

Int. No. 814-A

By Council Members Lander, Johnson, Rosenthal, Lancman, Rose and Kallos

A Local Law to amend the administrative code of the city of New York, in relation to construction of the New York city human rights law

Be it enacted by the Council as follows:

1 Section 1. Legislative findings and intent. Following the passage of local law number 85
2 for the year 2005, known as the Local Civil Rights Restoration Act, some judicial decisions have
3 correctly understood and analyzed the requirement of section 8-130 of the administrative code of
4 the city of New York that all provisions of the New York city human rights law be liberally and
5 independently construed. The purpose of this local law is to provide additional guidance for the
6 development of an independent body of jurisprudence for the New York city human rights law
7 that is maximally protective of civil rights in all circumstances.

8 § 2. Section 8-130 of the administrative code of the city of New York, as amended by
9 local law number 85 for the year 2005, is amended to read as follows:

10 § 8-130 Construction. a. The provisions of this title shall be construed liberally for the
11 accomplishment of the uniquely broad and remedial purposes thereof, regardless of whether
12 federal or New York [State] state civil and human rights laws, including those laws with
13 provisions [comparably-worded] worded comparably to provisions of this title, have been so
14 construed.

15 b. Exceptions to and exemptions from the provisions of this title shall be construed
16 narrowly in order to maximize deterrence of discriminatory conduct.

17 c. Cases that have correctly understood and analyzed the liberal construction requirement
18 of subdivision a of this section and that have developed legal doctrines accordingly that reflect
19 the broad and remedial purposes of this title include *Albunio v. City of New York*, 16 N.Y.3d

1 472 (2011), Bennett v. Health Management Systems, Inc., 92 A.D.3d 29 (1st Dep't 2011), and
2 the majority opinion in Williams v. New York City Housing Authority, 61 A.D.3d 62 (1st Dep't
3 2009).

4 § 3. This local law takes effect immediately.

wcj
LS #3311
2/16/2016 5:44 PM