

New York City Commission on Human Rights

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The New York City Commission on Human Rights (“the Commission”) is proposing to amend its rules to clarify that authority is delegated to the Chair of the Commission by the Commission to propose rules for comment.

When and where is the Hearing? The Commission will hold a Public Hearing on the proposed rule. The public hearing will take place at 10:00 am on February 8, 2017. The hearing will be in Spector Hall, located at 22 Reade St. on the first floor.

This location has the following accessibility option(s) available: wheelchair accessible.

How do I comment on the proposed rule? Anyone can comment on the proposed rule by:

- **Website.** You can submit comments to the Commission through the NYC Rules Website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to policy@cchr.nyc.gov.
- **Mail.** You can mail comments to:

Dana Sussman
Deputy Commissioner for Policy and Intergovernmental Affairs
New York City Commission on Human Rights
P.O. Box 2023
New York, NY 10272

- **Fax.** You can fax comments to Dana Sussman, Deputy Commissioner for Policy and Intergovernmental Affairs, at (646) 500-6734.
- **Speaking at the Hearing.** Anyone who wants to comment on the proposed rule at the public hearing must register to speak. You can sign up before the hearing by emailing policy@cchr.nyc.gov. You can also sign up in the hearing room before the hearing begins on February 8, 2017 at 10:00 am. You can speak for up to three minutes.

Is there a deadline to submit written comments? You must submit written comments by February 8, 2017.

What if I need assistance to participate in the Hearing? Please notify the Commission if you need a reasonable accommodation for a disability to participate in the Hearing. You must tell us if you need a sign language interpreter. You can tell us by mail or email at the addresses given above. Please tell us by 7 days prior to February 8, 2017.

Can I review the comments made on the proposed rule? You can review the comments made online on the proposed rule by going to the website <http://rules.cityofnewyork.us/>. A few days after the hearing, a recording of the hearing and copies of the written comments will be made available to the public on the Commission's website.

What authorizes the Commission to adopt these rules? Sections 905(9) and 1043 of the New York City Charter authorize the Commission to adopt this proposed rule. This proposed rule was not included in the Commission's regulatory agenda for this Fiscal Year because it was not contemplated at the time agencies needed to submit the agenda.

Where can I find the Commission's rules? The Commission's rules are found in title 47 of the Rules of the City of New York.

What laws govern the rulemaking process? The Commission must meet the requirements of section 1043 of the New York City Charter when creating or changing rules. This notice is made according to the requirements of section 1043 of the Charter.

Statement of Basis and Purpose of Proposed Rule

The New York City Commission on Human Rights (“the Commission”) is proposing to amend its rules to clarify that authority is delegated to the Chair of the Commission by the Commission to propose rules for comment.

The Commission’s authority for this rule is found in sections 905(9) and 1043 of the New York City Charter.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. Chapter 1 of Title 47 of the Official Compilation of the Rules of the City of New York is amended to add a new section 1-04 to read as follows:

§ 1-04 Power Delegated to the Chair of the Commission to Propose Rules

The Commission delegates to the Chair of the Commission authority to propose rules prior to their final adoption by the Commission pursuant to § 8-105(11) of the New York City Administrative Code and § 905(9) of the New York City Charter.

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Delegation of Authority to Propose Rules

REFERENCE NUMBER: 2016 RG 111

RULEMAKING AGENCY: New York City Commission on Human Rights

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: December 22, 2016

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Delegation of Authority to Propose Rules

REFERENCE NUMBER: CCHR-3

RULEMAKING AGENCY: City Commission on Human Rights

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco X. Navarro
Mayor's Office of Operations

December 22, 2016
Date