

# 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.

LBD03799-01-1

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.