



Legislation Details (With Text)

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On agenda: 4/14/2022
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Title: A Local Law to amend the administrative code of the city of New York, in relation to creating a private right of action related to civil immigration detainees
Sponsors: Shahana K. Hanif, Shekar Krishnan, Carlina Rivera, Keith Powers, Tiffany Cabán, Julie Won, Lincoln Restler, Crystal Hudson, Sandy Nurse, Shaun Abreu
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Attachments: 1. Summary of Int. No. 158, 2. Int. No. 158, 3. April 14, 2022 - Stated Meeting Agenda, 4. Hearing Transcript - Stated Meeting 4-14-22, 5. Minutes of the Stated Meeting - April 14, 2022

Date	Ver.	Action By	Action	Result
4/14/2022	*	City Council	Introduced by Council	
4/14/2022	*	City Council	Referred to Comm by Council	

Int. No. 158

By Council Members Hanif, Krishnan, Rivera, Powers, Cabán, Won, Restler, Hudson, Nurse and Abreu

A Local Law to amend the administrative code of the city of New York, in relation to creating a private right of action related to civil immigration detainees

Be it enacted by the Council as follows:

Section 1. Subdivision e of section 9-131 of the administrative code of the city of New York, as amended by local law number 228 for the year 2017, is amended to read as follows:

e. [No private] Private right of action. [Nothing contained in this section or in the administration or application hereof shall be construed as creating any private right of action on the part of any persons or entity against the city of New York or the department, or any official or employee thereof.] Any person detained in violation of this section, or their direct relative, may bring an action in any court of competent jurisdiction for a claim of unlawful detention in violation of this section, for any damages, including punitive damages, and for declaratory and injunctive relief and such other remedies as may be appropriate. The court, in issuing any final

order in any section brought pursuant to this section, may award costs of litigation, to the prevailing party whenever the court determines such an award is appropriate. This section does not limit or abrogate any claim or cause of action such person has under common law or by other law or rule.

§2. Subdivision e of section 14-154 of the administrative code of the city of New York, as amended by local law number 228 for the year 2017, is amended to read as follows:

e. [No private] Private right of action. [Nothing contained in this section or in the administration or application hereof shall be construed as creating any private right of action on the part of any persons or entity against the city of New York or the department, or any official or employee thereof.] Any person detained in violation of this section, or their direct relative, may bring an action in any court of competent jurisdiction for a claim of unlawful detention in violation of this section, for any damages, including punitive damages, and for declaratory and injunctive relief and such other remedies as may be appropriate. The court, in issuing any final order in any section brought pursuant to this section, may award costs of litigation, to the prevailing party whenever the court determines such an award is appropriate. This section does not limit or abrogate any claim or cause of action such person has under common law or by other law or rule.

§3. Subdivision e of section 9-205 of the administrative code of the city of New York, as amended by local law number 228 for the year 2017, is amended to read as follows:

e. [No private] Private right of action. [Nothing contained in this section or in the administration or application hereof shall be construed as creating any private right of action on the part of any persons or entity against the city of New York or the department, or any official or employee thereof.] Any person detained in violation of this section, or their direct relative, may bring an action in any court of competent jurisdiction for a claim of unlawful detention in violation of this section, for any damages, including punitive damages, and for declaratory and injunctive relief and such other remedies as may be appropriate. The court, in issuing any final order in any section brought pursuant to this section, may award costs of litigation, to the prevailing party whenever the court determines such an award is appropriate. This section does not limit or abrogate any claim

or cause of action such person has under common law or by other law or rule.

§4. This local law takes effect 60 days after it becomes law.

Session 12

IP

LS #8441

4/8/22 2:20pm

Session 11

HKA

LS #17517

Int. #2348-2021