

# STATE OF NEW YORK

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8913

2025-2026 Regular Sessions

## IN ASSEMBLY

July 16, 2025

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Introduced by M. of A. ROSENTHAL -- read once and referred to the  
Committee on Governmental Operations

AN ACT to amend the executive law, the civil rights law and the education law, in relation to prohibiting discrimination based on housing status

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

1 Section 1. Legislative findings and intent. The legislature reaffirms  
2 that the state has the responsibility to act to assure that every indi-  
3 vidual within this state is afforded an equal opportunity to enjoy a  
4 full and productive life, and that the failure to provide such equal  
5 opportunity, whether because of discrimination, prejudice, intolerance,  
6 or inadequate education, training, housing or health care not only  
7 threatens the rights and proper privileges of its inhabitants but  
8 menaces the institutions and foundation of a free democratic state and  
9 threatens the peace, order, health, safety and general welfare of the  
10 state and its inhabitants.

11 The legislature further finds that many residents of this state have  
12 encountered prejudice on account of housing status, and that this preju-  
13 dice has severely limited or actually prevented access to employment,  
14 housing and other basic necessities of life, leading to deprivation and  
15 suffering. The legislature further recognizes that this prejudice has  
16 fostered a general climate of hostility and distrust, leading in some  
17 instances to physical violence against those perceived to be experienc-  
18 ing homelessness.

19 This legislation is intended to codify this principle and to ensure  
20 that the public understands that discrimination on the basis of some-  
21 one's housing status is prohibited.

22 § 2. Subdivisions 9 and 10 of section 63 of the executive law, as  
23 amended by chapter 748 of the laws of 2022, are amended to read as  
24 follows:

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

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1 9. Bring and prosecute or defend upon request of the commissioner of  
2 labor or the state division of human rights, any civil action or  
3 proceeding, the institution or defense of which in [~~his~~] such attorney  
4 general's judgment is necessary for effective enforcement of the laws of  
5 this state against discrimination by reason of age, race, sex, creed,  
6 color, national origin, sexual orientation, housing status, gender iden-  
7 tity or expression, military status, disability, predisposing genetic  
8 characteristics, familial status, marital status, citizenship or immi-  
9 gration status, or domestic violence victim status, or for enforcement  
10 of any order or determination of such commissioner or division made  
11 pursuant to such laws.

12 10. Prosecute every person charged with the commission of a criminal  
13 offense in violation of any of the laws of this state against discrimi-  
14 nation because of age, race, sex, creed, color, national origin, sexual  
15 orientation, housing status, gender identity or expression, military  
16 status, disability, predisposing genetic characteristics, familial  
17 status, marital status, citizenship or immigration status, or domestic  
18 violence victim status, in any case where in [~~his~~] such attorney gener-  
19 al's judgment, because of the extent of the offense, such prosecution  
20 cannot be effectively carried on by the district attorney of the county  
21 wherein the offense or a portion thereof is alleged to have been commit-  
22 ted, or where in [~~his~~] such attorney general's judgment the district  
23 attorney has erroneously failed or refused to prosecute. In all such  
24 proceedings, the attorney general may appear in person or by [~~his~~] such  
25 attorney general's deputy or assistant before any court or any grand  
26 jury and exercise all the powers and perform all the duties in respect  
27 of such actions or proceedings which the district attorney would other-  
28 wise be authorized or required to exercise or perform.

29 § 3. Subdivisions 1 and 2 of section 291 of the executive law, as  
30 amended by chapter 8 of the laws of 2019, are amended to read as  
31 follows:

32 1. The opportunity to obtain employment without discrimination because  
33 of age, race, creed, color, national origin, sexual orientation, housing  
34 status, gender identity or expression, military status, sex, marital  
35 status, or disability, is hereby recognized as and declared to be a  
36 civil right.

37 2. The opportunity to obtain education, the use of places of public  
38 accommodation and the ownership, use and occupancy of housing accommo-  
39 dations and commercial space without discrimination because of age,  
40 race, creed, color, national origin, sexual orientation, housing status,  
41 gender identity or expression, military status, sex, marital status, or  
42 disability, as specified in section two hundred ninety-six of this arti-  
43 cle, is hereby recognized as and declared to be a civil right.

44 § 4. Section 292 of the executive law is amended by adding a new  
45 subdivision 42 to read as follows:

46 42. The term "housing status" means the set of circumstances in which  
47 an individual or family lacks a fixed, regular, and adequate nighttime  
48 residence, resides in a place not designed for or ordinarily used as a  
49 regular sleeping accommodation for human beings, such as a car, public  
50 sidewalk or street, hallway, bus or train station, lobby or similar  
51 place, resides in a residential program for victims of domestic violence  
52 or runaway and homeless youth, or resides in a supervised publicly or  
53 privately operated shelter designed to provide temporary living arrange-  
54 ments, including hotels and motels paid for by federal, state, or local  
55 government programs or by charitable organizations, congregate shelters,  
56 safe havens or transitional housing.

1 § 5. Subdivisions 8 and 9 of section 295 of the executive law, as  
2 amended by chapter 8 of the laws of 2019, are amended to read as  
3 follows:

4 8. To create such advisory councils, local, regional or state-wide, as  
5 in its judgment will aid in effectuating the purposes of this article  
6 and of section eleven of article one of the constitution of this state,  
7 and the division may empower them to study the problems of discrimi-  
8 nation in all or specific fields of human relationships or in specific  
9 instances of discrimination because of age, race, creed, color, national  
10 origin, sexual orientation, housing status, gender identity or  
11 expression, military status, sex, disability or marital status and make  
12 recommendations to the division for the development of policies and  
13 procedures in general and in specific instances. The advisory councils  
14 also shall disseminate information about the division's activities to  
15 organizations and individuals in their localities. Such advisory coun-  
16 cils shall be composed of representative citizens, serving without pay,  
17 but with reimbursement for actual and necessary traveling expenses; and  
18 the division may make provision for technical and clerical assistance to  
19 such councils and for the expenses of such assistance.

