STATE OF NEW YORK

6583

2019-2020 Regular Sessions

IN SENATE

June 17, 2019

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

AN ACT to amend the civil rights law, in relation to unlawfully summoning a police officer with intent to harm another

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

Section 1. The civil rights law is amended by adding a new section 77-a to read as follows:

§ 77-a. Unlawful summoning of a police officer. 1. It is unlawful for an individual to knowingly cause a police officer to arrive at a location of another with the intent to:

(a) infringe on the other individual's rights under the state of New York;

(b) unlawfully discriminate against such individual;

(c) cause the individual to feel harassed, humiliated or embarrassed;

(d) cause the individual to be expelled from a place in which such individual is lawfully located; or

(e) damage the individual's:

(i) reputation or standing within the community; or

(ii) financial, economic, consumer or business prospects or interests.

2. Any individual who suffers harm from a violation of subdivision one of this section shall have a civil cause of action in any court of competent jurisdiction against the individual who violated such subdivision.

3. The defendant may be held liable to the plaintiff for the following relief:

(a) the greater of:

(i) compensatory damages, including damages for intentional infliction of emotional distress; or

(ii) two hundred fifty dollars against each defendant found liable under this section;

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

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(b) punitive damages;

(c) attorneys' fees and costs; and

(d) such other relief as a court may deem appropriate.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law.