

Section 4

Proposed Amendments to the City Charter

1. The matter that is both italicized and underlined contained in these proposed charter revisions shall be read as matter being added to the charter by amendment.
2. The bracketed matter contained in these proposed charter revisions shall be read as matter being deleted from the charter by amendment.
3. The matter which is neither enclosed in brackets nor italicized and underlined consists of existing provisions of the charter which are to continue unamended. They are included for purposes of information and completeness.

Question 1

Section 1. The New York city charter is amended by adding a new unnumbered chapter before the Introductory chapter, to read as follows:

Preamble

We, the people of New York city, declare that our city is a multiracial democracy, and that our diversity is our strength. We honor and respect the cultures, languages, and histories of all who call and have called this land home, and we celebrate their revolutionary imagination, courage, and resiliency.

We strive to be a city where the value, talents, and contributions of every New Yorker are recognized and embraced, and where equity and inclusiveness, community empowerment, accessibility, and opportunity for every New Yorker are the unwavering standards to which we are held accountable in all aspects of governance, business, and service delivery.

We endeavor to ensure that every person who resides in New York city has the opportunity to thrive with:

(i) A safe, healthy, and sustainable living environment;

(ii) A resilient neighborhood served by quality and accessible infrastructure and services as well as a robust local economy;

(iii) Vibrant and welcoming public spaces throughout New York city, where everyone belongs and can move freely;

(iv) Resources necessary to prosper economically and build wealth;

(v) Safe, secure, and affordable housing;

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(vi) Quality and culturally-relevant child and youth supports, including early childhood and pre-kindergarten through twelfth grade education;

(vii) Compassionate and culturally-responsive health, trauma, and mental health care;

(viii) Access and opportunity to participate meaningfully in government decision-making;
and

(ix) Humane, empathetic, and respectful treatment.

We recognize that New York city sits on the traditional territories of the original inhabitants, the Lenape, and we endeavor to honor their stewardship of the land by protecting our environment and all living things.

We acknowledge the grave injustices and atrocities that form part of our country's history, including the forced labor of enslaved Africans, the colonialism that displaced Indigenous people from their lands, the devaluing and underpaying of immigrant workers, and the discrimination, racial segregation, mass incarceration, and other forms of violence and systemic inequity that continue to be experienced by marginalized groups, including, but not limited to, Black, Indigenous, Latinx, Asian, Pacific Islander, Middle Eastern, and other People of Color, women, religious minorities, immigrants, people who are LGBTQ+, and people with disabilities. We also recognize that these systemic injustices are at the foundation of so many of society's structures and institutions, and have caused profound physical, emotional, social, and psychological harm and trauma to individuals, families, and communities. They have also resulted in widespread loss of economic opportunity and intergenerational wealth. The effects of these harms are deeply engrained, systemic, and continuing. We are ever mindful that vigilance is required to prevent the recurrence of past or worsening of continuing harms. We must act

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intentionally to remedy these past and continuing harms and to reconstruct, revise and reimagine our foundations, structures, institutions, and laws to promote justice and equity for all New Yorkers.

The collective values set out in this preamble will guide the operation of our city government and inform and shape how the city carries out the duties, obligations, and authorities, and upholds and protects the rights set out in the charter.

We, the people of New York city, united in our resolve to build a just and equitable city for all, recognize the efforts of those New Yorkers, past and present, who fought for racial equity and social justice, honor the contributions of those New Yorkers who have suffered in the name of freedom, and acknowledge all who fought, struggled, and dreamed for a better life and a better city. Together, we stand on their shoulders as we move boldly toward a brighter tomorrow for ourselves, our children, and future generations.

§ 2. Chapter 52 of the New York city charter is amended by adding a new section 1151-a to read as follows:

§ 1151-a. Effect of preamble. The purpose of the preamble is to serve as a unifying statement of values and a vision for an equitable city. It is intended to set forth values to inform and guide the actions of city agencies and officers in carrying out the mandates created and delegated to them by the charter.