20 9. To develop human rights plans and policies for the state and assist  
21 in their execution and to make investigations and studies appropriate to  
22 effectuate this article and to issue such publications and such results  
23 of investigations and research as in its judgement will tend to inform  
24 persons of the rights assured and remedies provided under this article,  
25 to promote good-will and minimize or eliminate discrimination because of  
26 age, race, creed, color, national origin, sexual orientation, housing  
27 status, gender identity or expression, military status, sex, disability  
28 or marital status.

29 § 6. Paragraphs (a), (b), (c), (d) and (h) of subdivision 1 of section  
30 296 of the executive law, as separately amended by chapters 202 and 748  
31 of the laws of 2022, are amended to read as follows:

32 (a) For an employer or licensing agency, because of an individual's  
33 age, race, creed, color, national origin, citizenship or immigration  
34 status, sexual orientation, housing status, gender identity or  
35 expression, military status, sex, disability, predisposing genetic char-  
36 acteristics, familial status, marital status, or status as a victim of  
37 domestic violence, to refuse to hire or employ or to bar or to discharge  
38 from employment such individual or to discriminate against such individ-  
39 ual in compensation or in terms, conditions or privileges of employment.

40 (b) For an employment agency to discriminate against any individual  
41 because of age, race, creed, color, national origin, citizenship or  
42 immigration status, sexual orientation, housing status, gender identity  
43 or expression, military status, sex, disability, predisposing genetic  
44 characteristics, familial status, marital status, or status as a victim  
45 of domestic violence, in receiving, classifying, disposing or otherwise  
46 acting upon applications for its services or in referring an applicant  
47 or applicants to an employer or employers.

48 (c) For a labor organization, because of the age, race, creed, color,  
49 national origin, citizenship or immigration status, sexual orientation,  
50 housing status, gender identity or expression, military status, sex,  
51 disability, predisposing genetic characteristics, familial status, mari-  
52 tal status, or status as a victim of domestic violence, of any individ-  
53 ual, to exclude or to expel from its membership such individual or to  
54 discriminate in any way against any of its members or against any  
55 employer or any individual employed by an employer.

1 (d) For any employer or employment agency to print or circulate or  
2 cause to be printed or circulated any statement, advertisement or publi-  
3 cation, or to use any form of application for employment or to make any  
4 inquiry in connection with prospective employment, which expresses  
5 directly or indirectly, any limitation, specification or discrimination  
6 as to age, race, creed, color, national origin, citizenship or immi-  
7 gration status, sexual orientation, housing status, gender identity or  
8 expression, military status, sex, disability, predisposing genetic char-  
9 acteristics, familial status, marital status, or status as a victim of  
10 domestic violence, or any intent to make any such limitation, specifica-  
11 tion or discrimination, unless based upon a bona fide occupational qual-  
12 ification; provided, however, that neither this paragraph nor any  
13 provision of this chapter or other law shall be construed to prohibit  
14 the department of civil service or the department of personnel of any  
15 city containing more than one county from requesting information from  
16 applicants for civil service examinations concerning any of the afore-  
17 mentioned characteristics, other than sexual orientation, for the  
18 purpose of conducting studies to identify and resolve possible problems  
19 in recruitment and testing of members of minority groups to ensure the  
20 fairest possible and equal opportunities for employment in the civil  
21 service for all persons, regardless of age, race, creed, color, national  
22 origin, citizenship or immigration status, housing status, sexual orien-  
23 tation or gender identity or expression, military status, sex, disabili-  
24 ty, predisposing genetic characteristics, familial status, or marital  
25 status.

26 (h) For an employer, licensing agency, employment agency or labor  
27 organization to subject any individual to harassment because of an indi-  
28 vidual's age, race, creed, color, national origin, citizenship or immi-  
29 gration status, sexual orientation, housing status, gender identity or  
30 expression, military status, sex, disability, predisposing genetic char-  
31 acteristics, familial status, marital status, status as a victim of  
32 domestic violence, or because the individual has opposed any practices  
33 forbidden under this article or because the individual has filed a  
34 complaint, testified or assisted in any proceeding under this article,  
35 regardless of whether such harassment would be considered severe or  
36 pervasive under precedent applied to harassment claims. Such harassment  
37 is an unlawful discriminatory practice when it subjects an individual to  
38 inferior terms, conditions or privileges of employment because of the  
39 individual's membership in one or more of these protected categories.  
40 The fact that such individual did not make a complaint about the harass-  
41 ment to such employer, licensing agency, employment agency or labor  
42 organization shall not be determinative of whether such employer,  
43 licensing agency, employment agency or labor organization shall be  
44 liable. Nothing in this section shall imply that an employee must demon-  
45 strate the existence of an individual to whom the employee's treatment  
46 must be compared. It shall be an affirmative defense to liability under  
47 this subdivision that the harassing conduct does not rise above the  
48 level of what a reasonable victim of discrimination with the same  
49 protected characteristic or characteristics would consider petty slights  
50 or trivial inconveniences.

