



Legislation Text

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Int. No. 260

By The Speaker (Council Member Quinn) and Council Members Brewer, Fidler, Gennaro, Gonzalez, Mark-Viverito, Nelson, Palma, Recchia Jr., Seabrook, Stewart and Weprin

A Local Law to amend the New York City charter, in relation to enhancing legal protections for persons that testify before hearings of the Council.

Be it enacted by the Council as follows:

Section 1. Section 29 of the New York City charter is hereby amended by adding a new subdivision c to read as follows:

c. 1. Definitions. For purposes of this subdivision:

(i) The term “adverse personnel action” shall have the same meaning as set forth in subdivision one of section 12-113 of the administrative code.

(ii) The term “person” shall mean any natural person, firm, partnership, trust, association, corporation, government agency or other entity, or person under the control of such firm, partnership, trust, association, corporation, government agency or other entity.

2.(i) No person may threaten, harass or intimidate another person, or take an adverse personnel action against such person, with the intent of inducing or attempting to induce such person to avoid or seek to avoid testifying at a hearing of the Council.

(ii) No person may threaten, harass or intimidate another person, or take an adverse personnel action against such person because such person testifies at a hearing of the Council.

3. Violation of this subdivision shall constitute a misdemeanor, and shall be punishable by a fine of up to one thousand dollars or a term of imprisonment not to exceed one year, or both. In addition, any person

violating this section shall be subject to a civil penalty not to exceed ten thousand dollars. Such civil penalty shall be in addition to any criminal penalty or sanction that may be imposed, and such civil penalty shall not limit or preclude any cause of action available to any person aggrieved by any of the acts prohibited by this section.

§2. This local law shall take effect immediately after it is enacted into law.

DJ
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4/21/06