City agencies and officers empowered by this charter or other applicable law to perform planning, programmatic reviews, and audits are (1) authorized and required to consider and be guided by the values set out in the preamble within the scope and subject matter of such planning; and (2) authorized and required to examine the extent to which such values have been

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fulfilled through the policies and programs of city agencies and officers subject to such programmatic reviews and audits. The preamble, together with this section, is not intended to create a direct or indirect right of action to enforce its terms or the terms of any other provision of law.

§ 3. Section 1152 of the New York city charter is amended by adding a new subdivision n, paragraph (1) to read as follows:

n. (1) The amendments to the charter adding the preamble and adding section 1151-a to this chapter, approved by the electors on November 8, 2022, shall take effect immediately upon certification that the electors have approved such amendments to the charter, and thereafter shall apply as provided by section 1151-a.

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Question 2

Section 1. The New York city charter is amended by adding a new chapter 78 to read as follows:

Chapter 78. Equity

§ 3400. Definitions. a. Equity. For the purposes of this chapter the term “equity” means both an outcome and a process. Equity as an outcome shall mean the achievement of a city where the worth, talents, and contributions of all people are valued and recognized, irrespective of race, gender, sexual orientation, gender identity, age, mental or physical disability, national or ethnic origin, immigration status, education, or economic status, and where these characteristics of identity, whether taken individually or through the ways in which they intersect, are not predictors or determinants of economic, political, social, or psychological outcomes, as they neither confer privilege nor deny opportunities. Equity as a process means the closing of gaps in policy, practice, and allocation of city resources through the prioritization of access, opportunities, and resources to those people and communities with the greatest need, whether due to historical or current marginalization or oppression, underinvestment, disinvestment, or under-resourcing of those people and communities, or due to the way in which their intersecting characteristics of identity serve to magnify inequities.

b. Other Definitions.

For the purposes of this chapter the following terms have the following meanings:

Access Design. The term “access design” means incorporating language justice, plain language, physical accessibility, civic service design, and other principles into communications, policies, and interactions, to reduce barriers to quality service and meaningful participation.

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Civic service design. The term “civic service design” means the practice of making the experiences of the people who use and deliver government programs the central focus to inform the policies, processes and systems that affect those experiences.

Covered agency. The term “covered agency” means (i) an agency to which the provisions of chapter 16 apply, in accordance with subdivision a of section 385, provided that the mayor may determine that agency plans can be consolidated where limited agency personnel or resources do not make it practicable for an agency to prepare its own racial equity plan; (ii) an agency headed by a board, commission, or other multi-member body, provided that either the majority of members of the body or the chief executive officer of the agency is appointed or designated by the mayor alone, and that has, as of January first of the applicable year, at least 40 full-time employees or part-time equivalents, as determined by the office of management and budget in consultation with the office of racial equity; (iii) a contracted entity, as such term is defined in section 22-821 of the administrative code, where the aggregate value of such entity’s contracts with the city to provide or administer economic development benefits on behalf of the city in the city fiscal year preceding the applicable plan calendar year exceeded \$500,000,000; or (iv) an agency that has agreed in writing to comply with some or all of the provisions of this chapter applicable to a “covered agency,” provided that such agreement may be revoked in writing at any time by such agency.

Disaggregated data. The term “disaggregated data” means data collected from or about multiple persons or households, analyzed and presented as separate categories by different characteristics, such as race, cultural background, neighborhood, language, or gender, at a specified level of detail and granularity.

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Language justice. The term “language justice” means a policy of designing interactions, public dialogue, and content, and providing services so that all users likely to benefit from them can interact in the language they feel most comfortable using, in order to reduce barriers that disproportionately exclude people with limited English proficiency from equal access and participation in decision-making.

Marginalization. The term “marginalization” means the effects of past or current policies or actions that have had a long-term negative impact on an individual, family, community, or neighborhood, including, but not limited to, any collateral consequences of disproportionate law enforcement, any underinvestment in neighborhoods, or any disproportionately penalizing enforcement method. The term “anti-marginalization” means actions and policies that reverse and prevent the effects of past or current marginalization.

Occupational segregation. The term “occupational segregation” means the under-representation or over-representation of a group, identified on the basis of a shared characteristic protected by the employment related provisions of the city’s human rights law, in a position or field of work to the detriment of that group’s ability to obtain higher levels of pay, responsibility, flexibility, stability, or other indicators of job desirability.

