STATE OF NEW YORK

4467--C

Cal. No. 705

2023-2024 Regular Sessions

IN SENATE

February 9, 2023

Introduced by Sens. MAYER, WEBB -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- recommitted to the Committee on Investigations and Government Operations in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the executive law, in relation to clarifying the standard for intentional discrimination or retaliation claims

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

Section 1. Section 296 of the executive law is amended by adding a new subdivision 23 to read as follows:

23. Notwithstanding any federal or local statute to the contrary, a person or persons bringing intentional discrimination or retaliation claims under this article shall be required to prove that an unlawful motivation was a motivating factor and not "the sole motivating factor" or a "but-for cause" of the challenged treatment.

§ 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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