Legislation Details (With Text)

File #:	Int 0149-2024 **Version:** A	**Name:**	The rights of persons who engage in sex work.
Type:	Introduction	**Status:**	Filed (End of Session)
		In control:	Committee on Civil and Human Rights
On agenda:	2/28/2024		
Enactment date:		**Enactment #:**	
Title:	A Local Law to amend the administrative code of the city of New York, in relation to the rights of persons who engage in sex work		
Sponsors:	Tiffany L. Cabán, Public Advocate Jumaane Williams, Crystal Hudson, Shahana K. Hanif, Gale A. Brewer, Chi A. Ossé, Jennifer Gutiérrez, Amanda C. Farías, Julie Won, Christopher Marte, Carmen N. De La Rosa, Alexa Avilés, Sandy Nurse, Shekar Krishnan		
Indexes:	Agency Rule-making Required, Report Required		
Attachments:	1. Summary of Int. No. 149-A, 2. Summary of Int. No. 149, 3. Int. No. 149, 4. February 28, 2024 - Stated Meeting Agenda, 5. Hearing Transcript - Stated Meeting 2-28-24, 6. Minutes of the Stated Meeting - February 28, 2024, 7. Proposed Int. No. 149-A - 3/7/24		

Date	Ver.	Action By	Action	Result
2/28/2024	*	City Council	Introduced by Council	
2/28/2024	*	City Council	Referred to Comm by Council	
12/31/2025	A	City Council	Filed (End of Session)	

Proposed Int. No. 149-A

By Council Members Cabán, the Public Advocate (Mr. Williams), Hudson, Hanif, Brewer, Ossé, Gutiérrez, Farías, Won, Marte, De La Rosa, Avilés, Nurse and Krishnan

A Local Law to amend the administrative code of the city of New York, in relation to the rights of persons who engage in sex work

Be it enacted by the Council as follows:

Section 1. Subchapter 6 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-162 to read as follows:

§ 3-162 Sex worker opportunity program. a. For purposes of this section, the term "sex work" means the voluntary exchange of sexual services, performances, or products for material compensation between adults.

b. The mayor's office for equity, or any successor agency or office, shall establish, subject to appropriation, a sex worker opportunity program from which grants may be awarded to community organizations that work directly with persons who engage in sex work across all boroughs to create avenues for

economic support for mobility, health, housing, and social well-being.

c. A community organization is eligible for such grants if it:

1. Works directly with current or former sex workers;

2. Has experience working with the criminal justice system;

3. Has experience working with historically marginalized communities including, but not limited to, immigrant populations; and

4. Has experience advancing racial equity.

d. The mayor's office for equity, or any successor agency or office, shall promulgate such rules as it deems necessary to effectuate the provisions of this section.

§ 2. Section 8-102 of the administrative code of the city of New York is amended by adding a new definition of sex work in appropriate alphabetical order to read as follows:

Sex work. The term "sex work" means the voluntary exchange of sexual services, performances, or products for material compensation between adults.

§ 3. Subdivision 5 of section 8-107 of the administrative code of the city of New York is amended by adding new paragraph (o) to read as follows:

(o) Applicability; persons who engage in sex work. (1) The provisions of this subdivision shall be construed to provide protection to persons who engage in sex work.

(2) Nothing in subparagraph (1) of this paragraph shall restrict a covered entity from taking any lawful adverse action against an occupant for reasons other than such occupant's current or former employment in sex work.

(3) Nothing in subparagraph (1) of this paragraph shall restrict a covered entity from excluding a person from a housing accommodation where such exclusion is required pursuant to any federal, state, or local law or rule or regulation, provided that the covered entity shall provide the person a citation to the law, rule or regulation that requires such exclusion.

powered by Legistar™

§ 4. Subchapter 1 of chapter 12 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-1202.1 to read as follows:

§ 20-1202.1 Outreach for persons who engage in sex work. a. For purposes of this section the term "sex work" means the voluntary exchange of sexual services, performances, or products for material compensation between adults.

b. The commissioner shall create a review and enforcement board to work directly with persons who engage in sex work to understand the most common unfair work practices they face and how such practices appear in the sex work industry. Such review and enforcement board shall also provide persons who engage in sex work with educational materials about their rights and how they can seek redress of those rights.

§ 5. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-922 to read as follows:

§ 21-922 Matters involving sex work. a. For purposes of this section, the term "sex work" means the voluntary exchange of sexual services, performances, or products for material compensation between adults.

b. No later than January 31 each year, the commissioner shall submit to the mayor and speaker of the council, and post on the ACS website, an annual report regarding the number, type, and outcomes of investigations initiated by ACS during the prior calendar year in which ACS case workers used information related to a parent or legal guardian's involvement in sex work. Such report shall include:

1. The age, income range, gender, and ethnicity of the parent or legal guardian subject to investigation;

2. The number of investigations initiated as a result of a parent or legal guardian's involvement in sex work;

3. The types of investigations initiated;

4. The findings and outcome of the investigations; and

5. The number of referrals reported to the police department or another law enforcement agency.

§ 6. The definition of "identifying information" as set forth in section 23-1201 of the administrative

powered by Legistar™

code of the city of New York, as added by local law number 247 for the year 2017, is amended to read as follows:

Identifying information. The term "identifying information" means any information obtained by or on behalf of the city that may be used on its own or with other information to identify or locate an individual, including, but not limited to: name, sexual orientation, gender identity, race, marital or partnership status, status as a victim of domestic violence or sexual assault, status as a crime victim or witness, citizenship or immigration status, eligibility for or receipt of public assistance or city services, all information obtained from an individual's income tax records, information obtained from any surveillance system operated by, for the benefit of, or at the direction of the police department, motor vehicle information or license plate number, biometrics such as fingerprints and photographs, languages spoken, religion, nationality, country of origin, place of birth, arrest record or criminal conviction, employment status, current or former employment in sex work as defined in section 8-102, employer information, current and previous home and work addresses, contact information such as phone number and email address, information concerning social media accounts, date and/or time of release from the custody of the administration for children's services, the department of correction, or the police department, any scheduled court appearances, or any scheduled appointments with any employee, contractor, or subcontractor.

§ 7. This local law takes effect 90 days after it becomes law.

Session 13
LS #10603/4184/4185
3/4/2024

Session 12
SM
LS #10603/4184/4185
9/5/2023 5:05 PM