

Introduced by: Presiding Officer Richard J. Nicoletto, Legislator Thomas McKeivitt, and Legislator C. William Gaylor, III

LOCAL LAW NO. 9 -2020

A LOCAL LAW TO AMEND THE NASSAU COUNTY ADMINISTRATIVE CODE IN RELATION TO AMENDING THE NASSAU COUNTY HUMAN RIGHTS LAW TO PRECLUDE DISCRIMINATION BASED ON CERTAIN VISIBLE CHARACTERISTICS

Passed by the Nassau County Legislature on August 3, 2020

Voting: ayes: 19, nays: 0

Became a law on August 14, 2020 with the approval of the County Executive.

APPROVED AS TO FORM

Majority Counsel

WHEREAS, Nassau County is committed to the elimination of discrimination of all its forms and the recognition and mutual respect of the rights of all individuals; and

WHEREAS, Nassau County is proud of the diversity of our residents, and the county is enriched by the diverse customs, traditions, religious practices, heritage and cultures that are invaluable part of our communities; and

WHEREAS, residents should be free and proud of individual traits such as natural hair texture, protective hairstyles and the donning of religious garments or items; and

WHEREAS, in furtherance of this commitment and to strengthen the protections included by Nassau County law, the purpose of this local law is to amend the Nassau County Administrative Code to prohibit discrimination based upon individual traits such as natural hair texture, protective hairstyles and the donning of religious garments or items; now, therefore

BE IT ENACTED by the County Legislature of the County of Nassau as follows:

§ Section 1. Chapter XXI, Title C, subdivision d of Section 21-9.2 of the Nassau County Administrative Code is amended to read as follows:

§ 21-9.2. **Definitions.** For the purposes of titles C, C-1 and C-2 of this chapter the following terms shall have the following meanings unless otherwise defined in Titles C-1 or C-2:

d. "Discrimination" means any difference in the treatment based on actual or perceived race, creed, color, national origin, ethnicity, gender, religion, source of income, veteran status, first responder status, sexual orientation, age, marital status, familiar status, disability, or visible traits of an individual such as natural hair texture, protective hairstyles and the donning of religious garments or items and shall include segregation, except that it shall not be discrimination for any religious or denominational institution to devote its facilities, exclusively or primarily, to or for members of its own religion or denomination or to give preference to such members or to make such selection as is calculated by such institution to promote the religious principles for which it is established or maintained, unless membership in such religion is restricted on account or race, color, or national origin.

§ 2. Subdivision r is added to Title C, Section 21-9.2 of the Nassau County Administrative Code as follows:

r. "Protective hairstyle" includes, but is not limited to, such hairstyles as braids, locks, and twists.

§3. Chapter XXI, Title C-1, subdivision b subsection 5. of section 21-9.7 of the Nassau County Administrative Code is amended to read as follows:

5. "Discrimination" and "discriminate" mean any difference in treatment based on actual or perceived race, creed, color, national origin, ethnicity, gender, religion, source of income, veterans status, first responder status, sexual orientation, age, marital status, familial status, disability, or visible individual traits such as natural hair texture, protective hairstyles and the donning of religious garments or items, and shall include segregation, except that it shall not be discrimination for any religious or denominational institution to devote its facilities, exclusively or primarily, to or for members of its own religion or denomination or to give preference to such members or to make such selection as is calculated by such institution to promote the religious principles for which it is established or maintained, unless membership in such religion is restricted on account of race, color, or national origin.

§4. Chapter XXI, Title C-2, section 21-9.8, subdivision 3. of the Nassau County Administrative Code is amended to read as follows:

Title C-2
Unlawful Discriminatory Practices

3. It shall be unlawful discriminatory practice for any person, being the owner, lessee, proprietor, manager, superintendent, agent or employee of any place of public accommodation, resort or amusement, because of the actual or perceived gender, race, color, creed, national origin, ethnicity, disability, age, religion, source of income, veteran status, first responder status or sexual orientation of any person directly or indirectly, or visible traits of an individual such as natural hair texture, protective hairstyles and the donning of religious garments or items directly or indirectly, to refuse, withhold from or deny to such person any of the accommodations, advantages, facilities or privileges thereof, or, directly or indirectly, to publish, circulate, issue, display, post or mail any written or printed communication, notice or advertisement to the effect that any of the accommodation, advantages, facilities and privileges of any such place shall be refused, withheld from or denied to any person on account of actual or perceived gender, race, color, creed, national origin, ethnicity, disability, age, religion, source of income, veteran status, first responder status, or sexual orientation is unwelcome, objectionable or not acceptable, desired or solicited.

§5. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

§ 6. SEQRA Determination.

It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L, section 0101 at seq. and its implementing regulations, Part617 of6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the adoption of this local law is a "Type II" Action within the meaning of Section617.5(c)(20) and (27) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment, and no further review is required.

§ 7. Effective Date.

This local law shall take effect immediately after enactment.

APPROVED

County Executive

Date

8-14-20