Outcome indicator. The term “outcome indicator” means a measure of quantitative data that enables an assessment of the improvement, worsening, or stagnancy of an aspect of wellbeing or quality of life for individuals, communities, or populations.

Plain language. The term “plain language” means using writing, scripting, or other communicating in a way that the reader or listener can understand easily and completely.

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including using clear and common words, organizing ideas to be easy to follow, and choosing words that would be easy to translate into and understand in a person's preferred language.

Priority neighborhoods. The term "priority neighborhoods" means neighborhoods with disproportionate equity, health, or socio-economic burdens, or that have the potential to be disproportionately impacted by future events that could exacerbate racial disparities.

Racial equity. The term "racial equity" shall mean, when referring to an outcome, the achievement of equity with a particular focus on race or the intersection of race with other characteristics of identity. When referring to a process, the term "racial equity" shall mean the closing of gaps in policy, practice, and allocation of city resources through the prioritization of access, opportunities, and resources to those people and communities who, based on or at least in part due to race, have historically faced or currently face marginalization or oppression, underinvestment, disinvestment, or under-resourcing.

Wage segregation. The term "wage segregation" means underpayment for work predominantly performed by, or for positions predominantly held by, a group of persons sharing a characteristic which is protected by the employment related provisions of the city's human rights law, as compared to payment for work performed by, or positions held by, another group who is performing work requiring similar levels of skill, experience, responsibility, and effort.

§ 3401. Office of racial equity; chief equity officer; staffing; appointment; duties and powers. a. There shall be established within the executive office of the mayor an office of racial equity, the head of which shall be the city's chief equity officer.

b. The chief equity officer shall be appointed by the mayor as head of a mayoral agency for purposes of chapter 16. The chief equity officer may hold a deputy mayor position. The chief

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equity officer may appoint deputies, assistants, and additional employees as may be needed for the performance of the duties prescribed herein, within available appropriations.

c. The appropriations available to pay for the expenses of the office of racial equity during each fiscal year shall be not less than an amount sufficient to fund personal service costs for full-time and part-time personnel necessary to implement the charter mandated requirements of the office, as certified by the mayor in the budget message submitted pursuant to section 250.

d. Powers and duties. The office of racial equity shall have the power and duty to:

1. Develop, provide oversight of, assess, and advance measures to improve and achieve racial equity in the city of New York.

2. Coordinate citywide and agency racial equity planning, as described in section 3403, including:

(a) establishing standards for, and overseeing the development, publication, and public dissemination of, racial equity strategies, indicators, and progress reports;

(b) establishing standards for disaggregation of data, across categories that shall include, without limitation, race and gender, and may also include other standard categories of disaggregation, including ethnicity, income, neighborhood, and socio-economic status, or other characteristics, at levels of granularity matching or exceeding generally accepted levels of disaggregation, and sufficient to permit identification of disparity among or within groups, and accounting for an agency's function, to be utilized in citywide and agency racial equity planning; and

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(c) collaborating with the chief privacy officer to develop privacy standards that enable collection and use of disaggregated data while safeguarding individual and community privacy.

3. Include within the office, and provide technical and staffing support to, the taskforce on racial inclusion and equity, as established in section 3402.

4. Provide technical assistance to, and collaborate with, agencies to support their capacity to engage in meaningful racial equity analysis, and support, confer with, and advise covered agencies as they draft equity plans.

5. Identify priority neighborhoods, differentiated by categories of needs or disparities, and review the categorization of neighborhoods every two years to adjust for changing equity, health, or socio-economic trends and needs.

6. Complete preliminary and final racial equity progress reports, in accordance with the racial equity planning schedule as described in paragraphs 6 and 7 of subdivision d of section 3403, to provide periodic updates on the status of the city and covered agencies' progress towards equity goals as set forth in the citywide racial equity plan.

7. Develop a citywide access design program to increase equitable access and reduce barriers to in-person and digital city programs and services, including, but not limited to, incorporating civic service design, plain language, language justice, and disability-related access into every agency's work. The office shall collaborate with city agencies to establish user-centric technology and to integrate access design into the ways agencies interact with the public, including in their programs and in their community outreach. The office may collaborate on agencies' existing city efforts to increase access.

