

# STATE OF NEW YORK

3395--A

Cal. No. 470

2021-2022 Regular Sessions

## IN SENATE

January 29, 2021

Introduced by Sens. GOUNARDES, BIAGGI, COMRIE, GAUGHRAN, HOYLMAN, KRUEGER, LIU, MAYER, RIVERA, SEPULVEDA, SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

AN ACT to amend the executive law, in relation to the definition of "employer" for purposes 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. Subdivision 5 of section 292 of the executive law, as  
2 amended by chapter 161 of the laws of 2019, is amended to read as  
3 follows:

4 5. The term "employer" shall include all employers within the state.  
5 For the purposes of this article, (a) the state of New York shall be  
6 considered an employer of any employee or official, including any  
7 elected official, of the New York state executive, legislature, or judi-  
8 ciary, including persons serving in any judicial capacity, and persons  
9 serving on the staff of any elected official in New York state,

10 (b) a city, county, town, village or other political subdivision of  
11 the state of New York shall be considered an employer of any employee or  
12 official, including any elected official, of such locality's executive,  
13 legislature or judiciary, including persons serving in any local judi-  
14 cial capacity, and persons serving on the staff of any local elected  
15 official.

16 § 2. This act shall take effect immediately and shall be deemed to  
17 have been in full force and effect on and after the effective date of  
18 chapter 161 of the laws of 2019.

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

LBD04931-04-1