# STATE OF NEW YORK

7105

2021-2022 Regular Sessions

# IN SENATE

June 1, 2021

Introduced by Sen. COONEY -- (at request of the Division of Human Rights) -- 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 requirements for filing a complaint with the Division of Human Rights

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

Section 1. Subdivision 1 of section 297 of the executive law, as amended by chapter 160 of the laws of 2019, is amended to read as follows:

1. Any person claiming to be aggrieved by an unlawful discriminatory practice may, by himself or herself or his or her attorney-at-law, make, sign and file with the division a [~~verified~~] complaint in writing **under oath or by declaration** which shall state the name and address of the person alleged to have committed the unlawful discriminatory practice complained of and which shall set forth the particulars thereof and contain such other information as may be required by the division. The commissioner of labor or the attorney general, or the [~~chair of the commission on quality of care for the mentally disabled~~] **executive director of the justice center for the protection of people with special needs**, or the division on its own motion may, in like manner, make, sign and file such complaint. In connection with the filing of such complaint, the attorney general is authorized to take proof, issue subpoenas and administer oaths in the manner provided in the civil practice law and rules. Any employer whose employees, or some of them, refuse or threaten to refuse to cooperate with the provisions of this article, may file with the division a verified complaint asking for assistance by conciliation or other remedial action.

§ 2. 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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