51 § 7. Paragraphs (b), (c) and (d) of subdivision 1-a of section 296 of  
52 the executive law, as separately amended by chapters 202 and 748 of the  
53 laws of 2022, are amended to read as follows:

54 (b) To deny to or withhold from any person because of race, creed,  
55 color, national origin, citizenship or immigration status, sexual orien-  
56 tation, housing status, gender identity or expression, military status,

1 sex, age, disability, familial status, marital status, or status as a  
2 victim of domestic violence, the right to be admitted to or participate  
3 in a guidance program, an apprenticeship training program, on-the-job  
4 training program, executive training program, or other occupational  
5 training or retraining program;

6 (c) To discriminate against any person in [~~his or her~~] the person's  
7 pursuit of such programs or to discriminate against such a person in the  
8 terms, conditions or privileges of such programs because of race, creed,  
9 color, national origin, citizenship or immigration status, sexual orien-  
10 tation, housing status, gender identity or expression, military status,  
11 sex, age, disability, familial status, marital status, or status as a  
12 victim of domestic violence;

13 (d) To print or circulate or cause to be printed or circulated any  
14 statement, advertisement or publication, or to use any form of applica-  
15 tion for such programs or to make any inquiry in connection with such  
16 program which expresses, directly or indirectly, any limitation, spec-  
17 ification or discrimination as to race, creed, color, national origin,  
18 citizenship or immigration status, sexual orientation, housing status,  
19 gender identity or expression, military status, sex, age, disability,  
20 familial status, marital status, or status as a victim of domestic  
21 violence, or any intention to make any such limitation, specification or  
22 discrimination, unless based on a bona fide occupational qualification.

23 § 8. Paragraph (a) of subdivision 2 of section 296 of the executive  
24 law, as separately amended by chapters 202 and 748 of the laws of 2022,  
25 is amended to read as follows:

26 (a) It shall be an unlawful discriminatory practice for any person,  
27 being the owner, lessee, proprietor, manager, superintendent, agent or  
28 employee of any place of public accommodation, resort or amusement,  
29 because of the race, creed, color, national origin, citizenship or immi-  
30 gration status, sexual orientation, housing status, gender identity or  
31 expression, military status, sex, disability, marital status, or status  
32 as a victim of domestic violence, of any person, directly or indirectly,  
33 to refuse, withhold from or deny to such person any of the accommo-  
34 dations, advantages, facilities or privileges thereof, including the  
35 extension of credit, or, directly or indirectly, to publish, circulate,  
36 issue, display, post or mail any written or printed communication,  
37 notice or advertisement, to the effect that any of the accommodations,  
38 advantages, facilities and privileges of any such place shall be  
39 refused, withheld from or denied to any person on account of race,  
40 creed, color, national origin, citizenship or immigration status, sexual  
41 orientation, housing status, gender identity or expression, military  
42 status, sex, disability or marital status, or that the patronage or  
43 custom thereat of any person of or purporting to be of any particular  
44 race, creed, color, national origin, citizenship or immigration status,  
45 sexual orientation, housing status, gender identity or expression, mili-  
46 tary status, sex or marital status, or having a disability is unwelcome,  
47 objectionable or not acceptable, desired or solicited.

48 § 9. Paragraphs (a), (b), (c) and (c-1) of subdivision 2-a of section  
49 296 of the executive law, as separately amended by chapters 202 and 748  
50 of the laws of 2022, are amended to read as follows:

51 (a) To refuse to sell, rent or lease or otherwise to deny to or with-  
52 hold from any person or group of persons such housing accommodations  
53 because of the race, creed, color, disability, national origin, citizen-  
54 ship or immigration status, sexual orientation, housing status, gender  
55 identity or expression, military status, age, sex, marital status,  
56 status as a victim of domestic violence, lawful source of income or

1 familial status of such person or persons, or to represent that any  
2 housing accommodation or land is not available for inspection, sale,  
3 rental or lease when in fact it is so available.

4 (b) To discriminate against any person because of [~~his or her~~] such  
5 person's race, creed, color, disability, national origin, citizenship or  
6 immigration status, sexual orientation, housing status, gender identity  
7 or expression, military status, age, sex, marital status, status as a  
8 victim of domestic violence, lawful source of income or familial status  
9 in the terms, conditions or privileges of any publicly-assisted housing  
10 accommodations or in the furnishing of facilities or services in  
11 connection therewith.

12 (c) To cause to be made any written or oral inquiry or record concern-  
13 ing the race, creed, color, disability, national origin, citizenship or  
14 immigration status, sexual orientation, housing status, gender identity  
15 or expression, membership in the reserve armed forces of the United  
16 States or in the organized militia of the state, age, sex, marital  
17 status, status as a victim of domestic violence, lawful source of income  
18 or familial status of a person seeking to rent or lease any publicly-as-  
19 sisted housing accommodation; provided, however, that nothing in this  
20 subdivision shall prohibit a member of the reserve armed forces of the  
21 United States or in the organized militia of the state from voluntarily  
22 disclosing such membership.

23 (c-1) To print or circulate or cause to be printed or circulated any  
24 statement, advertisement or publication, or to use any form of applica-  
25 tion for the purchase, rental or lease of such housing accommodation or  
26 to make any record or inquiry in connection with the prospective  
27 purchase, rental or lease of such a housing accommodation which  
28 expresses, directly or indirectly, any limitation, specification or  
29 discrimination as to race, creed, color, national origin, citizenship or  
30 immigration status, sexual orientation, housing status, gender identity  
31 or expression, military status, sex, age, disability, marital status,  
32 status as a victim of domestic violence, lawful source of income or  
33 familial status, or any intent to make any such limitation, specifica-  
34 tion or discrimination.