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8. Support all agencies in prioritizing the development and implementation of policies and practices aimed at anti-marginalization of individuals and communities, which may address: (i) reducing or eliminating wage or occupational segregation; (ii) improving equitable hiring and promotion within the City's workforce; (iii) limiting the use of criminal history and background checks except where necessity is demonstrated; (iv) identifying and employing alternatives to punitive enforcement; (v) providing access to services, information, and decision-making for all New Yorkers regardless of language, ability, education, time availability, or expertise; and (vi) prioritizing resources and services into neighborhoods with the greatest need and largest disparity.

9. To the extent a new measurement for the cost of living in New York city is required to be reported under this charter or by local law, develop, implement and report such measurement. Such measurement may be consolidated with any other report or plan due under this chapter.

§ 3402. Taskforce on racial inclusion and equity; chairs; staffing; duties and powers. a. There shall be a taskforce on racial inclusion and equity to function as an interagency coordination and leadership body for citywide racial equity policy development and implementation. The taskforce shall be located within the office of racial equity.

b. The taskforce shall consist of one or more chairs appointed by the chief equity officer in consultation with the mayor, and other members appointed by the chief equity officer in collaboration with their employing agencies.

c. The taskforce shall be supported by an executive director selected and hired by the chief equity officer in consultation with the mayor, and such other staff members located within

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the office of racial equity as may be appointed or designated by the executive director or the chief equity officer.

d. Duties of the taskforce on racial inclusion and equity. The taskforce shall function as a citywide racial equity leadership and advisory body providing advice and assistance to the mayor, chief equity officer, and the office of racial equity, and coordinating efforts to increase racial equity within agencies and among programs through the development of multi-agency initiatives and citywide equity policies and practices.

e. Powers of the taskforce on racial inclusion and equity. The taskforce shall have the following powers:

1. The chair or chairs are authorized to convene meetings and establish such committees of the taskforce as are deemed necessary for the performance and carrying out of its duties.

2. All agencies shall cooperate with the taskforce in the performance of its duties and contribute, as appropriate, to the taskforce's efforts. At the request of the taskforce, an agency shall also designate at least one representative to serve as a member.

§ 3403. Racial Equity Plans. a. Generally. The city of New York, recognizing that racial inequity respects no boundaries of age, gender, sexual orientation, gender identity, national or ethnic origin, immigration status, disability, education, or economic status, and that addressing racial equity can also address inequity affecting people based on other characteristics of identity, will undertake a process of citywide and agency planning and reporting with a goal of eliminating racial inequity. The citywide and agency racial equity plans shall be guided by the principle of equity with a focus on racial equity as defined in section 3400.

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b. Citywide racial equity plan. The mayor shall issue a biennial preliminary citywide racial equity plan and citywide racial equity plan. The purpose of the publication of a preliminary citywide racial equity plan shall be to provide an opportunity for feedback from the public and from elected officials before publication of the final report. The preliminary and citywide equity plans shall include, at minimum:

1. Overarching citywide goals and strategies to improve racial equity throughout the city government's policymaking, operations, and workforce, including the equitable distribution of benefits, of supportive services, and of environmental burdens by neighborhood;

2. Performance and outcome indicators for citywide racial equity goals reported in accordance with the collection and reporting standards and guidelines, including for disaggregation of data, established by the office of racial equity pursuant to paragraph 2 of subdivision d of section 3401;

3. Neighborhood-level outcome indicators that permit the assessment of year-over-year change in wellbeing outcomes and in the level of disparity on a neighborhood level;

4. Maps of needs-based priority neighborhoods as identified by the office of racial equity;
and

5. A statement from the mayor describing the status of racial equity in New York city; explaining why the citywide racial equity plan selected certain strategies, indicators, and goals. The preliminary racial equity plan shall also include the mayor's response to the commission's submission of proposed community racial equity priorities.

c. Agency racial equity plans. Every covered agency shall be required to develop biennially a preliminary agency racial equity plan and an agency racial equity plan, guided by

