

Int. No. 805-A

By Council Members Dromm, Lander, Chin, Johnson, Mendez, Richards, Rosenthal, Menchaca, Rose and Kallos

A Local Law to amend the administrative code of the city of New York, in relation to expanding the protections of the city of New York human rights law with regard to public accommodations, and making certain technical corrections

Be it enacted by the Council as follows:

Section 1. Paragraphs a and e of subdivision 4 of section 8-107 of the administrative code of the city of New York, as amended by local law 85 for the year 2005, are hereby amended to read as follows:

a. It shall be an unlawful discriminatory practice for any person [being]who is the owner, franchisor, franchisee, lessor, lessee, proprietor, manager, superintendent, agent or employee of any place or provider of public accommodation, directly or indirectly:

1. To refuse, withhold from or deny to any person the full and equal enjoyment, on equal terms and conditions, of any of the accommodations, advantages, services, facilities or privileges of the place or provider of public accommodation because of [the]such person's actual or perceived race, creed, color, national origin, age, gender, disability, marital status, partnership status, sexual orientation or alienage or citizenship status[of any person, directly or indirectly, to refuse, withhold from or deny to such person any of the accommodations, advantages, facilities or privileges thereof, or, directly or indirectly, to]; or

2. To make any declaration, publish, circulate, issue, display, post or mail any written or printed communication, notice or advertisement, to the effect that:

(a) Full and equal enjoyment, on equal terms and conditions, of any of the accommodations, advantages, facilities and privileges of any such place or provider of public accommodation shall be refused, withheld from or denied to any person on account of race,

creed, color, national origin, age, gender, disability, marital status, partnership status, sexual orientation or alienage or citizenship status; or [that the]

(b) The patronage or custom of any person [belonging to, purporting to be, or perceived to be, of any particular] is unwelcome, objectionable, not acceptable, undesired or unsolicited because of such person's actual or perceived race, creed, color, national origin, age, gender, disability, marital status, partnership status, sexual orientation or alienage or citizenship status[is unwelcome, objectionable or not acceptable, desired or solicited].

e. The provisions of this [subdivision]section relating to disparate impact shall not apply to the use of standardized tests as defined by section three hundred forty of the education law by an educational institution subject to this subdivision provided that such test is used in the manner and for the purpose prescribed by the test agency which designed the test.

§ 2. This local law takes effect 120 days after it becomes law.

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