



## Legislation Text

---

**File #:** Res 0343-2002, **Version:** \*

---

Res. No. 343

Resolution calling upon the New York State legislature to enact legislation to protect persons from discrimination based on actual or perceived sexual orientation and from discrimination based on gender identity, self image, appearance, behavior or expression.

By Council Members Yassky, Quinn, Reed, Lopez, Gerson and Jackson

Whereas, Discrimination, prejudice, intolerance and bigotry daily threaten the rights and freedom of New Yorkers; and

Whereas, In particular, discrimination on the basis of actual or perceived sexual orientation and discrimination based on gender identity, self image, appearance, behavior or expression is common in many contexts, including employment, housing, and public accommodations; and

Whereas, Most of New York's neighbors in the northeastern United States have passed legislation protecting people from discrimination on the basis of sexual orientation; and

Whereas, The New York City Human Rights Law protects citizens of New York City from dangers of discrimination, including discrimination based on actual or perceived sexual orientation and discrimination based on gender identity, self image, appearance, behavior or expression; and

Whereas, New York State law already protects individuals from discrimination based on age, race, religion, national origin, sex and disability, but does not protect individuals from discrimination based on actual or perceived sexual orientation or discrimination based on gender identity, self image, appearance, behavior or expression; and

Whereas, Proposed legislation pending before the New York State legislature would prohibit employers, licensing agencies, employment agencies and labor organizations from discriminating against an employee or applicant based on actual or perceived sexual orientation or on gender identity, self image, appearance, behavior or expression in hiring, firing, or membership eligibility decisions; and

Whereas, The proposed legislation further would make it unlawful for a person to refuse to rent or lease or otherwise deny or withhold from any person or group of persons housing accommodation, commercial space or land because of that person's or group's actual or perceived sexual orientation or gender identity, self image, appearance, behavior or expression; and

Whereas, The proposed legislation would prohibit any real estate broker or salesman or employee or agent thereof or any other individual, corporation, or organization from representing that a change in value or quality has occurred or may or will occur in the composition of a block or neighborhood based on the actual or perceived sexual orientation or gender identity, self image, appearance, behavior or expression of any person or group that owns property or resides in those blocks or neighborhoods; and

Whereas, The proposed legislation also would prohibit any owner, lessee, proprietor, manager, superintendent, agent or employee of any place of public accommodation, resort or amusement, to directly or indirectly refuse, withhold from or deny to any person accommodations, advantages, facilities or privileges based on that person's actual or perceived sexual orientation or gender identity, self image, appearance, behavior or expression; and

Whereas, The proposed legislation further would make it an unlawful discriminatory practice for an education corporation or association which holds itself out to the public to be non-sectarian and exempt from taxation pursuant to the provisions of article four of the real property tax law to deny the use of its facilities to any person otherwise qualified because of his or her actual or perceived sexual orientation or gender identity, self image, appearance, behavior or expression; and

Whereas, Proposed legislation pending before the New York State legislature would confer the right not to be discriminated against in the contexts set forth above, as well as other protections that already exist to protect individuals from discrimination based on age, race, religion, national origin, sex and disability; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to enact legislation to protect persons from discrimination based on actual or perceived sexual orientation and from discrimination based on gender identity, self image, appearance, behavior or expression.

JS  
LS#594

[1013]

[1013]