35 § 10. Subdivision 3-b of section 296 of the executive law, as sepa-  
36 rately amended by chapters 202 and 748 of the laws of 2022, is amended  
37 to read as follows:

38 3-b. It shall be an unlawful discriminatory practice for any real  
39 estate broker, real estate salesperson or employee or agent thereof or  
40 any other individual, corporation, partnership or organization for the  
41 purpose of inducing a real estate transaction from which any such person  
42 or any of its stockholders or members may benefit financially, to repre-  
43 sent that a change has occurred or will or may occur in the composition  
44 with respect to race, creed, color, national origin, citizenship or  
45 immigration status, sexual orientation, housing status, gender identity  
46 or expression, military status, sex, disability, marital status, status  
47 as a victim of domestic violence, or familial status of the owners or  
48 occupants in the block, neighborhood or area in which the real property  
49 is located, and to represent, directly or indirectly, that this change  
50 will or may result in undesirable consequences in the block, neighbor-  
51 hood or area in which the real property is located, including but not  
52 limited to the lowering of property values, an increase in criminal or  
53 anti-social behavior, or a decline in the quality of schools or other  
54 facilities.

1 § 11. Subdivision 4 of section 296 of the executive law, as separately  
2 amended by chapters 202 and 748 of the laws of 2022, is amended to read  
3 as follows:

4 4. It shall be an unlawful discriminatory practice for an educational  
5 institution to deny the use of its facilities to any person otherwise  
6 qualified, or to permit the harassment of any student or applicant, by  
7 reason of [~~his~~] such person's race, color, religion, disability,  
8 national origin, citizenship or immigration status, sexual orientation,  
9 housing status, gender identity or expression, military status, sex,  
10 age, marital status, or status as a victim of domestic violence, except  
11 that any such institution which establishes or maintains a policy of  
12 educating persons of one sex exclusively may admit students of only one  
13 sex.

14 § 12. Subdivision 5 of section 296 of the executive law, as separately  
15 amended by chapters 202 and 748 of the laws of 2022, is amended to read  
16 as follows:

17 5. (a) It shall be an unlawful discriminatory practice for the owner,  
18 lessee, sub-lessee, assignee, or managing agent of, or other person  
19 having the right to sell, rent or lease a housing accommodation,  
20 constructed or to be constructed, or any agent or employee thereof:

21 (1) To refuse to sell, rent, lease or otherwise to deny to or withhold  
22 from any person or group of persons such a housing accommodation because  
23 of the race, creed, color, national origin, citizenship or immigration  
24 status, sexual orientation, housing status, gender identity or  
25 expression, military status, sex, age, disability, marital status,  
26 status as a victim of domestic violence, lawful source of income or  
27 familial status of such person or persons, or to represent that any  
28 housing accommodation or land is not available for inspection, sale,  
29 rental or lease when in fact it is so available.

30 (2) To discriminate against any person because of race, creed, color,  
31 national origin, citizenship or immigration status, sexual orientation,  
32 housing status, gender identity or expression, military status, sex,  
33 age, disability, marital status, status as a victim of domestic  
34 violence, lawful source of income or familial status in the terms,  
35 conditions or privileges of the sale, rental or lease of any such hous-  
36 ing accommodation or in the furnishing of facilities or services in  
37 connection therewith.

38 (3) To print or circulate or cause to be printed or circulated any  
39 statement, advertisement or publication, or to use any form of applica-  
40 tion for the purchase, rental or lease of such housing accommodation or  
41 to make any record or inquiry in connection with the prospective  
42 purchase, rental or lease of such a housing accommodation which  
43 expresses, directly or indirectly, any limitation, specification or  
44 discrimination as to race, creed, color, national origin, citizenship or  
45 immigration status, sexual orientation, housing status, gender identity  
46 or expression, military status, sex, age, disability, marital status,  
47 status as a victim of domestic violence, lawful source of income or  
48 familial status, or any intent to make any such limitation, specifica-  
49 tion or discrimination.

50 (4) (i) The provisions of subparagraphs one and two of this paragraph  
51 shall not apply (1) to the rental of a housing accommodation in a build-  
52 ing which contains housing accommodations for not more than two families  
53 living independently of each other, if the owner resides in one of such  
54 housing accommodations, (2) to the restriction of the rental of all  
55 rooms in a housing accommodation to individuals of the same sex or (3)  
56 to the rental of a room or rooms in a housing accommodation, if such

1 rental is by the occupant of the housing accommodation or by the owner  
2 of the housing accommodation and the owner resides in such housing  
3 accommodation or (4) solely with respect to age and familial status to  
4 the restriction of the sale, rental or lease of housing accommodations  
5 exclusively to persons sixty-two years of age or older and the spouse of  
6 any such person, or for housing intended and operated for occupancy by  
7 at least one person fifty-five years of age or older per unit. In deter-  
8 mining whether housing is intended and operated for occupancy by persons  
9 fifty-five years of age or older, Sec. 807(b) (2) (c) (42 U.S.C. 3607  
10 (b) (2) (c)) of the federal Fair Housing Act of 1988, as amended, shall  
11 apply. However, such rental property shall no longer be exempt from the  
12 provisions of subparagraphs one and two of this paragraph if there is  
13 unlawful discriminatory conduct pursuant to subparagraph three of this  
14 paragraph.

