STATE OF NEW YORK

9305--A

2025-2026 Regular Sessions

IN ASSEMBLY

December 10, 2025

Introduced by M. of A. STECK -- read once and referred to the Committee on Governmental Operations -- recommitted to the Committee on Governmental Operations in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to unlawful discriminatory practices under the state's human rights law

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

Section 1. Subdivision 3 of section 296 of the executive law is amended by adding a new paragraph (e) to read as follows:

(e) The failure of an employer to engage in an interactive process to determine a reasonable accommodation shall be a violation of this section unless there is no reasonable accommodation that such employer can provide without undue hardship.

§ 2. Subdivision 7 of section 296 of the executive law, as amended by chapter 600 of the laws of 2025, is amended to read as follows:

7. **(a)** It shall be an unlawful discriminatory practice for any person engaged in any activity to which this section applies to retaliate or discriminate against any person because such person has (i) opposed any practices forbidden under this article, (ii) **acted in support of or in furtherance of the rights protected under this article, (iii)** filed a complaint, testified, or assisted in any proceeding under this article, or [~~(iii)~~] **(iv)** requested a reasonable accommodation under this article.

(b) Retaliation may include, but is not limited to, disclosing an employee's personnel files because such employee has (i) opposed any practices forbidden under this article, (ii) **acted in support of or in furtherance of the rights protected under this article, (iii)** filed a complaint, testified, or assisted in any proceeding under this article, or [~~(iii)~~] **(iv)** requested a reasonable accommodation under this article, except where such disclosure is made in the course of commencing or

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

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responding to a complaint in any proceeding under this article or any other civil or criminal action or other judicial or administrative proceeding as permitted by applicable law.

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

23. An unlawful discriminatory practice is established when the complaining party demonstrates that an individual's age, race, creed, color, national origin, citizenship or immigration status, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or status as a victim of domestic violence, or status as any other protected class described in this article was a motivating factor for any employment practice, regardless of whether other factors also motivated such practice.

§ 4. This act shall take effect on the ninetieth day after it shall have become a law.