

PROGRAM BILL # 23

Legislative Bill Drafting Commission
12058-01-8

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

EXECLA
(Prevents discrimination based on
lawful source of income in housing)

Exec. lawful source income

AN ACT

to amend the executive law, in
relation to preventing discrimi-
nation based on lawful source of
income in housing

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	s03 Croci	s27 Hoylman	s25 Montgomery	s23 Savino
s52 Akshar	s50 DeFrancisco	s60 Jacobs	s40 Murphy	s41 Serino
s31 Alcantara	s18 Dilan	s09 Kaminsky	s58 O'Mara	s29 Serrano
s46 Amedore	s17 Felder	s26 Kavanagh	s62 Ortt	s51 Seward
s11 Avella	s02 Flanagan	s63 Kennedy	s21 Parker	s16 Stavisky
s36 Bailey	s55 Funke	s34 Klein	s13 Peralta	s35 Stewart-
s30 Benjamin	s59 Gallivan	s28 Krueger	s19 Persaud	Cousins
s42 Bonacic	s12 Gianaris	s24 Lanza	s07 Phillips	s49 Tedisco
s04 Boyle	s22 Golden	s39 Larkin	s61 Ranzenhofer	s53 Valesky
s44 Breslin	s47 Griffo	s01 LaValle	s48 Ritchie	s57 Young
s08 Brooks	s20 Hamilton	s45 Little	s33 Rivera	s32
s38 Carlucci	s06 Hannon	s05 Marcellino	s56 Robach	s37
s14 Comrie	s54 Helming	s43 Marchione	s10 Sanders	

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:

a049 Abbate	a034 DenDekker	a115 Jones	a132 Palmesano	a114 Stec
a092 Abinanti	a070 Dickens	a077 Joyner	a002 Palumbo	a110 Steck
a084 Arroyo	a054 Dilan	a040 Kim	a088 Paulin	a127 Stirpe
a035 Aubry	a081 Dinowitz	a131 Kolb	a009 Pellegrino	a071 Taylor
a120 Barclay	a147 DiPietro	a105 Lalor	a141 Peoples-	a001 Thiele
a030 Barnwell	a016 D'Urso	a013 Lavine	Stokes	a061 Titone
a106 Barrett	a004 Englebright	a134 Lawrence	a058 Perry	a031 Titus
a060 Barron	a133 Errigo	a050 Lentol	a023 Pheffer	a033 Vanel
a082 Benedetto	a109 Fahy	a125 Lifton	Amato	a055 Walker
a042 Bichotte	a126 Finch	a123 Lupardo	a086 Pichardo	a143 Wallace
a079 Blake	a008 Fitzpatrick	a121 Magee	a089 Pretlow	a112 Walsh
a117 Blankenbush	a124 Friend	a129 Magnarelli	a073 Quart	a146 Walter
a098 Brabene	a095 Galef	a064 Malliotakis	a019 Ra	a041 Weinstein
a026 Braunstein	a137 Gantt	a090 Mayer	a012 Raia	a024 Weprin
a119 Brindisi	a007 Garbarino	a108 McDonald	a006 Ramos	a059 Williams
a138 Bronson	a148 Giglio	a014 McDonough	a043 Richardson	a113 Woerner
a093 Buchwald	a066 Glick	a101 Miller, B.	a078 Rivera	a056 Wright
a118 Butler	a150 Goodell	a038 Miller, M.G.	a068 Rodriguez	a096 Zebrowski
a094 Byrne	a075 Gottfried	a020 Miller, M.L.	a027 Rosenthal, D.	a005
a103 Cahill	a100 Gunther	a015 Montesano	a067 Rosenthal, L.	a010
a044 Carroll	a139 Hawley	a136 Morelle	a025 Rozic	a017
a062 Castorina	a083 Heastie	a145 Morinello	a149 Ryan	a039
a047 Colton	a028 Hevesi	a057 Mosley	a111 Santabarbara	a046
a032 Cook	a048 Hiking	a003 Murray	a140 Schimminger	a074
a085 Crespo	a018 Hooper	a065 Niou	a076 Seawright	a080
a122 Crouch	a128 Hunter	a037 Nolan	a087 Sepulveda	a102
a021 Curran	a029 Hyndman	a144 Norris	a052 Simon	a104
a063 Cusick	a097 Jaffee	a130 Oaks	a036 Simotas	a107
a045 Cymbrowitz	a011 Jean-Pierre	a069 O'Donnell	a104	a142
a053 Davila	a116 Jenne	a051 Ortiz	a099 Skoufis	
a072 De La Rosa	a135 Johns	a091 Otis	a022 Solages	

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 2
signed copies of bill and 4 copies of memorandum in support (single house);
or 4 signed copies of bill and 8 copies of memorandum
in support (uni-bill).

1 Section 1. Short title. This act shall be known and maybe cited as the
2 "Lawful source of income non-discrimination act of 2018".

3 § 2. Section 292 of the executive law is amended by adding a new
4 subdivision 35 to read as follows:

5 35. The term "lawful source of income" shall include, but not be
6 limited to, child support, alimony, foster care subsidies, income
7 derived from Social Security, or any form of federal, state, or local
8 public assistance or housing assistance including, but not limited to,
9 Section 8 vouchers, or any other form of housing assistance payment or
10 credit whether or not such income or credit is paid or attributed
11 directly to a landlord, and other forms of lawful income.

