NYSCADV
NEW YORK STATE COALITION AGAINST DOMESTIC VIOLENCE

2015 Legislative Session Summary
(Updated: As of 7/10/15)

DOMESTIC VIOLENCE RELATED BILLS - PASSED BOTH HOUSES & SIGNED BY GOVERNOR

A7193-A BICHOTTE / S5750 GALLIVAN – RELATES TO CHILD SUPPORT ENFORCEMENT
Extends the driver's license suspension process for parents who fail to pay child support and have a driver's license from June 30, 2015 to August 31, 2017. Amends Subdivision 19 of Section 246 of Chapter 81 of the Laws of 1995. *Effective Date: June 30, 2015.*

A8244 GLICK / S5965 LAVALLE – RELATES TO CAMPUS PREVENTION
Amends the education law, in relation to the implementation by colleges and universities of sexual assault, dating violence, domestic violence and stalking prevention and response policies and procedures; and to amend the civil practice law and rules, in relation to privacy of name in certain legal challenges to college. Adds to Education Law new article 129-B. Adds to Civil Practice Law and Rules new Section I to Rule 3016. Adds to Executive Law new §232. Appropriates $4.5 million to state police from general fund. Appropriates $4.5 million to miscellaneous aid to localities from general fund for rape crisis services. Appropriates $1 million to miscellaneous aid to localities from general fund for college campuses. *Signed July 7, 2015. Effective in 90 days, except for provisions related to campus climate assessment and reporting which shall take place after one year. Appropriations take effect immediately.*

DOMESTIC VIOLENCE RELATED BILLS - PASSED BOTH HOUSES

A86 PAULIN / S3486 LANZA – RELATES TO EDUCATION AND OUTREACH FOR VICTIMS OF SEX OFFENSES
Allows the Department of Health to promote the availability of individual, family, and group counseling programs, education programs and advocacy services provided at no cost for victims of sexual offenses and child pornography promotion or possession. Amends Public Health Law §207.

A506 PAULIN / S7 LANZA - RELATES TO HUMAN TRAFFICKING
Enacts the Trafficking Victims Protection and Justice Act to improve the state's response to human trafficking, increase the accountability of buyers and traffickers, and improve the school zone prostitution law. Amends Penal Law generally; Criminal Procedure Law §§700.05, 380.50 & 440.10; Social Services Law §§483-bb & 483-cc; Civil Practice Law And Rules §212; Section 14, Chap 74 of Laws of 2007; Mental Hygiene Law §10.03; Correction Law §§168-a & 168-d; Vehicle And Traffic Law §§509-cc, adds a new 510-d; Public Health Law §2324-a; Real Property Actions And Proceedings Law §715; Real Property Law §231; Executive Law §§840 and adds a new 214-d.

A551 HEVESI / S4763 FUNKE – RELATES TO HUMAN TRAFFICKING
Expands upon the Interagency Task Force on Human Trafficking by adding seven new members, creating subcommittees, and require at least three meetings per year; extends the task force through 2019. Adds to Social Services Law § 483-ee.

A873 BRAUNSTEIN / S1316 MARCHIONE – RELATES TO REPORTING OF CRIMES ON COLLEGE CAMPUSES
Provides guidance to colleges and universities regarding the Campus Safety Act of 2014 in regards to a victim of a campus sexual assault having the option whether or not to report the offense to local law enforcement agencies, and clarifying that the victim has the option to be assisted by campus authorities in notifying local law enforcement agencies, if the victim chooses to do so. Amends Education Law §§ 355, 6206, 6306 & 6434.

A1797-A PAULIN / S4340-B SERINO – RELATES TO ORDERS OF PROTECTION
Aligns the duration of a final order of protection issued in a case where the defendant is convicted of sexual assault and probation is ordered, or is ordered as part of the sentence, so that the order does not expire before the defendant has completed probation. Amends Criminal Procedure Law §§ 530.12 & 530.13.

A2242 BRONSON /S5240 SAVINO - RELATES TO VICTIM NAME CHANGES
Limits and/or waives the amount of information required for publication purposes in judicial name changes when petitioner demonstrates risk to personal safety. Amends Civil Rights Law §64-a.

A2469-A PAULIN / S4394 LANZA – RELATES TO VICTIMS OF SEX TRAFFICKING
Waives the DNA databank fee in addition to the mandatory surcharge and crime victim assistance fee for persons convicted where the arresting charge is loitering for prostitution or prostitution or when the court finds the defendant is a victim of sex trafficking. Amends Criminal Procedure Law §420.35.

