

# STATE OF NEW YORK

8492

## IN SENATE

June 5, 2020

Introduced by Sen. PARKER -- 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 reporting a non-emergency 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:

- 1 Section 1. Subdivision 2 of section 79-n of the civil rights law, as  
2 added by chapter 227 of the laws of 2010, is amended to read as follows:  
3 2. Any person who intentionally selects a person or property for harm  
4 or causes damage to the property of another or causes physical injury or  
5 death to another or summons a police officer or peace officer without  
6 reason to suspect a violation of the penal law, any other criminal  
7 conduct, or an imminent threat to a person or property, in whole or in  
8 substantial part because of a belief or perception regarding the race,  
9 color, national origin, ancestry, gender, religion, religious practice,  
10 age, disability or sexual orientation of a person, regardless of whether  
11 the belief or perception is correct, shall be liable, in a civil action  
12 or proceeding maintained by such individual or group of individuals, for  
13 injunctive relief, damages, or any other appropriate relief in law or  
14 equity. If it shall appear to the satisfaction of the court or justice  
15 that the respondent has, in fact, violated this section, an injunction  
16 may be issued by such court or justice, enjoining and restraining any  
17 further violation, without requiring proof that any person has, in fact,  
18 been injured or damaged thereby. For the purposes of this subdivision, a  
19 person lacks reason to suspect a violation of the penal law, any other  
20 criminal conduct, or an imminent threat to a person or property where a  
21 reasonable person would not suspect such violation, conduct, or threat.  
22 § 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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