

Aye Robach	Aye Saland	Aye Sampson	Aye Savino
Aye Schneiderman	Aye Serrano	Aye Seward	Aye Skelos
Aye Smith	Aye Squadron	Aye Stachowski	Aye Stavisky
Aye Stewart-Cousins	Aye Thompson	Aye Valesky	Aye Volker
Aye Winner	Aye Young		

**CHAPTER TEXT:**

LAWS OF NEW YORK, 2009

CHAPTER 80

AN ACT to amend the executive law, in relation to prohibiting employers from discriminating against victims of domestic violence or stalking based upon status as a domestic violence victim

Became a law July 7, 2009, with the approval of the Governor.  
Passed by a majority vote, three-fifths being present.

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

Section 1. Paragraph (a) of subdivision 1 of section 296 of the executive law, as amended by chapter 75 of the laws of 2005, is amended to read as follows:

(a) For an employer or licensing agency, because of [~~the~~ an individual's age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, [~~or~~ marital status [of any individual], or domestic violence victim status, to refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment.

§ 2. Section 292 of the executive law is amended by adding a new subdivision 34 to read as follows:

34. The term "domestic violence victim", when used in this article, means an individual who is a victim of an act which would constitute a family offense pursuant to subdivision one of section eight hundred twelve of the family court act.

§ 3. This act shall take effect immediately.

The Legislature of the STATE OF NEW YORK ss:

Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

MALCOLM A. SMITH  
Temporary President of the Senate

SHELDON SILVER  
Speaker of the Assembly

EXPLANATION--Matter in italics is new; matter in brackets [-] is old law to be omitted.

**APPROVAL MESSAGE:**

APPROVAL MEMORANDUM - No. 5 Chapter 80

MEMORANDUM filed with Assembly Bill Number 755-A, entitled:

"AN ACT to amend the executive law, in relation to prohibiting employers from discriminating against victims of domestic violence or stalking based upon status as a domestic violence victim.

APPROVED

This bill would prohibit discrimination against victims of domestic violence in employment. Assisting victims of domestic violence in keeping and maintaining employment provides a crucial pathway out of abusive situations. Protecting such victims against invidious discrimination in the workplace is an important step toward that goal, and I therefore strongly support this legislation.

This year, I submitted to the Legislature a Program Bill which contained a similar provision to that set forth in this bill, which passed the Assembly on June 22, 2009, and is currently before the Senate. The Program Bill contains several provisions that would clarify crucial elements of this legislation. In particular, it makes clear the precise contours of any affirmative accommodation an employer would be required to provide as a result of the prohibition in this legislation. In addition, the Program Bill clarifies the definition of victim of domestic violence.

Nonetheless, this bill is an important step towards protecting the employment opportunities of domestic violence victims. I look forward to continuing to discuss ways to improve upon this legislation, to provide victims with the support they need, and to enact the remaining elements of my Program Bill.

The bill is approved.

(signed) DAVID A. PATERSON

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