



Legislation Details (With Text)

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Sponsors: Rory I. Lancman
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Int. No. 507

By Council Member Lancman

A Local Law to amend the administrative code of the city of New York, in relation to discrimination against persons accompanied by a police dog

Be it enacted by the Council as follows:

Section 1. Section 8-101 of the administrative code of the city of New York, as amended by local law number 119 for the year 2017, is amended to read as follows:

Section 8-101 Policy. In the city of New York, with its great cosmopolitan population, there is no greater danger to the health, morals, safety and welfare of the city and its inhabitants than the existence of groups prejudiced against one another and antagonistic to each other because of their actual or perceived differences, including those based on race, color, creed, age, national origin, alienage or citizenship status, gender, sexual orientation, disability, marital status, partnership status, caregiver status, uniformed service, any lawful source of income, status as a victim of domestic violence or status as a victim of sex offenses or

stalking, whether children are, may be or would be residing with a person, whether a person is or will be accompanied by a police dog, or conviction or arrest record.

§ 2. Section 8-102 of the administrative code of the city of New York is amended by adding a new subdivision 34 to read as follows:

34. The term "police dog" shall mean any dog owned or harbored by any state or municipal police department or any state or federal law enforcement agency, which has been trained to aid law enforcement officers and being used for police work purposes.

§ 3. Subparagraphs 1 and 2 of paragraph a of subdivision 4 of section 8-107 of the administrative code of the city of New York, as amended by local law number 119 for the year 2017, are amended to read as follows:

1. Because of any person's actual or perceived race, creed, color, national origin, age, gender, disability, marital status, partnership status, sexual orientation, uniformed service or alienage or citizenship status, or because such person is accompanied by a police dog, directly or indirectly: (a) To refuse, withhold from or deny to such 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; or (b) to represent to any person that any accommodation, advantage, facility or privilege of any such place or provider of public accommodation is not available when in fact it is available; or

2. Directly or indirectly 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, uniformed service or alienage or citizenship status[;], or because such person is accompanied by a police dog; or (b) The patronage or custom of any person 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, uniformed service, [or] alienage or citizenship status[.], or because such person is accompanied by a police dog.

§ 4. Subparagraphs 1 and 2 of paragraph a of subdivision 5 of section 8-107 of the administrative code of the city of New York, as amended by local law number 119 for the year 2017, are amended to read as follows:

(1) Because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, or alienage or citizenship status of any person or group of persons, or because of any lawful source of income of such person or persons, or because children are, may be or would be residing with such person or persons[:], or because such person or group of persons is, are, may be or would be accompanied by a police dog:

(2) To declare, print or circulate or cause to be declared, printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of such a housing accommodation or an interest therein or to make any record or inquiry in conjunction with the prospective purchase, rental or lease of such a housing accommodation or an interest therein which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin, gender, age, disability, sexual orientation, uniformed service, marital status, partnership status, or alienage or citizenship status, or any lawful source of income of such, or whether children are, may be, or would be residing with a person, or because such person is or may be accompanied by a police dog, or any intent to make such limitation, specification or discrimination.

§ 5. Subparagraph 1 of paragraph b of subdivision 5 of section 8-107 of the administrative code of the city of New York, as amended by local law number 119 for the year 2017, is amended to read as follows:

(1) Because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, uniformed service, marital status, partnership status, or alienage or citizenship status of any person

or group of persons, or because children are, may be or would be residing with any person or persons[:], or because a person or group of persons is, are, may be or would be accompanied by a police dog:

§ 6. Subparagraphs 1, 2 and 3 of paragraph c of subdivision 5 of section 8-107 of the administrative code of the city of New York, as amended by local law number 119 for the year 2017, are amended as follows:

(1) To refuse to sell, rent or lease any housing accommodation, land or commercial space or an interest therein to any person or group of persons or to refuse to negotiate for the sale, rental or lease, of any housing accommodation, land or commercial space or an interest therein to any person or group of persons because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, uniformed service, marital status, partnership status, or alienage or citizenship status of such person or persons, or because of any lawful source of income of such person or persons, or because children are, may be or would be residing with such person or persons, or because such person or group of persons is, are, may be or would be accompanied by a police dog, or to represent that any housing accommodation, land or commercial space or an interest therein is not available for inspection, sale, rental or lease when in fact it is so available, or otherwise to deny or withhold any housing accommodation, land or commercial space or an interest therein or any facilities of any housing accommodation, land or commercial space or an interest therein from any person or group of persons because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, uniformed service, marital status, partnership status, or alienage or citizenship status of such person or persons, or because of any lawful source of income of such person or persons, or because children are, may be or would be residing with such person or persons[.], or because such person or group of persons is, are, may be or would be accompanied by a police dog.

(2) To declare, print or circulate or cause to be declared, printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of any housing accommodation, land or commercial space or an interest therein or to make any record or inquiry in connection with the prospective purchase, rental or lease of any housing accommodation, land or commercial space or an

interest therein which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin, gender, age, disability, sexual orientation, uniformed service, marital status, partnership status, or alienage or citizenship status, or any lawful source of income, or to whether children are, may be or would be residing with a person, or because a person is, may be or would be accompanied by a police dog, or any intent to make such limitation, specification or discrimination.

(3) To induce or attempt to induce any person to sell or rent any housing accommodation, land or commercial space or an interest therein by representations, explicit or implicit, regarding the entry or prospective entry into the neighborhood or area of a person or persons of any race, creed, color, gender, age, disability, sexual orientation, uniformed service, marital status, partnership status, national origin, alienage or citizenship status, or a person or persons with any lawful source of income, or a person or persons with whom children are, may be or would be residing[.], or a person or persons who is, are, may be or would be accompanied by a police dog.

§ 7. This local law takes effect immediately.

LCC (2011)/JEB (2014)/MMB (2017)
LS 2423/Int 0672-2011
LS #1670, 2149/Int 494-2014
NEW LS # 165
12/1/17, 4:33 p.m.