15 (ii) The provisions of subparagraphs one, two, and three of this para-  
16 graph shall not apply (1) to the restriction of the rental of all rooms  
17 in a housing accommodation to individuals of the same sex, (2) to the  
18 rental of a room or rooms in a housing accommodation, if such rental is  
19 by the occupant of the housing accommodation or by the owner of the  
20 housing accommodation and the owner resides in such housing accommo-  
21 dation, or (3) solely with respect to age and familial status to the  
22 restriction of the sale, rental or lease of housing accommodations  
23 exclusively to persons sixty-two years of age or older and the spouse of  
24 any such person, or for housing intended and operated for occupancy by  
25 at least one person fifty-five years of age or older per unit. In deter-  
26 mining whether housing is intended and operated for occupancy by persons  
27 fifty-five years of age or older, Sec. 807(b) (2) (c) (42 U.S.C. 3607  
28 (b) (2) (c)) of the federal Fair Housing Act of 1988, as amended, shall  
29 apply.

30 (b) It shall be an unlawful discriminatory practice for the owner,  
31 lessee, sub-lessee, or managing agent of, or other person having the  
32 right of ownership or possession of or the right to sell, rent or lease,  
33 land or commercial space:

34 (1) To refuse to sell, rent, lease or otherwise deny to or withhold  
35 from any person or group of persons land or commercial space because of  
36 the race, creed, color, national origin, citizenship or immigration  
37 status, sexual orientation, housing status, gender identity or  
38 expression, military status, sex, age, disability, marital status,  
39 status as a victim of domestic violence, or familial status of such  
40 person or persons, or to represent that any housing accommodation or  
41 land is not available for inspection, sale, rental or lease when in fact  
42 it is so available;

43 (2) To discriminate against any person because of race, creed, color,  
44 national origin, citizenship or immigration status, sexual orientation,  
45 housing status, gender identity or expression, military status, sex,  
46 age, disability, marital status, status as a victim of domestic  
47 violence, or familial status in the terms, conditions or privileges of  
48 the sale, rental or lease of any such land or commercial space; or in  
49 the furnishing of facilities or services in connection therewith;

50 (3) To print or circulate or cause to be printed or circulated any  
51 statement, advertisement or publication, or to use any form of applica-  
52 tion for the purchase, rental or lease of such land or commercial space  
53 or to make any record or inquiry in connection with the prospective  
54 purchase, rental or lease of such land or commercial space which  
55 expresses, directly or indirectly, any limitation, specification or  
56 discrimination as to race, creed, color, national origin, citizenship or

1 immigration status, sexual orientation, housing status, gender identity  
2 or expression, military status, sex, age, disability, marital status,  
3 status as a victim of domestic violence, or familial status; or any  
4 intent to make any such limitation, specification or discrimination.

5 (4) With respect to age and familial status, the provisions of this  
6 paragraph shall not apply to the restriction of the sale, rental or  
7 lease of land or commercial space exclusively to persons fifty-five  
8 years of age or older and the spouse of any such person, or to the  
9 restriction of the sale, rental or lease of land to be used for the  
10 construction, or location of housing accommodations exclusively for  
11 persons sixty-two years of age or older, or intended and operated for  
12 occupancy by at least one person fifty-five years of age or older per  
13 unit. In determining whether housing is intended and operated for occu-  
14 pancy by persons fifty-five years of age or older, Sec. 807(b) (2) (c)  
15 (42 U.S.C. 3607(b) (2) (c)) of the federal Fair Housing Act of 1988, as  
16 amended, shall apply.

17 (c) It shall be an unlawful discriminatory practice for any real  
18 estate broker, real estate salesperson or employee or agent thereof:

19 (1) To refuse to sell, rent or lease any housing accommodation, land  
20 or commercial space to any person or group of persons or to refuse to  
21 negotiate for the sale, rental or lease, of any housing accommodation,  
22 land or commercial space to any person or group of persons because of  
23 the race, creed, color, national origin, citizenship or immigration  
24 status, sexual orientation, housing status, gender identity or  
25 expression, military status, sex, age, disability, marital status,  
26 status as a victim of domestic violence, lawful source of income or  
27 familial status of such person or persons, or to represent that any  
28 housing accommodation, land or commercial space is not available for  
29 inspection, sale, rental or lease when in fact it is so available, or  
30 otherwise to deny or withhold any housing accommodation, land or commer-  
31 cial space or any facilities of any housing accommodation, land or  
32 commercial space from any person or group of persons because of the  
33 race, creed, color, national origin, citizenship or immigration status,  
34 sexual orientation, housing status, gender identity or expression, mili-  
35 tary status, sex, age, disability, marital status, lawful source of  
36 income or familial status of such person or persons.

37 (2) To print or circulate or cause to be printed or circulated any  
38 statement, advertisement or publication, or to use any form of applica-  
39 tion for the purchase, rental or lease of any housing accommodation,  
40 land or commercial space or to make any record or inquiry in connection  
41 with the prospective purchase, rental or lease of any housing accommo-  
42 dation, land or commercial space which expresses, directly or indirect-  
43 ly, any limitation, specification, or discrimination as to race, creed,  
44 color, national origin, citizenship or immigration status, sexual orien-  
45 tation, housing status, gender identity or expression, military status,  
46 sex, age, disability, marital status, status as a victim of domestic  
47 violence, lawful source of income or familial status; or any intent to  
48 make any such limitation, specification or discrimination.

49 (3) With respect to age and familial status, the provisions of this  
50 paragraph shall not apply to the restriction of the sale, rental or  
51 lease of any housing accommodation, land or commercial space exclusively  
52 to persons fifty-five years of age or older and the spouse of any such  
53 person, or to the restriction of the sale, rental or lease of any hous-  
54 ing accommodation or land to be used for the construction or location of  
55 housing accommodations for persons sixty-two years of age or older, or  
56 intended and operated for occupancy by at least one person fifty-five

1 years of age or older per unit. In determining whether housing is  
2 intended and operated for occupancy by persons fifty-five years of age  
3 or older, Sec. 807 (b) (2) (c) (42 U.S.C. 3607 (b) (2) (c)) of the  
4 federal Fair Housing Act of 1988, as amended, shall apply.