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the principles and values of equity as defined in section 3400, that will be incorporated into the citywide racial equity plan. The agency racial equity plan shall include, at a minimum:

1. Agency-specific goals and strategies for the short-term, to effectuate changes within the following two fiscal years, and for the long-term, to improve racial equity and reduce or eliminate racial disparities within the agency's jurisdiction, including, but not limited to, how and where the agency provides services, resources, and access; and

2. At least one outcome indicator that reports on an outcome as determined in consultation with the office of racial equity, disaggregated based upon the standards set forth by the office of racial equity.

d. Racial equity planning schedule. The city's racial equity planning shall be completed according to the following schedule:

1. Community racial equity priorities. Not later than October 1, 2023, and on or before October first of every second year thereafter, the commission on racial equity, as established in section 3404, shall make public and publicly disseminate the community racial equity priorities, in the manner provided in paragraph 1 of subdivision i of section 3404 of this chapter and submit to them to the mayor and the office of racial equity.

2. Preliminary citywide racial equity plan. Not later than January 16, 2024, and on or before January sixteenth of every second year thereafter, the mayor shall make public a preliminary citywide racial equity plan, and submit it to the speaker of the council, the commission on racial equity, the public advocate, and the comptroller. Biennially, not later than such date as the mayor may direct, each covered agency shall submit to the mayor its

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preliminary agency racial equity plan, which shall be included in the preliminary citywide racial equity plan.

3. Reply to preliminary racial equity plan. Not later than February 15, 2024, and on or before February fifteenth of every second year thereafter, the commission on racial equity shall make public the commission's reply to the preliminary citywide racial equity plan and provide it to the mayor and the office of racial equity.

4. Citywide racial equity plan. Not later than April 26, 2024, and by April twenty-sixth of every second year thereafter, the mayor shall make public the citywide racial equity plan and submit it to the speaker of the council and the commission on racial equity.

5. Evaluation of citywide racial equity plan. Beginning in 2024, and every second year thereafter, not later than three weeks after the mayor's submission of the citywide racial equity plan, the commission on racial equity shall publish and widely disseminate its evaluation of the citywide racial equity plan.

6. Preliminary racial equity progress report. Not later than January 16, 2026, and on or before January sixteenth of every second year thereafter, the office of racial equity shall publish a preliminary racial equity progress report, with data for indicators from the current equity plan for at least the prior fiscal year.

7. Final racial equity progress report. Not later than September 1, 2026, and on or before September first of every second year thereafter, the office of racial equity shall publish a final racial equity progress report that, for the prior two fiscal years, updates data for indicators from published racial equity plans, updates maps of neighborhood-level indicator data, and

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provides an assessment of the extent to which the city and agencies are progressing towards goals included in the prior citywide racial equity plan.

e. Coordination of reporting. The mayor may, for any other equity reporting mandated by local law, consolidate that reporting into the racial equity plan reporting process as provided in this section, provided that the requirements of that local law reporting, aside from the date it must be completed, are met as part of consolidation.

§ 3404. Commission on Racial Equity. a. There shall be established a commission on racial equity, the purpose of which is to enable community members with equity expertise or lived experience relevant to the goal of equity to propose priorities for racial equity in city decision-making and policy and assess performance towards those priorities.

b. Membership of the commission; appointments; executive director; staff. The commission shall consist of 15 members, including the chair, appointed as follows: seven members of the commission shall be appointed by the mayor; five members of the commission, each of whom shall be a resident of a different borough, shall be appointed by the speaker of the city council; one member of the commission shall be appointed by the public advocate; and one member of the commission shall be appointed by the comptroller. The chair of the commission, who shall be jointly appointed by the mayor and speaker, shall also serve as executive director. The chair shall have charge of the organization of the commission's office and have authority to employ, assign and superintend the duties of such officers and employees as may be necessary to carry out the provisions of this section. The chair shall devote their full time to the position and shall be entitled to compensation for the position.

