STATE OF NEW YORK

4684

2019-2020 Regular Sessions

IN SENATE

March 20, 2019

Introduced by Sen. GIANARIS -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the executive law, in relation to the definition of the term "educational institution" and unlawful discriminatory practices for educational institutions

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

Section 1. Section 292 of the executive law is amended by adding a new subdivision 36 to read as follows:

36. The term "educational institution" shall mean:

(a) any school, as defined in subdivision e of section two-d of the education law;

(b) any other educational agency, as defined in subdivision c of section two-d of the education law;

(c) any public college or university; or

(d) any education corporation or association which holds itself out to the public to be non-sectarian and exempt from taxation pursuant to the provisions of article four of the real property tax law.

§ 2. Subdivision 4 of section 296 of the executive law, as amended by chapter 8 of the laws of 2019, is amended to read as follows:

4. It shall be an unlawful discriminatory practice for an [~~education corporation or association which holds itself out to the public to be non-sectarian and exempt from taxation pursuant to the provisions of article four of the real property tax law~~] **educational institution** to deny the use of its facilities to any person otherwise qualified, or to permit the harassment of any student or applicant, by reason of his race, color, religion, disability, national origin, sexual orientation, gender identity or expression, military status, sex, age or marital status, except that any such institution which establishes or maintains a policy of educating persons of one sex exclusively may admit students of only one sex.

§ 3. 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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