5 (d) It shall be an unlawful discriminatory practice for any real  
6 estate board, because of the race, creed, color, national origin, citi-  
7 zenship or immigration status, sexual orientation, housing status,  
8 gender identity or expression, military status, age, sex, disability,  
9 marital status, status as a victim of domestic violence, lawful source  
10 of income or familial status of any individual who is otherwise quali-  
11 fied for membership, to exclude or expel such individual from member-  
12 ship, or to discriminate against such individual in the terms, condi-  
13 tions and privileges of membership in such board.

14 (e) It shall be an unlawful discriminatory practice for the owner,  
15 proprietor or managing agent of, or other person having the right to  
16 provide care and services in, a private proprietary nursing home, conva-  
17 lescent home, or home for adults, or an intermediate care facility, as  
18 defined in section two of the social services law, heretofore  
19 constructed, or to be constructed, or any agent or employee thereof, to  
20 refuse to provide services and care in such home or facility to any  
21 individual or to discriminate against any individual in the terms,  
22 conditions, and privileges of such services and care solely because such  
23 individual is a blind person. For purposes of this paragraph, a "blind  
24 person" shall mean a person who is registered as a blind person with the  
25 commission for the visually handicapped and who meets the definition of  
26 a "blind person" pursuant to section three of chapter four hundred  
27 fifteen of the laws of nineteen hundred thirteen entitled "An act to  
28 establish a state commission for improving the condition of the blind of  
29 the state of New York, and making an appropriation therefor".

30 (f) The provisions of this subdivision, as they relate to age, shall  
31 not apply to persons under the age of eighteen years.

32 (g) It shall be an unlawful discriminatory practice for any person  
33 offering or providing housing accommodations, land or commercial space  
34 as described in paragraphs (a), (b), and (c) of this subdivision to make  
35 or cause to be made any written or oral inquiry or record concerning  
36 membership of any person in the state organized militia in relation to  
37 the purchase, rental or lease of such housing accommodation, land, or  
38 commercial space, provided, however, that nothing in this subdivision  
39 shall prohibit a member of the state organized militia from voluntarily  
40 disclosing such membership.

41 § 13. Paragraph (a) of subdivision 9 of section 296 of the executive  
42 law, as separately amended by chapters 202 and 748 of the laws of 2022,  
43 is amended to read as follows:

44 (a) It shall be an unlawful discriminatory practice for any fire  
45 department or fire company therein, through any member or members there-  
46 of, officers, board of fire commissioners or other body or office having  
47 power of appointment of volunteer firefighters, directly or indirectly,  
48 by ritualistic practice, constitutional or by-law prescription, by tacit  
49 agreement among its members, or otherwise, to deny to any individual  
50 membership in any volunteer fire department or fire company therein, or  
51 to expel or discriminate against any volunteer member of a fire depart-  
52 ment or fire company therein, because of the race, creed, color,  
53 national origin, citizenship or immigration status, sexual orientation,  
54 housing status, gender identity or expression, military status, sex,  
55 marital status, status as a victim of domestic violence, or familial  
56 status, of such individual.

1 § 14. Subdivision 13 of section 296 of the executive law, as separate-  
2 ly amended by chapters 202 and 748 of the laws of 2022, is amended to  
3 read as follows:

4 13. It shall be an unlawful discriminatory practice (i) for any person  
5 to boycott or blacklist, or to refuse to buy from, sell to or trade  
6 with, or otherwise discriminate against any person, because of the race,  
7 creed, color, national origin, citizenship or immigration status, sexual  
8 orientation, housing status, gender identity or expression, military  
9 status, sex, status as a victim of domestic violence, disability, or  
10 familial status, or of such person, or of such person's partners,  
11 members, stockholders, directors, officers, managers, superintendents,  
12 agents, employees, business associates, suppliers or customers, or (ii)  
13 for any person [~~wilfully~~] willfully to do any act or refrain from doing  
14 any act which enables any such person to take such action. This subdivi-  
15 sion shall not apply to:

16 (a) Boycotts connected with labor disputes; or

17 (b) Boycotts to protest unlawful discriminatory practices.

18 § 15. Subdivisions 1, 2 and 3 of section 296-a of the executive law,  
19 as separately amended by chapters 202 and 748 of the laws of 2022, are  
20 amended to read as follows:

21 1. It shall be an unlawful discriminatory practice for any creditor or  
22 any officer, agent or employee thereof:

23 a. In the case of applications for credit with respect to the  
24 purchase, acquisition, construction, rehabilitation, repair or mainte-  
25 nance of any housing accommodation, land or commercial space to discrim-  
26 inate against any such applicant because of the race, creed, color,  
27 national origin, citizenship or immigration status, sexual orientation,  
28 housing status, gender identity or expression, military status, age,  
29 sex, marital status, status as a victim of domestic violence, disabili-  
30 ty, or familial status of such applicant or applicants or any member,  
31 stockholder, director, officer or employee of such applicant or appli-  
32 cants, or of the prospective occupants or tenants of such housing accom-  
33 modation, land or commercial space, in the granting, withholding,  
34 extending or renewing, or in the fixing of the rates, terms or condi-  
35 tions of, any such credit;

36 b. To discriminate in the granting, withholding, extending or renew-  
37 ing, or in the fixing of the rates, terms or conditions of, any form of  
38 credit, on the basis of race, creed, color, national origin, citizenship  
39 or immigration status, sexual orientation, housing status, gender iden-  
40 tity or expression, military status, age, sex, marital status, status as  
41 a victim of domestic violence, disability, or familial status;

