

STATE OF NEW YORK

5178

2017-2018 Regular Sessions

IN ASSEMBLY

February 6, 2017

Introduced by M. of A. TITUS, GRAF, MOSLEY, OTIS, STECK, COLTON --
Multi-Sponsored by -- M. of A. PERRY -- read once and referred to the
Committee on Social Services

AN ACT to amend the social services law, in relation to residential
services for pregnant victims of domestic violence

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

1 Section 1. Section 459-b of the social services law, as amended by
2 chapter 7 of the laws of 2016, is amended to read as follows:

3 § 459-b. Residential services for victims of domestic violence. In
4 accordance with section one hundred thirty-one-u of this chapter and the
5 regulations of the office of children and family services, a social
6 services district shall offer and provide necessary and available emer-
7 gency shelter and services for up to ninety days at a residential
8 program for victims of domestic violence to a victim of domestic
9 violence who was residing in the social services district at the time of
10 the alleged domestic violence whether or not such victim is eligible for
11 public assistance. Two forty-five day extensions of necessary and avail-
12 able emergency shelter may be granted beyond the maximum length of stay
13 at a residential program for victims of domestic violence for residents
14 who continue to be in need of emergency services and temporary shelter.

15 A victim of domestic violence who is pregnant during the time she
16 utilizes such emergency shelter or services may be granted up to nine
17 months of necessary and available emergency shelter beyond the maximum
18 length of stay at a residential program for victims of domestic violence
19 provided that such pregnant woman is in pursuit of an education and
20 training to reach independent status. If the victim of domestic violence
21 has a service animal as such term is defined in section one hundred
22 twenty-three-b of the agriculture and markets law, or therapy dog as
23 such term is defined in section one hundred eight of the agriculture and
24 markets law, respectively, such service animal or therapy dog shall be

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

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1 allowed to accompany the victim at the residential program authorized
2 pursuant to this section, so long as such accompaniment would not create
3 an undue burden as defined by section two hundred ninety-six of the
4 executive law.

5 Where such accompaniment would constitute an undue burden, the resi-
6 dential program shall make reasonable efforts to facilitate placement of
7 such animal at an off-site animal care facility or if reasonable efforts
8 fail, provide referral to one or more off-site animal care facilities.

9 Such off-site animal care may include, but not be limited to, boarding
10 at a veterinary hospital or under the auspices of a duly incorporated
11 humane society, or duly incorporated animal protection association
12 approved for such purpose by the department of agriculture and markets.

13 Nothing in this section shall be construed to limit any rights or
14 obligations provided pursuant to federal or state law, including but not
15 limited to providing reasonable accommodations for individuals with
16 disabilities.

17 § 2. This act shall take effect on the one hundred eightieth day next
18 succeeding the date upon which it shall have become a law; provided,
19 however, that if chapter 7 of the laws of 2016 shall not have taken
20 effect on or before such date then section one of this act shall take
21 effect on the same date and in the same manner as such chapter of the
22 laws of 2016 takes effect; provided further, however, that effective
23 immediately the commissioner of children and family services is author-
24 ized and directed to promulgate such rules and regulations as he or she
25 deems necessary to implement the provisions of this act on or before its
26 effective date.