

STATE OF NEW YORK

OFFICIAL COPY CHAP 362 LAWS OF 2015

2015-2016 Regular Sessions

IN SENATE

January 9, 2015

Introduced by Sens. SAVINO, LITTLE, GOLDEN, ROBACH, HANNON -- read twice
and ordered printed, and when printed to be committed to the Committee
on Rules

AN ACT to amend the labor law, in relation to the prohibition of differ-
ential pay because of sex

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

- 1 Section 1. Subdivision 1 of section 194 of the labor law, as added by
2 chapter 548 of the laws of 1966, is amended and three new subdivisions
3 2, 3 and 4 are added to read as follows:
4 1. No employee shall be paid a wage at a rate less than the rate at
5 which an employee of the opposite sex in the same establishment is paid
6 for equal work on a job the performance of which requires equal skill,
7 effort and responsibility, and which is performed under similar working
8 conditions, except where payment is made pursuant to a differential
9 based on:
10 a. a seniority system;
11 b. a merit system;
12 c. a system which measures earnings by quantity or quality of
13 production; or
14 d. [any other factor other than sex] a bona fide factor other than
15 sex, such as education, training, or experience. Such factor: (i) shall
16 not be based upon or derived from a sex-based differential in compen-
17 sation and (ii) shall be job-related with respect to the position in
18 question and shall be consistent with business necessity. Such exception
19 under this paragraph shall not apply when the employee demonstrates (A)
20 that an employer uses a particular employment practice that causes a
21 disparate impact on the basis of sex, (B) that an alternative employment
22 practice exists that would serve the same business purpose and not
23 produce such differential, and (C) that the employer has refused to
24 adopt such alternative practice.

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

LBD07113-01-5

1 2. For the purpose of subdivision one of this section, "business
2 necessity" shall be defined as a factor that bears a manifest relation-
3 ship to the employment in question.

4 3. For the purposes of subdivision one of this section, employees
5 shall be deemed to work in the same establishment if the employees work
6 for the same employer at workplaces located in the same geographical
7 region, no larger than a county, taking into account population distrib-
8 ution, economic activity, and/or the presence of municipalities.

9 4. (a) No employer shall prohibit an employee from inquiring about,
10 discussing, or disclosing the wages of such employee or another employ-
11 ee.

12 (b) An employer may, in a written policy provided to all employees,
13 establish reasonable workplace and workday limitations on the time,
14 place and manner for inquires about, discussion of, or the disclosure of
15 wages. Such limitations shall be consistent with standards promulgated
16 by the commissioner and shall be consistent with all other state and
17 federal laws. Such limitations may include prohibiting an employee from
18 discussing or disclosing the wages of another employee without such
19 employee's prior permission.

20 (c) Nothing in this subdivision shall require an employee to disclose
21 his or her wages. The failure of an employee to adhere to such reason-
22 able limitations in such written policy shall be an affirmative defense
23 to any claims made against an employer under this subdivision, provided
24 that any adverse employment action taken by the employer was for failure
25 to adhere to such reasonable limitations and not for mere inquiry,
26 discussion or disclosure of wages in accordance with such reasonable
27 limitations in such written policy.

28 (d) This prohibition shall not apply to instances in which an employee
29 who has access to the wage information of other employees as a part of
30 such employee's essential job functions discloses the wages of such
31 other employees to individuals who do not otherwise have access to such
32 information, unless such disclosure is in response to a complaint or
33 charge, or in furtherance of an investigation, proceeding, hearing, or
34 action under this chapter, including an investigation conducted by the
35 employer.

36 (e) Nothing in this section shall be construed to limit the rights of
37 an employee provided under any other provision of law or collective
38 bargaining agreement.