42 c. To use any form of application for credit or use or make any record  
43 or inquiry which expresses, directly or indirectly, any limitation,  
44 specification, or discrimination as to race, creed, color, national  
45 origin, citizenship or immigration status, sexual orientation, housing  
46 status, gender identity or expression, military status, age, sex, mari-  
47 tal status, status as a victim of domestic violence, disability, or  
48 familial status;

49 d. To make any inquiry of an applicant concerning [~~his or her~~] such  
50 person's capacity to reproduce, or [~~his or her~~] such person's use or  
51 advocacy of any form of birth control or family planning;

52 e. To refuse to consider sources of an applicant's income or to  
53 subject an applicant's income to discounting, in whole or in part,  
54 because of an applicant's race, creed, color, national origin, citizen-  
55 ship or immigration status, sexual orientation, housing status, gender  
56 identity or expression, military status, age, sex, marital status,

1 status as a victim of domestic violence, childbearing potential, disa-  
2 bility, or familial status;

3 f. To discriminate against a married person because such person  
4 neither uses nor is known by the surname of [~~his or her~~] such married  
5 person's spouse.

6 This paragraph shall not apply to any situation where the use of a  
7 surname would constitute or result in a criminal act.

8 2. Without limiting the generality of subdivision one of this section,  
9 it shall be considered discriminatory if, because of an applicant's or  
10 class of applicants' race, creed, color, national origin, citizenship or  
11 immigration status, sexual orientation, housing status, gender identity  
12 or expression, military status, age, sex, marital status, status as a  
13 victim of domestic violence, disability, or familial status, (i) an  
14 applicant or class of applicants is denied credit in circumstances where  
15 other applicants of like overall credit worthiness are granted credit,  
16 or (ii) special requirements or conditions, such as requiring co-obli-  
17 gors or reapplication upon marriage, are imposed upon an applicant or  
18 class of applicants in circumstances where similar requirements or  
19 conditions are not imposed upon other applicants of like overall credit  
20 worthiness.

21 3. It shall not be considered discriminatory if credit differen-  
22 tiations or decisions are based upon factually supportable, objective  
23 differences in applicants' overall credit worthiness, which may include  
24 reference to such factors as current income, assets and prior credit  
25 history of such applicants, as well as reference to any other relevant  
26 factually supportable data; provided, however, that no creditor shall  
27 consider, in evaluating the credit worthiness of an applicant, aggregate  
28 statistics or assumptions relating to race, creed, color, national  
29 origin, citizenship or immigration status, sexual orientation, housing  
30 status, gender identity or expression, military status, sex, marital  
31 status, status as a victim of domestic violence or disability, or to the  
32 likelihood of any group of persons bearing or rearing children, or for  
33 that reason receiving diminished or interrupted income in the future.

34 § 16. Paragraphs a, b and c of subdivision 2 and paragraph b of subdi-  
35 vision 3 of section 296-c of the executive law, as amended by chapter  
36 305 of the laws of 2023, are amended to read as follows:

37 a. refuse to hire or employ or to bar or to discharge from internship  
38 an intern or to discriminate against such intern in terms, conditions or  
39 privileges of employment as an intern because of the intern's age, race,  
40 creed, color, national origin, citizenship or immigration status, sexual  
41 orientation, housing status, gender identity or expression, military  
42 status, sex, disability, predisposing genetic characteristics, marital  
43 status, or status as a victim of domestic violence;

44 b. discriminate against an intern in receiving, classifying, disposing  
45 or otherwise acting upon applications for internships because of the  
46 intern's age, race, creed, color, national origin, citizenship or immi-  
47 gration status, sexual orientation, housing status, gender identity or  
48 expression, military status, sex, disability, predisposing genetic char-  
49 acteristics, marital status, or status as a victim of domestic violence;

50 c. print or circulate or cause to be printed or circulated any state-  
51 ment, advertisement or publication, or to use any form of application  
52 for employment as an intern or to make any inquiry in connection with  
53 prospective employment, which expresses directly or indirectly, any  
54 limitation, specification or discrimination as to age, race, creed,  
55 color, national origin, citizenship or immigration status, sexual orien-  
56 tation, housing status, gender identity or expression, military status,

1 sex, disability, predisposing genetic characteristics, marital status or  
2 status as a victim of domestic violence, or any intent to make any such  
3 limitation, specification or discrimination, unless based upon a bona  
4 fide occupational qualification; provided, however, that neither this  
5 paragraph nor any provision of this chapter or other law shall be  
6 construed to prohibit the department of civil service or the department  
7 of personnel of any city containing more than one county from requesting  
8 information from applicants for civil service internships or examina-  
9 tions concerning any of the aforementioned characteristics, other than  
10 sexual orientation, for the purpose of conducting studies to identify  
11 and resolve possible problems in recruitment and testing of members of  
12 minority groups to ensure the fairest possible and equal opportunities  
13 for employment in the civil service for all persons, regardless of age,  
14 race, creed, color, national origin, citizenship or immigration status,  
15 sexual orientation, housing status, military status, sex, disability,  
16 predisposing genetic characteristics, marital status or status as a  
17 victim of domestic violence;

18 b. subject an intern to unwelcome harassment based on age, sex, race,  
19 creed, color, sexual orientation, housing status, gender identity or  
20 expression, military status, disability, predisposing genetic character-  
21 istics, marital status, status as a victim of domestic violence,  
22 national origin, or citizenship or immigration status, or where such  
23 harassment has the purpose or effect of unreasonably interfering with  
24 the intern's work performance by creating an intimidating, hostile, or  
25 offensive working environment.

