STATE OF NEW YORK

4992

2025-2026 Regular Sessions

IN ASSEMBLY

February 10, 2025

Introduced by M. of A. BICHOTTE HERMELYN, GONZALEZ-ROJAS, SHIMSKY, BURDICK, DAVILA, REYES, SIMON -- read once and referred to the Committee on Governmental Operations

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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