39 § 2. Subdivision 1-a of section 198 of the labor law, as amended by
40 chapter 564 of the laws of 2010, is amended to read as follows:

41 1-a. On behalf of any employee paid less than the wage to which he or
42 she is entitled under the provisions of this article, the commissioner
43 may bring any legal action necessary, including administrative action,
44 to collect such claim and as part of such legal action, in addition to
45 any other remedies and penalties otherwise available under this article,
46 the commissioner shall assess against the employer the full amount of
47 any such underpayment, and an additional amount as liquidated damages,
48 unless the employer proves a good faith basis for believing that its
49 underpayment of wages was in compliance with the law. Liquidated damages
50 shall be calculated by the commissioner as no more than one hundred
51 percent of the total amount of wages found to be due, except such liqui-
52 dated damages may be up to three hundred percent of the total amount of
53 the wages found to be due for a willful violation of section one hundred
54 ninety-four of this article. In any action instituted in the courts upon
55 a wage claim by an employee or the commissioner in which the employee
56 prevails, the court shall allow such employee to recover the full amount



1 of any underpayment, all reasonable attorney's fees, prejudgment inter-
2 est as required under the civil practice law and rules, and, unless the
3 employer proves a good faith basis to believe that its underpayment of
4 wages was in compliance with the law, an additional amount as liquidated
5 damages equal to one hundred percent of the total amount of the wages
6 found to be due, except such liquidated damages may be up to three
7 hundred percent of the total amount of the wages found to be due for a
8 willful violation of section one hundred ninety-four of this article.

9 § 3. The department of labor and the division of human rights shall
10 make training available to assist employers in developing training,
11 policies and procedures to address discrimination and harassment in the
12 workplace including, but not limited to issues relating to pregnancy,
13 familial status, pay equity and sexual harassment. Such training shall
14 take into account the needs of employers of various sizes. The depart-
15 ment and division shall make such training available through, including
16 but not limited to, online means. In developing such training materi-
17 als, the department and division shall afford the public an opportunity
18 to submit comments on such training.

19 § 4. Severability clause. If any clause, sentence, paragraph, subdivi-
20 sion, section or part of this act shall be adjudged by a court of compe-
21 tent jurisdiction to be invalid, such judgment shall not affect, impair
22 or invalidate the remainder thereof, but shall be confined in its opera-
23 tion to the clause, sentence, paragraph, subdivision, section or part
24 thereof directly involved in the controversy in which such judgment
25 shall have been rendered. It is hereby declared to be the intent of the
26 legislature that this act would have been enacted even if such invalid
27 provisions had not been included herein.

28 § 5. This act shall take effect on the ninetieth day after it shall
29 have become a law; provided, however, that the commissioner of labor
30 shall take actions necessary to provide for the promulgation of stand-
31 ards pursuant to subdivision 4 of section 194 of the labor law, as added
32 by section one of this act, prior to this act taking effect; and
33 provided further, however, that the department of labor and division of
34 human rights shall take actions necessary to establish training pursuant
35 to section three of this act prior to this act taking effect.

**APPROVED**

OCT 21 2015



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CHAP²~~363~~ LAWS OF 2015

2015-2016 Regular Sessions

IN SENATE

January 9, 2015

Introduced by Sens. VALESKY, LITTLE, GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the executive law, in relation to unlawful discriminatory practices

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

1 Section 1. Subdivision 5 of section 292 of the executive law, as
2 amended by chapter 481 of the laws of 2010, is amended to read as
3 follows:

4 5. The term "employer" does not include any employer with fewer than
5 four persons in his or her employ except as set forth in section two
6 hundred ninety-six-b of this [title] article, provided, however, that in
7 the case of an action for discrimination based on sex pursuant to subdivi-
8 vision one of section two hundred ninety-six of this article, with
9 respect to sexual harassment only, the term "employer" shall include all
10 employers within the state.

11 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
12 sion, section or part of this act shall be adjudged by a court of compe-
13 tent jurisdiction to be invalid, such judgment shall not affect, impair
14 or invalidate the remainder thereof, but shall be confined in its opera-
15 tion to the clause, sentence, paragraph, subdivision, section or part
16 thereof directly involved in the controversy in which such judgment
17 shall have been rendered. It is hereby declared to be the intent of the
18 legislature that this act would have been enacted even if such invalid
19 provisions had not been included herein.

20 § 3. This act shall take effect on the ninetieth day after it shall
21 have become a law.



