STATE OF NEW YORK

3195

2023-2024 Regular Sessions

IN ASSEMBLY

February 2, 2023

Introduced by M. of A. SIMONE, WALLACE, CARROLL, L. ROSENTHAL, E. BROWN, K. BROWN, BORES, GUNTHER, GLICK -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the civil rights law, in relation to including sporting events within the definition of places of public entertainment and amusement for purposes of wrongful refusal of admission to and ejection from places of public entertainment and amusement

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

Section 1. Section 40-b of the civil rights law, as added by chapter 893 of the laws of 1941, is amended to read as follows:

§ 40-b. Wrongful refusal of admission to and ejection from places of public entertainment and amusement. No person, agency, bureau, corporation or association, being the owner, lessee, proprietor, manager, superintendent, agent or employee of any place of public entertainment and amusement as hereinafter defined shall refuse to admit to any public performance held at such place any person over the age of twenty-one years who presents a ticket of admission to the performance a reasonable time before the commencement thereof, or shall eject or demand the departure of any such person from such place during the course of the performance, whether or not accompanied by an offer to refund the purchase price or value of the ticket of admission presented by such person; but nothing in this section contained shall be construed to prevent the refusal of admission to or the ejection of any person whose conduct or speech thereat or therein is abusive or offensive or of any person engaged in any activity which may tend to a breach of the peace.

The places of public entertainment and amusement within the meaning of this section shall be legitimate theatres, burlesque theatres, music halls, opera houses, concert halls**, sporting events** and circuses.

§ 2. This act shall take effect immediately.

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

LBD06523-01-3