

STATE OF NEW YORK

9305

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

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:

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

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

7 § 2. Subdivision 7 of section 296 of the executive law, as amended by
8 chapter 140 of the laws of 2022, is amended to read as follows:

9 7. It shall be an unlawful discriminatory practice for any person
10 engaged in any activity to which this section applies to retaliate or
11 discriminate against any person because [~~he or she~~] such person has
12 opposed any practices forbidden under this article or because [~~he or~~
13 ~~she~~] such person has filed a complaint, testified or assisted in any
14 proceeding under this article. Retaliation may include, but is not
15 limited to, disclosing an employee's personnel files because [~~he or she~~]
16 such person has opposed any practices forbidden under this article or
17 because [~~he or she~~] such person has filed a complaint, testified or
18 assisted in any proceeding under this article, except where such disclo-
19 sure is made in the course of commencing or responding to a complaint in
20 any proceeding under this article or any other civil or criminal action
21 or other judicial or administrative proceeding as permitted by applica-
22 ble law, otherwise or supported or acted in furtherance of the rights
23 protected under this article.

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

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

LBD14084-01-5

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

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