



Legislation Text

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Int. No. 1297-A

By Council Members Brooks-Powers, Louis, Hanif, Banks, Restler, Brewer, Avilés, Stevens, Joseph, De La Rosa, Sanchez, Krishnan, Abreu, Farías, Hudson, Powers, Cabán, Nurse, Schulman, Hanks, Brannan, Riley, Gutiérrez, Moya, Ayala, Marte, Won, Narcisse, Salaam, Lee, Bottcher, Ung, Ossé, Williams, Menin, Gennaro, Feliz, Salamanca, Dinowitz, Holden, Mealy and the Public Advocate (Mr. Williams)

A Local Law to amend the administrative code of the city of New York, in relation to the gender-motivated violence protection law

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 10-1105 of the administrative code of the city of New York, as amended by local law number 21 for the year 2022, is amended to read as follows:

a. A civil action under [this chapter] section 10-1104 shall be commenced within seven years after the alleged crime of violence motivated by gender occurred. If, however, due to injury or disability resulting from an act or acts giving rise to a cause of action under this chapter, or due to infancy as defined in the civil procedure law and rules, a person entitled to commence an action under this chapter is unable to do so at the time such cause of action accrues, then the time within which the action must be commenced shall be extended to nine years after the inability to commence the action ceases. Notwithstanding any provision of law that imposes a period of limitation to the contrary, any civil claim or cause of action brought under this chapter that is barred because the applicable period of limitation has expired is hereby revived and may be commenced not earlier than six months after, and not later than two years and six months after, September 1, 2022.

§ 2. Chapter 11 of title 10 the administrative code of the city of New York, as amended by local law number 21 for the year 2022, is amended by adding a new section 10-1104.1 to read as follows:

10-1104.1. Civil cause of action for crimes of violence motivated by gender that occurred prior to January 9, 2022. a. Any person claiming to be injured by a party who commits, directs, enables, participates in, or conspires in the commission of a crime of violence motivated by gender for which the alleged crime of violence motivated by gender occurred (i) on or before December 19, 2000 or (ii) after December 19, 2000 and before January 9, 2022, has a cause of action against such party in any court of competent jurisdiction for any or all of the following relief:

1. Compensatory and punitive damages;
2. Injunctive and declaratory relief;
3. Attorney's fees and costs; and
4. Such other relief as a court may deem appropriate.

b. Claims or causes of action pursuant to this section must be commenced not later than 18 months after the local law that added this section takes effect.

c. Any person who brought a claim or cause of action on or after March 1, 2023 but on or before March 1, 2025 that would satisfy the requirements of this section may amend or refile such claim or cause of action to add a cause of action pursuant to this section.

§ 3. This local law takes effect immediately.

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