

Legislative Bill Drafting Commission
12022-01-6

S. -----
Senate

IN SENATE--Introduced by Sen

--read twice and ordered printed,
and when printed to be committed
to the Committee on

----- A.
Assembly

IN ASSEMBLY--Introduced by M. of A.

with M. of A. as co-sponsors

--read once and referred to the
Committee on

CIVRILA
(Enacts the sensitive location
protection act)

Civ Rts. sensitive locations

AN ACT

to amend the civil rights law, in
relation to enacting the sensitive
location protection act

The People of the State of New
York, represented in Senate and
Assembly, do enact as follows:

IN SENATE

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship
of this proposal:

s15 Addabbo	s46 Fahy	s16 Liu	s13 Ramos	s35 Stewart-
s43 Ashby	s34 Fernandez	s04 Martinez	s05 Rhoads	Cousins
s36 Bailey	s60 Gallivan	s07 Martins	s33 Rivera	s22 Sutton
s63 Baskin	s12 Gianaris	s02 Mattera	s39 Rolison	s44 Tedisco
s57 Borrello	s59 Gonzalez	s48 May	s50 Ryan, C.	s49 Walczyk
s25 Brisport	s26 Gouardes	s37 Mayer	s18 Salazar	s52 Webb
s55 Brouk	s53 Griffo	s03 Murray	s10 Sanders	s38 Weber
s06 Bynoe	s40 Harckham	s20 Myrie	s23 Scarcella-	s08 Weik
s09 Canzoneri-	s54 Helming	s51 Oberacker	Spanton	s47
Fitzpatrick	s41 Hinchey	s58 O'Mara	s32 Sepulveda	s61
s17 Chan	s31 Jackson	s62 Ortt	s29 Serrano	
s30 Cleare	s27 Kavanagh	s01 Palumbo	s42 Skoufis	
s14 Comrie	s28 Krueger	s21 Parker	s11 Stavisky	
s56 Cooney	s24 Lanza	s19 Persaud	s45 Stec	

IN ASSEMBLY

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the
multi-sponsorship of this proposal:

a078 Alvarez	a143 Chludzinski	a083 Heastie	a016 Norber	a114 Simpson
a031 Anderson	a136 Clark	a028 Hevesi	a045 Novakhov	a094 Slater
a121 Angelino	a047 Colton	a035 Hooks	a011 O'Pharrow	a005 Smith
a133 Bailey	a140 Conrad	a128 Hunter	a091 Otis	a118 Smullen
a120 Barclay	a032 Cook	a029 Hyndman	a132 Palmesano	a022 Solages
a106 Barrett	a039 Cruz	a079 Jackson	a088 Paulin	a110 Steck
a105 Beephan	a043 Cunningham	a104 Jacobson	a141 Peoples-	a010 Stern
a107 Bendett	a077 Dais	a134 Jensen	Stokes	a127 Stirpe
a082 Benedetto	a053 Davila	a004 Kassay	a023 Pheffer	a102 Tague
a027 Berger	a072 De Los Santos	a100 Kay	Amato	a064 Tannousis
a042 Bichotte	a003 DeStefano	a125 Kelles	a063 Pirozolo	a086 Tapia
Hermelyn	a054 Dilan	a040 Kim	a089 Pretlow	a071 Taylor
a117 Blankenbush	a081 Dinowitz	a069 Lasher	a019 Ra	a085 Torres
a015 Blumencranz	a147 DiPietro	a013 Lavine	a030 Raga	a037 Valdez
a144 Bologna	a009 Durso	a065 Lee	a038 Rajkumar	a033 Vanel
a073 Bores	a099 Eachus	a126 Lemondes	a006 Ramos	a055 Walker
a098 Brabenc	a048 Eichenstein	a095 Levenberg	a062 Reilly	a112 Walsh
a026 Braunstein	a061 Fall	a060 Lucas	a087 Reyes	a024 Weprin
a138 Bronson	a008 Fitzpatrick	a135 Lunsford	a149 Rivera	a097 Wieder
a046 Brook-Krasny	a057 Forrest	a123 Lupardo	a109 Romero	a059 Williams
a020 Brown, E.	a124 Friend	a129 Magnarelli	a067 Rosenthal	a113 Woerner
a012 Brown, K.	a050 Gallagher	a101 Maher	a025 Rozic	a070 Wright
a093 Burdick	a131 Gallahan	a130 Manktelow	a111 Santabarbara	a041 Yeger
a142 Burke	a007 Gandolfo	a108 McDonald	a090 Sayegh	a080 Zaccaro
a018 Burroughs	a068 Gibbs	a014 McDonough	a001 Schiavoni	a056 Zinerman
a119 Buttenschon	a002 Giglio	a146 McMahan	a076 Seawright	a036
a096 Carroll, P.	a066 Glick	a137 Meeks	a148 Sempolinski	a074
a044 Carroll, R.	a034 Gonzalez-	a017 Mikulin	a084 Septimo	
a115 Cashman	Rojas	a122 Miller	a092 Shimsky	
a058 Chandler-	a116 Gray	a051 Mitaynes	a103 Shrestha	
Waterman	a021 Griffin	a150 Molitor	a052 Simon	
a049 Chang	a139 Hawley	a145 Morinello	a075 Simone	

1) Single House Bill (introduced and printed separately in either or
both houses). Uni-Bill (introduced simultaneously in both houses and printed
as one bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 1
signed copy of bill and 1 copy of memorandum in support (single house);
or 2 signed copies of bill and 2 copies of memorandum in support (uni-bill).

