



Legislation Details (With Text)

File #: Int 0864-2022 **Version:** * **Name:** Forbidding agreements to shorten the period in which claims and complaints of unlawful discriminatory practices, harassment or violence may be filed and in which civil actions may be commenced.

Type: Introduction **Status:** Filed (End of Session)
In control: Committee on Civil and Human Rights

On agenda: 12/21/2022

Enactment date: **Enactment #:**

Title: A Local Law to amend the administrative code of the city of New York, in relation to forbidding agreements to shorten the period in which claims and complaints of unlawful discriminatory practices, harassment or violence may be filed and in which civil actions may be commenced

Sponsors: Lincoln Restler, Tiffany Cabán, Nantasha M. Williams, Farah N. Louis, Shahana K. Hanif, Crystal Hudson, Shaun Abreu, Kristin Richardson Jordan, Kevin C. Riley

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Attachments: 1. Summary of Int. No. 864, 2. Int. No. 864, 3. December 21, 2022 - Stated Meeting Agenda, 4. Hearing Transcript - Stated Meeting 12-21-22, 5. Minutes of the Stated Meeting - December 21, 2022, 6. Committee Report 6/26/23, 7. Hearing Testimony 6/26/23, 8. Hearing Transcript 6/26/23

Date	Ver.	Action By	Action	Result
12/21/2022	*	City Council	Introduced by Council	
12/21/2022	*	City Council	Referred to Comm by Council	
6/26/2023	*	Committee on Civil and Human Rights	Hearing Held by Committee	
6/26/2023	*	Committee on Civil and Human Rights	Laid Over by Committee	
12/31/2023	*	City Council	Filed (End of Session)	

Int. No. 864

By Council Members Restler, Cabán, Williams, Louis, Hanif, Hudson, Abreu, Richardson Jordan and Riley

A Local Law to amend the administrative code of the city of New York, in relation to forbidding agreements to shorten the period in which claims and complaints of unlawful discriminatory practices, harassment or violence may be filed and in which civil actions may be commenced

Be it enacted by the Council as follows:

Section 1. Subdivision (e) of section 8-109 of the administrative code of the city of New York, as amended by local law number 100 for the year 2018, is amended to read as follows:

(e) The commission shall not have jurisdiction over any complaint that has been filed more than one

year after the alleged unlawful discriminatory practice or act of discriminatory harassment or violence as set forth in chapter 6 of this title occurred; provided, however, that the commission shall have jurisdiction over a claim of gender-based harassment if such claim is filed within three years after the alleged harassing conduct occurred. Any provision of any agreement purporting to shorten the periods provided in this subdivision in which a complaint or claim may be filed is unenforceable and void as against public policy.

§ 2. Subdivision d of section 8-502 of the administrative code of the city of New York, as amended by local law number 63 for the year 2018, is amended to read as follows:

d. A civil action commenced under this section must be commenced within three 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 limitations period shall be tolled. Any provision of any agreement purporting to shorten the limitations period provided in this subdivision in which a civil action may be commenced is unenforceable and void as against public policy.

§ 3. This local law takes effect immediately.

NAB
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11/17/22 11:00AM