APPROVED

OCT 9 2015

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

LBD07114-01-5

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CHAP~~34~~ LAWS OF 2015

2015-2016 Regular Sessions

IN SENATE

January 9, 2015

Introduced by Sen. LITTLE -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the executive law, in relation to the provision of attorney's fees in cases of housing, employment or credit discrimination; to amend the executive law, in relation to the awarding of reasonable attorney's fees

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

1 Section 1. Subdivision 10 of section 297 of the executive law, as
2 added by section 17 of part D of chapter 405 of the laws of 1999, is
3 amended to read as follows:
4 10. With respect to all cases of housing discrimination and housing
5 related credit discrimination [only] in an action or proceeding at law
6 under this section or section two hundred ninety-eight of this article,
7 the commissioner or the court may in its discretion award reasonable
8 attorney's fees to any prevailing or substantially prevailing party; and
9 with respect to a claim of employment or credit discrimination where sex
10 is a basis of such discrimination, in an action or proceeding at law
11 under this section or section two hundred ninety-eight of this article,
12 the commissioner or the court may in its discretion award reasonable
13 attorney's fees attributable to such claim to any prevailing party;
14 provided, however, that a prevailing respondent or defendant in order to
15 recover such reasonable attorney's fees must make a motion requesting
16 such fees and show that the action or proceeding brought was frivolous;
17 and further provided that in a proceeding brought in the division of
18 human rights, the commissioner may only award attorney's fees as part of
19 a final order after a public hearing held pursuant to subdivision four
20 of this section. In no case shall attorney's fees be awarded to the
21 division, nor shall the division be liable to a prevailing or substan-
22 tially prevailing party for attorney's fees, except in a case in which
23 the division is a party to the action or the proceeding in the divi-

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

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1 sion's capacity as an employer. In cases of employment discrimination,
 2 a respondent shall only be liable for attorney's fees under this subdivi-
 3 vision if the respondent has been found liable for having committed an
 4 unlawful discriminatory practice. In order to find the action or
 5 proceeding to be frivolous, the court or the commissioner must find in
 6 writing one or more of the following:

7 (a) the action or proceeding was commenced, used or continued in bad
 8 faith, solely to delay or prolong the resolution of the litigation or to
 9 harass or maliciously injure another; or

10 (b) the action or proceeding was commenced or continued in bad faith
 11 without any reasonable basis and could not be supported by a good faith
 12 argument for an extension, modification or reversal of existing law. If
 13 the action or proceeding was promptly discontinued when the party or
 14 attorney learned or should have learned that the action or proceeding
 15 lacked such a reasonable basis, the court may find that the party or the
 16 attorney did not act in bad faith.

17 § 2. Paragraph c of subdivision 7 of section 296-a of the executive
 18 law, as amended by chapter 632 of the laws of 1976, is amended to read
 19 as follows:

20 c. If the superintendent finds that a violation of this section has
 21 occurred, the superintendent shall issue an order which shall do one or
 22 more of the following:

23 (1) impose a fine in an amount not to exceed ten thousand dollars for
 24 each violation, to be paid to the people of the state of New York;

25 (2) award compensatory damages to the person aggrieved by such
 26 violation;

27 (3) for a claim of sex discrimination only, award reasonable attor-
 28 ney's fees attributable to such claim to any prevailing party; provided,
 29 however, that a prevailing respondent or defendant in order to recover
 30 such reasonable attorney's fees must make a motion requesting such fees
 31 and show that the action or proceeding brought was frivolous. In no case
 32 shall attorney's fees be awarded to the department, nor shall the
 33 department be liable to a prevailing party for attorney's fees. In order
 34 to find the action or proceeding to be frivolous, the superintendent
 35 must find in writing one or more of the following:

36 (a) the action or proceeding was commenced, used or continued in bad
 37 faith, solely to delay or prolong the resolution of the litigation or to
 38 harass or maliciously injure another; or

39 (b) the action or proceeding was commenced or continued in bad faith
 40 without any reasonable basis and could not be supported by a good faith
 41 argument for an extension, modification or reversal of existing law. If
 42 the action or proceeding was promptly discontinued when the party or
 43 attorney learned or should have learned that the action or proceeding
 44 lacked such a reasonable basis, the court may find that the party or the
 45 attorney did not act in bad faith.

