers law, in relation to prohibiting sexual harassment by certain individuals

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 3 of section 74 of the public officers law is
2 amended by adding a new paragraph j to read as follows:

3 j. No officer or employee of a state agency, member of the legislature
4 or legislative employee shall commit an act of sexual harassment while
5 serving in his or her official capacity. For purposes of this section,
6 "sexual harassment" shall mean making unwelcome or unwanted sexual
7 advances, requesting sexual favors in exchange for favorable treatment
8 or continued employment, engaging in verbal or physical conduct of a
9 sexual nature which is made a term or condition of employment, or using
10 the refusal or acceptance of such advances as the basis for employment
11 decisions. "Sexual harassment" shall also include any type of sexually
12 oriented conduct that is unwelcome and has the purpose or effect of
13 unreasonably interfering with an employee's work performance or creating
14 a work environment that is intimidating, hostile, offensive or coercive
15 to a reasonable person.

16 § 2. This act shall take effect immediately and shall apply to conduct
17 that occurs on and after such effective date.

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

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