26 § 17. Section 40-c of the civil rights law, as amended by chapter 8 of  
27 the laws of 2019, is amended to read as follows:

28 § 40-c. Discrimination. 1. All persons within the jurisdiction of this  
29 state shall be entitled to the equal protection of the laws of this  
30 state or any subdivision thereof.

31 2. No person shall, because of race, creed, color, national origin,  
32 sex, marital status, sexual orientation, housing status, gender identity  
33 or expression, or disability, as such term is defined in section two  
34 hundred ninety-two of the executive law, be subjected to any discrimi-  
35 nation in [~~his or her~~] such person's civil rights, or to any harassment,  
36 as defined in section 240.25 of the penal law, in the exercise thereof,  
37 by any other person or by any firm, corporation or institution, or by  
38 the state or any agency or subdivision of the state.

39 § 18. Paragraph (a) of subdivision 1 of section 313 of the education  
40 law, as amended by chapter 8 of the laws of 2019, is amended to read as  
41 follows:

42 (a) It is hereby declared to be the policy of the state that the Amer-  
43 ican ideal of equality of opportunity requires that students, otherwise  
44 qualified, be admitted to educational institutions and be given access  
45 to all the educational programs and courses operated or provided by such  
46 institutions without regard to race, color, sex, religion, creed, mari-  
47 tal status, age, housing status, sexual orientation as defined in  
48 section two hundred ninety-two of the executive law, gender identity or  
49 expression as defined in section two hundred ninety-two of the executive  
50 law, or national origin, except that, with regard to religious or deno-  
51 minational educational institutions, students, otherwise qualified,  
52 shall have the equal opportunity to attend therein without discrimi-  
53 nation because of race, color, sex, marital status, age, housing status,  
54 sexual orientation as defined in section two hundred ninety-two of the  
55 executive law, gender identity or expression as defined in section two  
56 hundred ninety-two of the executive law, or national origin. It is a

1 fundamental American right for members of various religious faiths to  
2 establish and maintain educational institutions exclusively or primarily  
3 for students of their own religious faith or to effectuate the religious  
4 principles in furtherance of which they are maintained. Nothing herein  
5 contained shall impair or abridge that right.

6 § 19. Subdivision 3 of section 313 of the education law, as amended by  
7 chapter 8 of the laws of 2019 and paragraph (f) as amended by chapter  
8 501 of the laws of 2024, is amended to read as follows:

9 (3) Unfair educational practices. It shall be an unfair educational  
10 practice for an educational institution after September fifteenth, nine-  
11 teen hundred forty-eight:

12 (a) To exclude or limit or otherwise discriminate against any person  
13 or persons seeking admission as students to such institution or to any  
14 educational program or course operated or provided by such institution  
15 because of race, religion, creed, sex, color, marital status, age, hous-  
16 ing status, sexual orientation as defined in section two hundred nine-  
17 ty-two of the executive law, gender identity or expression as defined in  
18 section two hundred ninety-two of the executive law, or national origin;  
19 except that nothing in this section shall be deemed to affect, in any  
20 way, the right of a religious or denominational educational institution  
21 to select its students exclusively or primarily from members of such  
22 religion or denomination or from giving preference in such selection to  
23 such members or to make such selection of its students as is calculated  
24 by such institution to promote the religious principles for which it is  
25 established or maintained. Nothing herein contained shall impair or  
26 abridge the right of an independent institution, which establishes or  
27 maintains a policy of educating persons of one sex exclusively, to admit  
28 students of only one sex.

29 (b) To penalize any individual because [~~he or she~~] such individual has  
30 initiated, testified, participated or assisted in any proceedings under  
31 this section.

32 (c) To accept any endowment or gift of money or property conditioned  
33 upon teaching the doctrine of supremacy of any particular race.

34 (d) With respect to any individual who withdraws from attendance to  
35 serve on active duty in the armed forces of the United States in time of  
36 war, including any individual who withdrew from attendance on or after  
37 August second, nineteen hundred ninety to serve on active duty in the  
38 armed forces of the United States in the Persian Gulf conflict: (i) to  
39 deny or limit the readmission of such individual to such institution or  
40 to any educational program or course operated or provided by such insti-  
41 tution because of such withdrawal from attendance or because of the  
42 failure to complete any educational program or course due to such with-  
43 drawal; (ii) to impose any academic penalty on such person because of  
44 such withdrawal or because of the failure to complete any educational  
45 program or course due to such withdrawal; (iii) to reduce or eliminate  
46 any financial aid award granted to such individual which could not be  
47 used, in whole or part, because of such withdrawal or because of the  
48 failure to complete any educational program or course due to such with-  
49 drawal; or (iv) to fail to provide a credit or refund of tuition and  
50 fees paid by such individual for any semester, term or quarter not  
51 completed because of such withdrawal or because of the failure to  
52 complete any program or course due to such withdrawal.

53 (e) It shall not be an unfair educational practice for any educational  
54 institution to use criteria other than race, religion, creed, sex,  
55 color, marital status, age, housing status, sexual orientation as  
56 defined in section two hundred ninety-two of the executive law, gender

1 identity or expression as defined in section two hundred ninety-two of  
2 the executive law, or national origin in the admission of students to  
3 such institution or to any of the educational programs and courses oper-  
4 ated or provided by such institution.

5 (f) No educational institution shall require an individual to provide  
6 a copy of [~~his or her~~] such individual's criminal history record that  
7 [~~he or she~~] such individual obtained pursuant to the rules and regu-  
8 lations of the division of criminal justice services.

9 § 20. This act shall take effect immediately.