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Int. No. 591

By Council Member Gennaro, the Public Advocate (Mr. Williams) and Council Members Hanif, Restler, Avilés and Williams

A Local Law to amend the administrative code of the city of New York, in relation to extending the statute of limitations for commencing a private cause of action under the city human rights law

Be it enacted by the Council as follows:

Section 1. Subdivisions d and e of section 8-502 of the administrative code of the city of New York, subdivision d of such section as amended by local law number 63 for the year 2018 and subdivision e of such section as added by local law number 39 for the year 1991, are amended to read as follows:

d. A civil action commenced under this section must be commenced within [three] 6 years after the alleged unlawful discriminatory practice or act of discriminatory harassment or violence as set forth in chapter 6 of this title occurred. Upon the filing of a complaint with the city commission on human rights or the state division of human rights and during the pendency of such complaint and any court proceeding for review of the dismissal of such complaint, such [three-year] 6-year limitations period shall be tolled.

e. Notwithstanding any inconsistent provision of this section, where a complaint filed with the city commission on human rights or state division of human rights is dismissed for administrative convenience and such dismissal is due to the complainant's malfeasance, misfeasance or recalcitrance, the [three year] 6-year limitations period on commencing a civil action pursuant to this section shall not be tolled. Unwillingness to accept a reasonable proposed conciliation agreement shall not be considered malfeasance, misfeasance or recalcitrance.

§ 2. This local law takes effect immediately.

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