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c. Commission compensation. Members of the commission other than the chair shall be entitled to the following compensation and reimbursement for their service to the commission:

1. Compensation at a per diem rate for each calendar day they perform the work of the commission, except that any commission members who are also government employees serving as part of their duties are not entitled to receive per diem compensation, but may continue to receive regular compensation for city employment; and

2. Reimbursement for actual and necessary reasonable expenses as determined by the chair, incurred as a result of commission service other than service by governmental employees serving as part of their duties, including, but not limited to expenses incurred for childcare, elder care, or home health care for any dependents who would otherwise have been cared for by that commission member.

d. Commissioner terms.

1. The first members shall be appointed to serve as follows:

(a) The chair, jointly appointed by the mayor and speaker, for a term of 3 years;

(b) Three members appointed by the mayor, and one member each appointed by the public advocate and the comptroller, for a term of two years;

(c) Five members appointed by the speaker of the city council for a term of three years;
and

(d) Four members appointed by the mayor for a term of four years.

2. The first term for each member shall commence on August 1, 2023. Notwithstanding the foregoing, the chair and executive director's functions and responsibilities may commence

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on or before August 1, 2023. Thereafter, the terms of all such members shall be three years, and no such member, including the chair, shall be appointed to serve more than three terms.

e. Removal of members; vacancies; holdovers. All members may be removed only by such member's appointing official or officials and only for cause and upon notice and hearing.

Vacancies in the commission as a result of removal, resignation, incapacity, or death shall be filled by such member's appointing official or officials for the remainder of the unexpired term, in a manner consistent with the requirements of subdivision b of this section. If the appointing official fails to make an appointment to fill the vacancy within 90 days, the commission shall be entitled to fill the vacancy, including the chair, for the remainder of the term. Upon expiration of the term of a member who holds over in their position, if the appointing official shall fail to appoint a member, including the chair, within 90 days of the expiration of such term, the term of the holdover member shall be extended for an additional one year and the term of the successor to such member shall be shortened by an equal amount of time. If the appointing official fails to appoint a member, including the chair, by the end of the additional one year, the commission shall be entitled to fill the vacancy for the remainder of the term. Service as a holdover for an extended year shall not constitute service for an additional term for purposes of paragraph 2 of subdivision d.

f. Qualifications of commissioners. Members of the commission shall be residents of the city of New York. One member each appointed by the mayor and speaker of the council shall represent the perspectives and concerns of New Yorkers under the age of twenty-five. In appointing members to the commission, the mayor, speaker of the city council, public advocate and comptroller shall consider:

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1. Individuals who have expertise in racial equity or racial justice, including at the intersection of race and other marginalized identities;

2. Individuals who are representative of, or have experience advocating for, New Yorkers who are Black, Indigenous or People of Color; immigrants; people with limited English proficiency; people with disabilities; students; youth; elders; people who are lesbian, gay, bisexual, transgender, intersex, gender non-conforming or non-binary; people who are justice-involved; recipients of public benefits; or residents of public housing; and

3. People who have never served on a New York city public body.

g. A majority of the whole number of members of the commission then in office shall constitute a quorum for the transaction of any business. The commission shall have the power to act by majority of such whole then in office.

h. The appropriations available to pay for the expenses of the commission on racial equity during each fiscal year shall be not less than an amount sufficient to fund personal service costs for full-time and part-time personnel necessary to implement the charter mandated requirements of the commission, as certified by the mayor in the budget message submitted pursuant to section 250.

i. Jurisdiction, powers and duties of the commission. The commission shall have the power and duty to:

1. Propose community equity priorities and outcome indicators relevant to the community, for possible inclusion in the upcoming citywide and agency racial equity plans in accordance with the equity planning schedule established by section 3403. To develop the community equity priorities, the commission shall:

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(a) consider those needs and priorities that local community members view as most relevant to their wellbeing, giving particular consideration to the priorities of groups or categories of community members that have been historically underrepresented in, or underserved by, government and its processes;

(b) consider published disparity indicator data and any other information that the commission deems appropriate regarding current, past, or anticipated inequities; and

(c) propose metrics that provide data on outcomes most pertinent to communities.

