STATE OF NEW YORK

8846

2019-2020 Regular Sessions

IN ASSEMBLY

December 18, 2019

Introduced by M. of A. STECK -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to defining "employer" in the human rights law to include the state and all political subdivisions thereof

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

Section 1. Subdivision 5 of section 292 of the executive law, as amended by chapter 363 of the laws of 2015, is amended to read as follows:

5. The term "employer" does not include any employer with fewer than four persons in his or her employ except as set forth in section two hundred ninety-six-b of this article, provided, however, that in the case of an action for discrimination based on sex pursuant to subdivision one of section two hundred ninety-six of this article, with respect to sexual harassment only, the term "employer" shall include all employers within the state **including the state and all political subdivisions thereof and all employees whose compensation is paid from state funds**.

§ 2. Subdivision 5 of section 292 of the executive law, as amended by chapter 161 of the laws of 2019, is amended to read as follows:

5. The term "employer" shall include all employers within the state **including the state and all political subdivisions thereof**.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law, provided, however, that if chapter 161 of the laws of 2019 shall not have taken effect on or before such date then section two of this act shall take effect on the same date and in the same manner as such chapter of the laws of 2019 takes effect. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.

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

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