12 § 3. Paragraphs (a), (b), (c) and (c-1) of subdivision 2-a of section
13 296 of the executive law, paragraphs (a), (b), and (c) as amended and
14 paragraph (c-1) as added by chapter 106 of the laws of 2003, are amended
15 to read as follows:

16 (a) To refuse to sell, rent or lease or otherwise to deny to or with-
17 hold from any person or group of persons such housing accommodations
18 because of the race, creed, color, disability, national origin, sexual
19 orientation, military status, age, sex, marital status, lawful source of
20 income, or familial status of such person or persons, or to represent
21 that any housing accommodation or land is not available for inspection,
22 sale, rental or lease when in fact it is so available.

23 (b) To discriminate against any person because of his or her race,
24 creed, color, disability, national origin, sexual orientation, military
25 status, age, sex, marital status, lawful source of income or familial
26 status in the terms, conditions or privileges of any publicly-assisted
27 housing accommodations or in the furnishing of facilities or services in
28 connection therewith.

1 (c) To cause to be made any written or oral inquiry or record concern-
2 ing the race, creed, color, disability, national origin, sexual orien-
3 tation, membership in the reserve armed forces of the United States or
4 in the organized militia of the state, age, sex, marital status, lawful
5 source of income or familial status of a person seeking to rent or lease
6 any publicly-assisted housing accommodation; provided, however, that
7 nothing in this subdivision shall prohibit a member of the reserve armed
8 forces of the United States or in the organized militia of the state
9 from voluntarily disclosing such membership.

10 (c-1) To print or circulate or cause to be printed or circulated any
11 statement, advertisement or publication, or to use any form of applica-
12 tion for the purchase, rental or lease of such housing accommodation or
13 to make any record or inquiry in connection with the prospective
14 purchase, rental or lease of such a housing accommodation which
15 expresses, directly or indirectly, any limitation, specification or
16 discrimination as to race, creed, color, national origin, sexual orien-
17 tation, military status, sex, age, disability, marital status, lawful
18 source of income or familial status, or any intent to make any such
19 limitation, specification or discrimination.

20 § 4. Subparagraphs 1, 2 and 3 of paragraph (a) of subdivision 5 of
21 section 296 of the executive law, as amended by chapter 106 of the laws
22 of 2003, are amended to read as follows:

23 (1) To refuse to sell, rent, lease or otherwise to deny to or withhold
24 from any person or group of persons such a housing accommodation because
25 of the race, creed, color, national origin, sexual orientation, military
26 status, sex, age, disability, marital status, lawful source of income or
27 familial status of such person or persons, or to represent that any

1 housing accommodation or land is not available for inspection, sale,
2 rental or lease when in fact it is so available.

3 (2) To discriminate against any person because of race, creed, color,
4 national origin, sexual orientation, military status, sex, age, disabil-
5 ity, marital status, lawful source of income or familial status in the
6 terms, conditions or privileges of the sale, rental or lease of any such
7 housing accommodation or in the furnishing of facilities or services in
8 connection therewith.

9 (3) To print or circulate or cause to be printed or circulated any
10 statement, advertisement or publication, or to use any form of applica-
11 tion for the purchase, rental or lease of such housing accommodation or
12 to make any record or inquiry in connection with the prospective
13 purchase, rental or lease of such a housing accommodation which
14 expresses, directly or indirectly, any limitation, specification or
15 discrimination as to race, creed, color, national origin, sexual orien-
16 tation, military status, sex, age, disability, marital status, lawful
17 source of income or familial status, or any intent to make any such
18 limitation, specification or discrimination.

19 § 5. Subparagraphs 1 and 2 of paragraph (c) of subdivision 5 of
20 section 296 of the executive law, as amended by chapter 106 of the laws
21 of 2003, are amended to read as follows:

22 (1) To refuse to sell, rent or lease any housing accommodation, land
23 or commercial space to any person or group of persons or to refuse to
24 negotiate for the sale, rental or lease, of any housing accommodation,
25 land or commercial space to any person or group of persons because of
26 the race, creed, color, national origin, sexual orientation, military
27 status, sex, age, disability, marital status, lawful source of income or
28 familial status of such person or persons, or to represent that any

1 housing accommodation, land or commercial space is not available for
2 inspection, sale, rental or lease when in fact it is so available, or
3 otherwise to deny or withhold any housing accommodation, land or commer-
4 cial space or any facilities of any housing accommodation, land or
5 commercial space from any person or group of persons because of the
6 race, creed, color, national origin, sexual orientation, military
7 status, sex, age, disability, marital status, lawful source of income or
8 familial status of such person or persons.

9 (2) To print or circulate or cause to be printed or circulated any
10 statement, advertisement or publication, or to use any form of applica-
11 tion for the purchase, rental or lease of any housing accommodation,
12 land or commercial space or to make any record or inquiry in connection
13 with the prospective purchase, rental or lease of any housing accommo-
14 dation, land or commercial space which expresses, directly or indirect-
15 ly, any limitation, specification, or discrimination as to race, creed,
16 color, national origin, sexual orientation, military status, sex, age,
17 disability, marital status, lawful source of income or familial status;
18 or any intent to make any such limitation, specification or discrimi-
19 nation.

20 § 6. Paragraph (d) of subdivision 5 of section 296 of the executive
21 law, as amended by chapter 106 of the laws of 2003, is amended to read
22 as follows:

23 (d) It shall be an unlawful discriminatory practice for any real
24 estate board, because of the race, creed, color, national origin, sexual
25 orientation, military status, age, sex, disability, marital status,
26 lawful source of income or familial status of any individual who is
27 otherwise qualified for membership, to exclude or expel such individual

1 from membership, or to discriminate against such individual in the
2 terms, conditions and privileges of membership in such board.

3 § 7. This act shall take effect immediately and shall apply to all
4 causes of action filed on or after such effective date.