46 (4) require the regulated creditor to cease and desist from such
 47 unlawful discriminatory practices;

48 [(4)] (5) require the regulated creditor to take such further affirma-
 49 tive action as will effectuate the purposes of this section, including,
 50 but not limited to, granting the credit which was the subject of the
 51 complaint.

52 § 3. Severability clause. If any clause, sentence, paragraph, subdivi-
 53 sion, section or part of this act shall be adjudged by a court of compe-
 54 tent jurisdiction to be invalid, such judgment shall not affect, impair
 55 or invalidate the remainder thereof, but shall be confined in its opera-
 56 tion to the clause, sentence, paragraph, subdivision, section or part

1 thereof directly involved in the controversy in which such judgment
2 shall have been rendered. It is hereby declared to be the intent of the
3 legislature that this act would have been enacted even if such invalid
4 provisions had not been included herein.

5 § 4. This act shall take effect on the ninetieth day after it shall
6 have become a law, and shall apply to actions commenced on or after such
7 date.



APPROVED

OCT 21 2015

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CHAP~~34~~³⁵ LAWS OF 20~~14~~¹⁵

2015-2016 Regular Sessions

IN SENATE

January 9, 2015

Introduced by Sens. LITTLE, ROBACH -- read twice and ordered printed,
and when printed to be committed to the Committee on Rules

AN ACT to amend the executive law, in relation to unlawful discriminatory practice because of familial status

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

1 Section 1. Subdivisions 1 and 1-a of section 296 of the executive law,
2 as amended by chapter 803 of the laws of 1975, paragraph (a) of subdivi-
3 sion 1 as amended by chapter 80 of the laws of 2009, paragraphs (b), (c)
4 and (d) of subdivision 1 as amended by chapter 75 of the laws of 2005,
5 paragraph (e) of subdivision 1 as amended by chapter 166 of the laws of
6 2000, paragraph (g) of subdivision 1 as added by chapter 98 of the laws
7 of 1984 and paragraphs (b), (c) and (d) of subdivision 1-a as amended by
8 chapter 106 of the laws of 2003, are amended to read as follows:

9 1. It shall be an unlawful discriminatory practice:

10 (a) For an employer or licensing agency, because of an individual's
11 age, race, creed, color, national origin, sexual orientation, military
12 status, sex, disability, predisposing genetic characteristics, familial
13 status, marital status, or domestic violence victim status, to refuse to
14 hire or employ or to bar or to discharge from employment such individual
15 or to discriminate against such individual in compensation or in terms,
16 conditions or privileges of employment.

17 (b) For an employment agency to discriminate against any individual
18 because of age, race, creed, color, national origin, sexual orientation,
19 military status, sex, disability, predisposing genetic characteristics,
20 familial status, or marital status, in receiving, classifying, disposing
21 or otherwise acting upon applications for its services or in referring
22 an applicant or applicants to an employer or employers.

23 (c) For a labor organization, because of the age, race, creed, color,
24 national origin, sexual orientation, military status, sex, disability,
25 predisposing genetic characteristics, familial status, or marital status

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

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1 of any individual, to exclude or to expel from its membership such indi-
2 vidual or to discriminate in any way against any of its members or
3 against any employer or any individual employed by an employer.

4 (d) For any employer, or employment agency, to print or circulate or
5 cause to be printed or circulated any statement, advertisement or publi-
6 cation, or to use any form of application for employment or to make any
7 inquiry in connection with prospective employment, which expresses
8 directly or indirectly, any limitation, specification or discrimination
9 as to age, race, creed, color, national origin, sexual orientation,
10 military status, sex, disability, predisposing genetic characteristics,
11 familial status, or marital status, or any intent to make any such limi-
12 tation, specification or discrimination, unless based upon a bona fide
13 occupational qualification; provided, however, that neither this para-
14 graph nor any provision of this chapter or other law shall be construed
15 to prohibit the department of civil service or the department of person-
16 nel of any city containing more than one county from requesting informa-
17 tion from applicants for civil service examinations concerning any of
18 the aforementioned characteristics, other than sexual orientation, for
19 the purpose of conducting studies to identify and resolve possible prob-
20 lems in recruitment and testing of members of minority groups to insure
21 the fairest possible and equal opportunities for employment in the civil
22 service for all persons, regardless of age, race, creed, color, national
23 origin, sexual orientation, military status, sex, disability, predispos-
24 ing genetic characteristics, familial status, or marital status.