1 Section 1. This act shall be known and may be cited as the "sensitive
2 location protection act".

3 § 2. The civil rights law is amended by adding a new section 29 to
4 read as follows:

5 § 29. Sensitive locations. 1. Definitions. For purposes of this
6 section, the following terms shall have the following meanings:

7 (a) "Sensitive location" shall mean:

8 (i) a public school, non-public school, or any state-operated or
9 state-supported schools;

10 (ii) an institution of higher education;

11 (iii) the location of any program licensed, regulated, certified,
12 funded, or approved by the office of children and family services that
13 provides services to children, youth, or young adults, any legally
14 exempt childcare provider, a childcare program for which a permit to
15 operate such program has been issued by the New York city department of
16 health and mental hygiene pursuant to the health code of the city of New
17 York, nursery schools, preschools, and summer camps;

18 (iv) a health care facility, including a doctor's office, hospital, or
19 any location providing health or behavioral health services;

20 (v) a house of worship, which shall mean any building or structure
21 that a reasonable person would know that religious adherents collective-
22 ly recognize as a place to regularly gather for or to hold religious
23 worship activities or provide religious education or instruction, such
24 as a church, synagogue, temple, or mosque; or

25 (vi) a housing accommodation.

26 (b) "Civil immigration enforcement" shall mean any immigration
27 enforcement actions other than enforcement of federal criminal law.

1 (c) "Deny access" shall mean declining to grant permission to enter
2 and declining to facilitate the entry of an individual to a sensitive
3 location.

4 (d) "Housing accommodation" shall mean any building, structure, or
5 portion thereof which is used or occupied or is intended, arranged or
6 designed to be used or occupied, as the home, residence or sleeping
7 place of one or more human beings.

8 2. Sensitive locations for civil immigration enforcement. (a) A sensi-
9 tive location that is owned or operated by a state or local governmental
10 entity or public authority, or a unit of the executive branch of the
11 state or of a local government in New York state that operates at a
12 sensitive location, shall deny access to any portion of the sensitive
13 location that is not accessible to the general public to any individual
14 seeking access for the purposes of civil immigration enforcement unless
15 the individual presents a valid warrant issued by a federal court estab-
16 lished under article III of the United States constitution or a judicial
17 order by a federal court established under article III of the United
18 States constitution authorizing them to take into custody the person who
19 is the subject of such warrant.

20 (b) A sensitive location that is privately owned or operated is
21 empowered to adopt policies and/or procedures, to the maximum extent
22 allowable under law, to deny access to any portion of the sensitive
23 location that is not accessible to the general public to any individual
24 seeking access for the purposes of civil immigration enforcement. Any
25 such policy or procedure shall not overcome any circumstance in which
26 the individual seeking access for the purposes of civil immigration
27 enforcement presents a valid warrant issued by a federal court estab-
28 lished under article III of the United States constitution or a judicial

1 order by a federal court established under article III of the United
2 States constitution authorizing them to take into custody the person who
3 is the subject of such warrant.

4 (c) A sensitive location that is privately owned or operated shall not
5 be liable under state law if it adopts any policy or practice of deny-
6 ing, or chooses to deny, access to any portion of a sensitive location
7 that is not accessible to the general public to any individual seeking
8 access for the purposes of civil immigration enforcement without
9 presenting a valid warrant issued by a federal court established under
10 article III of the United States constitution or a judicial order by a
11 federal court established under article III of the United States consti-
12 tution authorizing them to take into custody the person who is the
13 subject of such warrant.

14 3. Enforcement. The attorney general, an individual, or the owner or
15 operator of the sensitive location, including a local or state govern-
16 mental entity that operates out of a sensitive location, may apply for
17 an order to the supreme court of the state of New York to obtain appro-
18 priate equitable and declaratory relief with respect to any violation of
19 this section.

20 § 3. Severability. If any clause, sentence, paragraph, subdivision,
21 section or part of this act shall be adjudged by any court of competent
22 jurisdiction to be invalid, such judgment shall not affect, impair, or
23 invalidate the remainder thereof, but shall be confined in its operation
24 to the clause, sentence, paragraph, subdivision, section or part thereof
25 directly involved in the controversy in which such judgment shall have
26 been rendered. It is hereby declared to be the intent of the legislature
27 that this act would have been enacted even if such invalid provisions
28 had not been included herein.

1 § 4. This act shall take effect immediately.