A4250 WRIGHT / S3596 SAVINO – RELATES TO NYC PUBLIC ASSISTANCE EMPLOYMENT PROGRAMS
Clarifies conciliation procedures in cases when the recipient of public assistance programs refuses to comply with employment program requirements in New York City. Amends Social Services Law §§341 & 342; Adds §§341-a & 342-a.

A4272 GUNTHER / S8 HANNON – RELATES TO REASONABLE ACCOMMODATIONS
Requires employers to provide reasonable accommodations for employees with pregnancy-related conditions. Amends Executive Law §§ 292 & 296.

A4347 DAVILA / S4288 HOYLMAN - RELATES TO THE TRANSLATION OF DOMESTIC INCIDENT REPORTS
Requires that police translate domestic incident reports if they are filled out in a language other than English and to also require that victims are notified of their rights in their native language. Amends Executive Law §§214-b, 840 & 837; Criminal Procedure Law §140.10. *(Bill was part of the 2015 NYSCADV Legislative Agenda)*.

A4469 BARETT / S5419 SERINO – RELATES TO CHILD CARE ASSISTANCE
Authorizes the use of a simplified application form for persons applying only for child care assistance and no other type of benefits. Orders the posting of said applications on OTDA and OCFS websites. Amends Social Services Law §410-w.

A5007-A PERRY / S1744-A CARLUCCI – RELATES TO DEFENDANT NAME CHANGES
Requires the Commissioner of the Division of Criminal Justice Services, in consultation with the Director of the Office of Victim Services, to prepare and distribute the notification form for victims of violent felony offenses allowing them to demand to be informed regarding a name change petition by the defendant. Amends Criminal Procedure Law §380.50.

A5360 GALEF / S2 VALESKY – RELATES TO SEXUAL HARASSMENT
Extends sexual harassment protections to employees of all businesses, no matter how large or small. Amends Executive Law §292.

A5803 FAHY / S3520-A AMEDORE – RELATES TO STATE CHILD ABUSE REGISTRY RECORDS
Repeals existing provision related to access to records from the central registry in the case of a missing child. Clarifies the scope of reports which may be accessed in such instances by criminal justice agencies and allows for administrative review by OCFS if access to records is denied. Amends Social Service Law §§ 412 & 422, Repeals §422 sub 4 P(A) sub P(q).

A6075 TITUS / S1 SAVINO – RELATES TO PAY EQUITY
Prohibits differential pay based on sex, replacing the current "any other factor other than sex" exception with an exception that requires that the differential in rate of pay be based on a bona fide factor other than sex such as education, training or experience. Such a factor could not be based on a sex-based differential, and must be job-related and consistent with business necessity. Amends Labor Law §§ 194 & 198.

A6262 JOYNER / S6 YOUNG - RELATES TO TEMPORARY ORDERS OF PROTECTION
Establishes a pilot program for the filing of petitions for temporary orders of protection by electronic means and for issuance of such orders *ex parte* by audio-visual means. Amends Family Court Act §153-c; Judiciary Law §212; Executive Law §648.

A6354-B PEOPLES-STOKES / S5 ROBACH – RELATES TO HOUSING DISCRIMINATION
Prohibits discrimination in housing based upon domestic violence status and establishes a task force to study the impact of source of income on access to housing. Adds to Real Property Law §227-d & Real Property Actions and Proceedings Law §744. *(Bill was part of the 2015 NYSCADV Legislative Agenda)*.

A6626 ROSENTHAL / S5372 CARLUCCI – RELATES TO SERVICE ANIMALS & THERAPY DOGS IN SHELTERS
Authorizes service animals or therapy dogs to accompany victims of domestic violence at residential domestic violence programs. Amends Social Services Law § 459-b.

A6715-A WEINSTEIN/S5018-A FELDER – RELATES TO CPS/PERMANENCY PROCEEDINGS (OCA PRGM BILL)
Seeks to address gaps and anomalies with respect to the treatment of non-respondent parents to enable greater participation in abuse, neglect, or permanency hearings concerning their children. Amends Family Court Act §§1017, 1022-a, 1052, 1054, 1055-b, 1057; adds §§651-c-1, 1012-l m & n; Amends Domestic Relations Law § 240.