25 (e) For any employer, labor organization or employment agency to
26 discharge, expel or otherwise discriminate against any person because he
27 or she has opposed any practices forbidden under this article or because
28 he or she has filed a complaint, testified or assisted in any proceeding
29 under this article.

30 (f) Nothing in this subdivision shall affect any restrictions upon the
31 activities of persons licensed by the state liquor authority with
32 respect to persons under twenty-one years of age.

33 (g) For an employer to compel an employee who is pregnant to take a
34 leave of absence, unless the employee is prevented by such pregnancy
35 from performing the activities involved in the job or occupation in a
36 reasonable manner.

37 1-a. It shall be an unlawful discriminatory practice for an employer,
38 labor organization, employment agency or any joint labor-management
39 committee controlling apprentice training programs:

40 (a) To select persons for an apprentice training program registered
41 with the state of New York on any basis other than their qualifications,
42 as determined by objective criteria which permit review;

43 (b) To deny to or withhold from any person because of race, creed,
44 color, national origin, sexual orientation, military status, sex, age,
45 disability, familial status, or marital status, the right to be admitted
46 to or participate in a guidance program, an apprenticeship training
47 program, on-the-job training program, executive training program, or
48 other occupational training or retraining program;

49 (c) To discriminate against any person in his or her pursuit of such
50 programs or to discriminate against such a person in the terms, condi-
51 tions or privileges of such programs because of race, creed, color,
52 national origin, sexual orientation, military status, sex, age, disabil-
53 ity, familial status or marital status;

54 (d) To print or circulate or cause to be printed or circulated any
55 statement, advertisement or publication, or to use any form of applica-
56 tion for such programs or to make any inquiry in connection with such



1 program which expresses, directly or indirectly, any limitation, spec-
2 ification or discrimination as to race, creed, color, national origin,
3 sexual orientation, military status, sex, age, disability, familial
4 status or marital status, or any intention to make any such limitation,
5 specification or discrimination, unless based on a bona fide occupa-
6 tional qualification.

7 § 2. Subdivision 3 of section 296 of the executive law is amended by
8 adding a new paragraph (c) to read as follows:

9 (c) Nothing in this subdivision regarding "reasonable accommodation"
10 or in the chapter of the laws of two thousand fifteen which added this
11 paragraph shall alter, diminish, increase, or create new or additional
12 requirements to accommodate protected classes pursuant to this article
13 other than the additional requirements as explicitly set forth in such
14 chapter of the laws of two thousand fifteen.

15 § 3. Paragraph (a) of subdivision 9 of section 296 of the executive
16 law, as amended by chapter 106 of the laws of 2003, is amended to read
17 as follows:

18 (a) It shall be an unlawful discriminatory practice for any fire
19 department or fire company therein, through any member or members there-
20 of, officers, board of fire commissioners or other body or office having
21 power of appointment of volunteer firefighters, directly or indirectly,
22 by ritualistic practice, constitutional or by-law prescription, by tacit
23 agreement among its members, or otherwise, to deny to any individual
24 membership in any volunteer fire department or fire company therein, or
25 to expel or discriminate against any volunteer member of a fire depart-
26 ment or fire company therein, because of the race, creed, color,
27 national origin, sexual orientation, military status, sex [or], marital
28 status, or familial status, of such individual.

