

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2022**

No. 76

Introduced by Council Members Hanif, Cabán, the Public Advocate (Mr. Williams) and Council Members Louis, Rivera, Hudson, Farías, Avilés, Powers, Krishnan, Brannan, Joseph, Dinowitz, Ung, Menin, Schulman, Richardson Jordan, Abreu, Restler, Won, Riley, Ossé, De La Rosa, Narcisse, Brewer, Marte, Ayala, Sanchez, Lee and The Speaker (Council Member Adams).

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to a cause of action related to interference with reproductive or endocrine medical care

Be it enacted by the Council as follows:

Section 1. Title 17 of the administrative code of the city of New York is amended by adding a new chapter 21 to read as follows:

CHAPTER 21

Interference with Reproductive or Endocrine Medical Care

§ 17-2101 Claim for interference with reproductive or endocrine medical care. a. A person may bring a civil action for interference with reproductive or endocrine medical care when a civil action is commenced against such person in any state, for which liability, in whole or in part, or any theory of vicarious, joint, several or conspiracy liability derived therefrom, is based on the provision, receipt, assistance in receipt or provision of, or material support for, medical care relating to the human reproductive or endocrine systems, which was lawfully provided in the city.

b. A claim for interference with reproductive or endocrine medical care may not be based upon the commencement of any civil action that is founded in tort, contract or statute and for

which a similar claim would exist under the laws of the state of New York or of the city and which is:

1. Brought by the patient who received the medical care, or the patient's authorized legal representative, for damages suffered by the patient or damages derived from an individual's loss of consortium of the patient; or

2. Brought by a party with a contractual relationship with the person that is the subject of the action.

c. A plaintiff who prevails on a claim alleging interference with reproductive or endocrine medical care shall be awarded statutory damages of \$10,000. In addition, the court, in issuing a final order in any action 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. This local law takes effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on July 14, 2022 and approved by the Mayor on August 12, 2022.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 76 of 2022, Council Int. No. 475-A of 2022) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

STEPHEN LOUIS, Acting Corporation Counsel.