STATE OF NEW YORK

1411--A

Cal. No. 211

2019-2020 Regular Sessions

IN SENATE

January 14, 2019

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the civil rights law, in relation to reporting a nonemergency incident involving a member of a protected class

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

Section 1. Subdivision 2 of section 79-n of the civil rights law, as added by chapter 227 of the laws of 2010, is amended to read as follows:

2. Any person who intentionally selects a person or property for harm or causes damage to the property of another or causes physical injury or death to another **or summons a police officer or peace officer without reason to suspect a violation of the penal law, any other criminal conduct, or an imminent threat to a person or property,** in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct, shall be liable, in a civil action or proceeding maintained by such individual or group of individuals, for injunctive relief, damages, or any other appropriate relief in law or equity. If it shall appear to the satisfaction of the court or justice that the respondent has, in fact, violated this section, an injunction may be issued by such court or justice, enjoining and restraining any further violation, without requiring proof that any person has, in fact, been injured or damaged thereby. **For the purposes of this section, a person lacks reason to suspect a violation of the penal law, any other criminal conduct, or an imminent threat to a person or property where a reasonable person would not suspect such violation, conduct, or threat.**

§ 2. This act shall take effect immediately.

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

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