STATE OF NEW YORK

3037--A

2021-2022 Regular Sessions

IN ASSEMBLY

January 22, 2021

Introduced by M. of A. L. ROSENTHAL, JACKSON, BICHOTTE HERMELYN -- read once and referred to the Committee on Governmental Operations -- recommitted to the Committee on Governmental Operations in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the state technology law, in relation to requiring state websites to use gender-neutral terminology

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

Section 1. Section 101 of the state technology law is amended by adding three new subdivisions 6, 7 and 8 to read as follows:

6. "State website" means an Internet website operated by or for a state agency or authority. Such term shall include those websites operated on behalf of state agencies or authorities by other public or private entities, but shall not include any portions of the internet outside the control of the state agency or authority.

7. "Gender-neutral terminology" means a word or expression that cannot be taken to refer to one gender only, including but not limited to terms such as flight attendant, firefighter, or police officer.

8. "Gender-biased terminology" means a word or expression that categorizes on the basis of gender distinctions that can only be taken to refer to one gender only, including, but not limited to terms such as husband, wife, fireman or policeman.

§ 2. Section 103 of the state technology law is amended by adding a new subdivision 8-b to read as follows:

8-b. (a) To advise and assist state agencies or authorities in the implementation of gender-neutral terminology on state websites. Gender-biased terminology shall be prohibited. To the extent consistent with the meaning of this law, masculine pronouns may be used together with feminine pronouns in reference to elected officials, commissioners and similar persons;

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

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(b) The provisions of paragraph (a) of this subdivision shall in no way interfere with the ability of any state agency or authority to collect gender-specific information, to the extent permitted by law, as necessary to carry out their responsibilities;

(c) The provisions of paragraph (a) of this subdivision shall not apply to any state website that addresses a gender-specific matter; including, but not limited to, pregnancy or maternal health;

§ 3. This act shall take effect immediately.