A6780-B SIMOTAS / S5972 SEWARD – RELATES TO PREGNANCY & INSURANCE
Adds pregnancy to the series of qualifying events that trigger a special enrollment period for the state health insurance exchange. Amends Insurance Law §3217-c; Adds to Public Health Law §2507.

A6943 PEOPLES-STOKES / S4913 GALLIVAN – RELATES TO CRIME VICTIM AWARDS
Provides that there need not be a finding of financial difficulty for crime victim awards of less than $10,000. Amends Executive Law § 631.

A7189 DINOWITZ/S3 LITTLE – RELATES TO ATTORNEY FEES IN HOUSING, EMPLOYMENT, & CREDIT DISCRIMINATION
Provides for attorney fees in employment or credit discrimination cases when sex is a basis of discrimination and retains the existing allowance for attorney's fees in housing and housing related credit cases. Amends Executive Law §§ 297 & 296-a.

A7202-A GUNTHER / S5138 HANNON – RELATES TO BREASTFEEDING MOTHERS' BILL OF RIGHTS
Requires employers to make reasonable efforts to provide private locations for mothers to express breast milk. Amends Public Health Law §2505-a.

A7221 WEINSTEIN/ S5190 BONACIC – RELATES TO COUNSEL FEES/EXPENSES IN MATRIMONIAL ACTIONS
Clarifies that indigent pro se litigants may make an application for an award of fees necessary to obtain counsel without the formal requirement of an affidavit detailing fee arrangements with counsel, provided proof has been submitted of an inability to afford counsel. Amends Domestic Relations Law §237.

A7317 RUSSELL / S4 LITTLE – RELATES TO EMPLOYMENT DISCRIMINATION
Prohibits employers from denying work or promotions to workers based on their familial status. Amends Executive Law § 296.

A7612-A CYMBROWITZ / S5328-A SERINO – RELATES TO ELDER ABUSE PUBLIC EDUCATION
Authorizes the Office for the Aging to conduct a public education campaign relating to elder abuse. Amends Elder Law § 202.

A7637 SEAWRIGHT / S5691 BONACIC – RELATES TO SPOUSAL MAINTENANCE & CHILD SUPPORT
Clarifies treatment of spousal maintenance in calculation of child support with respect to payer and recipient incomes; clarifies that spousal maintenance payment deductions from payer's income must contain specific provision adjusting the child support amount automatically upon the termination of the spousal maintenance award. Amends Family Court Act §413; Domestic Relations Law §240.

A7644 FAHY / S5054 FELDER – RELATES TO ORDERS OF PROTECTION IN CHILD ABUSE & NEGLECT CASES
Gives Family Courts authorization to render enhanced findings of severe and repeated abuse with respect to respondents who are not parents of the child; to enter orders of protection in child abuse and neglect cases into statewide automated registry. Amends Family Court Act §1051; Executive Law §221-a.

A7645 WEINSTEIN / S5678 BONACIC – RELATES TO SPOUSAL SUPPORT
Relates to the duration and amount of maintenance and of spousal support; establishes new formulas for the amount of maintenance and spousal support and factors the court can use to deviate from that amount. Amends Domestic Relations Law §§236 & 248; Family Court Act §412.

A7721 PEOPLES-STOKES / S5130 MARTINS – RELATES TO WORKPLACE VIOLENCE & NONPROFITS
Requires nonprofit employers who have received at least fifty percent of their budget through municipal, state or federal government sources to develop and implement programs to prevent workplace violence. Amends Labor Law 27-b.

A7939-A WEINSTEIN / S5533-B DEFRANCISCO – RELATES TO INTERPRETATION OF COURT PROCEEDINGS
Provides equal access to court proceedings for deaf or hard of hearing persons by authorizing the provision of real-time stenographic translation for deaf or hard of hearing persons in court, in addition to the provision of other appropriate auxiliary aids or services. Amends Judiciary Law §390.

A8083 WEINSTEIN / S5833 BONACIC – RELATES TO THE USE OF FILING VIA ELECTRONIC MEANS
Relates to use of electronic means for the commencement and filing of papers in certain actions and proceedings; and providing for the repeal of certain provisions upon expiration thereof. Amends Judiciary Law §212; Adds Civil Practice Law & Rules Article 21-A §§2110 – 2112; Adds Court of Claims Act §11-b; Amends Criminal Procedure Law §10.40 and Adds §§460.90; Amends Family Court Act §§214 & 1122; Adds New York City Civil Court Act §2103-a; Adds Surrogate's Court Procedure Act §107.