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|  | **The Council of the City of New York**  **Finance Division**  Latonia McKinney, Director  **Fiscal Impact Statement**  **Proposed Intro. No** **815-B**  **Committee:** Civil Rights |
| **Title:**  A Local Law to amend the administrative code of the city of New York, in relation to expanding the right to truthful information under the city human rights law and expressly providing a cause of action for employers and principals whose rights are violated by conduct to which their employees or agents are subjected. | **Sponsors:** Lander, Chin, Johnson, Mendez, Rosenthal, King, Lancman, Constantinides, Van Bramer, and Menchaca |

**Summary of Legislation**: The New York City Human Rights Law bars real estate agents and salespeople from making false statements about the availability of housing, land, or commercial space for a discriminatory reason. This protection if often referred to as the “right to truthful information.”

Proposed Int. No. 815-B would extend the right to truthful information protection to the following:

* the sale or lease for housing, land, or commercial space by owners and their agents;
* admission to or membership in a Multiple Listing Service or similar organizations;
* lending; employment; and
* access to public accommodations, which include many providers of goods and services.

This bill would also give principals and employers a cause of action when their rights are violated by unlawful discriminatory acts their agents or employees are subjected to, as long as the discrimination happened while the agent or employee was working for the principal or employer. Finally, this bill would make a technical correction to the Fair Chance Act, which prohibited employers from asking about a job applicant’s criminal record prior to making a job offer.

**Effective Date:** This local law would take effect 120 days after it becomes law, except that section 5 of the bill, which relates to expanding the protections of the city of New York human rights law with regard to the prohibition of discrimination based on status or perceived status of a protected class to public accommodations, and making certain technical corrections, would take effect on the later of 120 days after it becomes law or on the effective date of Int. 805-A for the year 2016, section 12 of the bill, which relates to the provisions of this legislation being enforceable against public agencies and employees would take effect immediately and is deemed to have been in effect as of October 27, 2015, and section 14 of the bill, which relates to prohibiting discrimination based on one’s arrest record or criminal conviction would take effect on the later of 120 days after it becomes law or on the effective date of Int. 832-A for the year 2016.

**Fiscal Year In Which Full Fiscal Impact Anticipated:** Fiscal 2017

**Fiscal Impact Statement:**

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|  | **Effective FY16** | **FY Succeeding**  **Effective FY17** | **Full Fiscal Impact FY17** |
| **Revenues (+)** | $0 | $0 | $0 |
| **Expenditures (-)** | $0 | $0 | $0 |
| **Net** | $0 | $0 | $0 |

**Impact on Revenues:** It is anticipated that this local law would have no impact on revenues.

**Impact on Expenditures:** It is estimated that this proposed legislation would have no impact on expenditures and that existing resources could be used to implement the requirements of the legislation. However, the New York City Commission on Human Rights has indicated that it would need additional budgetary resources to implement Proposed Intro. 815-B for both Personal Services (PS) and Other Than Personal Services (OTPS) costs. The Commission anticipates that it would have to hire two additional staff, one for the Law Enforcement Bureau with an annual salary between $65,000 and $72,000 and one for the Community Relations Bureau with an annual salary between $53,000 and $60,000. The Commissioner further estimates that OTPS costs of $355,000 would be used for communications activities related to updating all brochures with its list of existing protections, creating new materials (design, translation, reproduction), and social media outreach (design, translation, ad placement).  Nonetheless, the Finance Division estimates that the Commission has sufficient resources available to meet mandates of Proposed Intro. No. 815-B because it currently has a budgeted headcount of 121 positions, but 36 positions are unfilled.

**Source of Funds to Cover Estimated Costs:** N/A

**Sources of Information:** Finance Division

**Estimate Prepared by:** Eisha Wright, Unit Head, Finance Division

**Estimate Reviewed by:** Regina Poreda Ryan, Deputy Director, Finance Division

Rebecca Chasan, Assistant Counsel, Finance Division

Tanisha Edwards, Chief Counsel, Finance Division

**Legislative History:**  Intro. No. 815 was introduced by the Council on June 10, 2015 and referred to the Committee on Civil Rights. The legislation was subsequently amended and the amended version, Proposed Intro. No. 815-A, was considered by the Committee at a hearing on September 21, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 815-B, will be voted on by the Committee at a hearing on March 21, 2016. Upon successful vote of the Committee, Proposed Intro.815-B will be submitted to the full Council for a vote on March 22, 2016.

**Date Prepared:** March 21, 2016