2. Following the releases of the preliminary citywide racial equity plan and the citywide racial equity plan, the commission shall make public and submit to the mayor and the office of racial equity a statement assessing the extent to which the plan is responsive to the community racial equity priorities and making recommendations, if any, in accordance with paragraphs 3 and 5 of subdivision d of section 3403. In their recommendations, the commission may, among other things:

(a) propose modifications to priorities, strategies, or indicators in the citywide and agency racial equity plans; and

(b) propose specific strategies to address patterns of inequitable behavior or policy as identified through the receipt of complaints from the public, including by making recommendations to agencies to address such complaints where appropriate.

3. Track and publicly report on agency and citywide compliance with the racial equity planning process as established by subdivisions b and c of section 3403.

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4. Receive complaints about agency conduct that may have the effect of exacerbating racial equity disparities and make recommendations to agencies to address such complaints where appropriate.

5. Respond to requests of the speaker of the council and its committees regarding racial equity concerns.

j. Confidentiality. The commission, to the extent consistent with law, shall keep confidential any complaints received pursuant to paragraph 4 of subdivision i of this section.

§ 2. Chapter 52 of the New York city charter is amended by adding a new section 1151-b to read as follows:

§ 1151-b. Effect of chapter 78. Nothing in chapter 78 shall be construed to prevent any agency from complying with existing federal or state law or regulation. In addition, chapter 78 is not intended to create a direct or indirect right of action to enforce its terms.

§ 3. Section 1152 of the New York city charter is amended by adding a new subdivision n, paragraph (2) to read as follows:

n. (2) The amendments to the charter adding chapter 78 and adding a section 1151-b, approved by the electors on November 8, 2022, shall take effect immediately upon certification that the electors have approved such amendments to the charter, and thereafter such amendments shall control as provided with respect to all the powers, functions and duties of officers, agencies and employees, except as further specifically provided in other sections of this charter.

Explanation: Matter in italics and underlined is new, to be added; matter in brackets [] is old law, to be omitted.

Question 3

Section 1. Section 16 of the New York city charter is amended by adding a new subdivision c to read as follows:

c. True cost of living measure.

1. For purposes of this subdivision, the following terms shall have the following meanings:

(a) Public assistance. The term “public assistance” means all forms of public benefits provided by the federal government, state of New York, or city of New York including but not limited to: cash assistance, public housing, rental assistance programs, rent increase exemptions, homeowner assistance programs, public health benefits, childcare subsidies, and food assistance programs.

(b) Private or informal assistance. The term “private or informal assistance” means all forms of subsidies or assistance provided by private entities or through informal networks, including, but not limited to, unpaid childcare, food banks, mutual aid, and shared housing arrangements.

(c) True cost of living measure. The term “true cost of living measure” means a citywide measure of the average amount necessary to cover the cost of essential needs at an adequate level, including, but not limited to, housing, childcare, child and dependent expenses, food, transportation, healthcare, clothing and shoes, menstrual products, general hygiene products, cleaning products, household items, telephone service, internet service, and other necessary costs, which could include costs such as tax obligations, without offsetting those costs through public assistance or private or informal assistance.

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2. Not later than March 31, 2024, and on or before March thirty-first of every year thereafter, the mayor shall produce and submit to the speaker of the council, borough presidents and community boards a report, which may be consolidated with any other report due on such date under this charter, containing the true cost of living measure, in accordance with any requirements in this charter, as determined:

(a) using generally accepted indices of household size;

(b) using generally accepted indices of family composition, as soon as necessary data is available; and

(c) using any other generally accepted indices, as appropriate.

§ 2. Chapter 52 of the New York city charter is amended by adding a new section 1151-c to read as follows:

§ 1151-c. Effect of true cost of living. The true cost of living measurement established in subdivision c of section 16 would be reported in addition to standards that are used to measure poverty or set eligibility for public benefits. It is not intended to create a direct or indirect right of action to enforce its terms or the terms of any other provision of law.

§ 3. Section 1152 of the New York city charter is amended by adding a new subdivision n, paragraph (3) to read as follows:

n. (3) The amendments to the charter adding a subdivision c to section 16 and adding a section 1151-c, approved by the electors on November 8, 2022, shall take effect immediately upon certification that the electors have approved such amendments to the charter, and thereafter shall apply as provided by section 16 and section 1151-c.

Explanation: Matter in italics and underlined is new, to be added; matter in brackets [] is old law, to be omitted.