

STATE OF NEW YORK

6672

2021-2022 Regular Sessions

IN SENATE

May 11, 2021

Introduced by Sen. GAUGHRAN -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the town law, the village law, the general city law, and the county law, in relation to requiring immediate notification of any violation of the sexual harassment policy of the municipality or alleged violation of the human rights law

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

1 Section 1. The town law is amended by adding a new section 65-b to
2 read as follows:

3 § 65-b. Notification to town board; violation of the sexual harassment
4 policy or alleged violation of the human rights law. 1. Notification of
5 any violation of the sexual harassment policy adopted in accordance with
6 section two hundred one-g of the labor law or any alleged violation of
7 the human rights law, which resulted in a finding of wrongdoing by any
8 town employee or any alleged violation which resulted in any discipli-
9 nary action against any town employee shall be given to each town board
10 member within one business day.

11 2. Records maintained by the town and proceedings by the town based
12 thereon regarding a claim submitted by a victim or a claimant shall be
13 deemed confidential.

14 3. Any report or record obtained by the town, the confidentiality of
15 which is protected by any other law or regulation, shall remain confi-
16 dential subject to such law or regulation.

17 4. In the event that the violation involves accusations of wrongdoing
18 by an individual who would otherwise receive the notification as
19 required by this section, then the notification to such individual shall
20 be waived.

21 § 2. The village law is amended by adding a new section 3-314 to read
22 as follows:

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

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1 § 3-314 Notification to trustees; violation of the sexual harassment
2 policy or alleged violation of the human rights law. 1. Notification of
3 any violation of the sexual harassment policy adopted in accordance with
4 section two hundred one-g of the labor law or any alleged violation of
5 the human rights law, which resulted in a finding of wrongdoing by any
6 village employee or any alleged violation which resulted in any disci-
7 plinary action against any village employee shall be given to each trus-
8 tee within one business day.

9 2. Records maintained by the village and proceedings by the village
10 based thereon regarding a claim submitted by a victim or a claimant
11 shall be deemed confidential.

12 3. Any report or record obtained by the village, the confidentiality
13 of which is protected by any other law or regulation, shall remain
14 confidential subject to such law or regulation.

15 4. In the event that the violation involves accusations of wrongdoing
16 by an individual who would otherwise receive the notification as
17 required by this section, then the notification to such individual shall
18 be waived.

19 § 3. The general city law is amended by adding a new section 3-e to
20 read as follows:

21 § 3-e. Notification to members of the common council; violation of the
22 sexual harassment policy or alleged violation of the human rights law.

23 1. Notification of any violation of the sexual harassment policy
24 adopted in accordance with section two hundred one-g of the labor law or
25 any alleged violation of the human rights law, which resulted in a find-
26 ing of wrongdoing by any city employee or any alleged violation which
27 resulted in any disciplinary action against any city employee shall be
28 given to each member of the common council within one business day.

29 2. Records maintained by the city and proceedings by the city based
30 thereon regarding a claim submitted by a victim or a claimant shall be
31 deemed confidential.

32 3. Any report or record obtained by the city, the confidentiality of
33 which is protected by any other law or regulation, shall remain confi-
34 dential subject to such law or regulation.

35 4. In the event that the violation involves accusations of wrongdoing
36 by an individual who would otherwise receive the notification as
37 required by this section, then the notification to such individual shall
38 be waived.

39 § 4. The county law is amended by adding a new section 209-a to read
40 as follows:

41 § 209-a. Notification to the board of supervisors; violation of the
42 sexual harassment policy or alleged violation of the human rights law.

43 1. Notification of any violation of the sexual harassment policy adopted
44 in accordance with section two hundred one-g of the labor law or any
45 alleged violation of the human rights law, which resulted in a finding
46 of wrongdoing by any county employee or any alleged violation which
47 resulted in any disciplinary action against any county employee shall be
48 given to each member of the board of supervisors within one business
49 day.

50 2. Records maintained by the town and proceedings by the county based
51 thereon regarding a claim submitted by a victim or a claimant shall be
52 deemed confidential.

53 3. Any report or record obtained by the county, the confidentiality of
54 which is protected by any other law or regulation, shall remain confi-
55 dential subject to such law or regulation.

1 4. In the event that the violation involves accusations of wrongdoing
2 by an individual who would otherwise receive the notification as
3 required by this section, then the notification to such individual shall
4 be waived.

5 § 5. This act shall take effect immediately.