29 § 4. Subdivision 13 of section 296 of the executive law, as amended by
30 chapter 196 of the laws of 2010, is amended to read as follows:

31 13. It shall be an unlawful discriminatory practice (i) for any person
32 to boycott or blacklist, or to refuse to buy from, sell to or trade
33 with, or otherwise discriminate against any person, because of the race,
34 creed, color, national origin, sexual orientation, military status, sex,
35 [or] disability, or familial status, of such person, or of such person's
36 partners, members, stockholders, directors, officers, managers, super-
37 intendents, agents, employees, business associates, suppliers or custom-
38 ers, or (ii) for any person wilfully to do any act or refrain from doing
39 any act which enables any such person to take such action. This subdivi-
40 sion shall not apply to:

41 (a) Boycotts connected with labor disputes; or

42 (b) Boycotts to protest unlawful discriminatory practices.

43 § 5. Severability clause. If any clause, sentence, paragraph, subdivi-
44 sion, section or part of this act shall be adjudged by a court of compe-
45 tent jurisdiction to be invalid, such judgment shall not affect, impair
46 or invalidate the remainder thereof, but shall be confined in its opera-
47 tion to the clause, sentence, paragraph, subdivision, section or part
48 thereof directly involved in the controversy in which such judgment
49 shall have been rendered. It is hereby declared to be the intent of the
50 legislature that this act would have been enacted even if such invalid
51 provisions had not been included herein.

52 § 6. This act shall take effect on the ninetieth day after it shall
53 have become a law.



APPROVED
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CHAP ~~319~~ LAWS OF 2015

2015-2016 Regular Sessions

IN SENATE

January 9, 2015

Introduced by Sens. HANNON, CARLUCCI, ROBACH -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the executive law, in relation to reasonable accommodation

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

1 Section 1. Subdivision 21-e of section 292 of the executive law, as
2 added by chapter 269 of the laws of 1997, is amended and a new subdivi-
3 sion 21-f is added to read as follows:

4 21-e. The term "reasonable accommodation" means actions taken which
5 permit an employee, prospective employee or member with a disability, or
6 a pregnancy-related condition, to perform in a reasonable manner the
7 activities involved in the job or occupation sought or held and include,
8 but are not limited to, provision of an accessible worksite, acquisition
9 or modification of equipment, support services for persons with impaired
10 hearing or vision, job restructuring and modified work schedules;
11 provided, however, that such actions do not impose an undue hardship on
12 the business, program or enterprise of the entity from which action is
13 requested.

14 21-f. The term "pregnancy-related condition" means a medical condition
15 related to pregnancy or childbirth that inhibits the exercise of a
16 normal bodily function or is demonstrable by medically accepted clinical
17 or laboratory diagnostic techniques; provided, however, that in all
18 provisions of this article dealing with employment, the term shall be
19 limited to conditions which, upon the provision of reasonable accommo-
20 dations, do not prevent the complainant from performing in a reasonable
21 manner the activities involved in the job or occupation sought or held;
22 and provided further, however, that pregnancy-related conditions shall
23 be treated as temporary disabilities for the purposes of this article.

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

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1 § 2. Paragraph (a) of subdivision 3 of section 296 of the executive
2 law, as added by chapter 269 of the laws of 1997, is amended and a new
3 paragraph (c) is added to read as follows:

4 (a) It shall be an unlawful discriminatory practice for an employer,
5 licensing agency, employment agency or labor organization to refuse to
6 provide reasonable accommodations to the known disabilities, or pregnan-
7 cy-related conditions, of an employee, prospective employee or member in
8 connection with a job or occupation sought or held or participation in a
9 training program.

10 (c) The employee must cooperate in providing medical or other informa-
11 tion that is necessary to verify the existence of the disability or
12 pregnancy-related condition, or that is necessary for consideration of
13 the accommodation. The employee has a right to have such medical infor-
14 mation kept confidential.

15 § 3. Severability clause. If any clause, sentence, paragraph, subdivi-
16 sion, section or part of this act shall be adjudged by a court of compe-
17 tent jurisdiction to be invalid, such judgment shall not affect, impair
18 or invalidate the remainder thereof, but shall be confined in its opera-
19 tion to the clause, sentence, paragraph, subdivision, section or part
20 thereof directly involved in the controversy in which such judgment
21 shall have been rendered. It is hereby declared to be the intent of the
22 legislature that this act would have been enacted even if such invalid
23 provisions had not been included herein.

24 § 4. This act shall take effect on the ninetieth day after it shall
25 have become a law.



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