

STATE OF NEW YORK

6576

2017-2018 Regular Sessions

IN ASSEMBLY

March 9, 2017

Introduced by M. of A. ROSENTHAL, PAULIN, ORTIZ, MOSLEY, BLAKE, HARRIS
-- Multi-Sponsored by -- M. of A. SIMON -- read once and referred to
the Committee on Economic Development

AN ACT to amend the general business law, in relation to requiring
domestic violence and sexual assault awareness education for persons
engaged in the practice of nail specialty, waxing, natural hair styl-
ing, esthetics and cosmetology

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 406 of the general business law is
2 amended by adding a new paragraph g to read as follows:

3 g. Each application shall be accompanied by a certificate indicating
4 completion of domestic violence and sexual assault awareness education.

5 § 2. Subdivision 6 of section 408 of the general business law, as
6 amended by section 1 of part Y of chapter 60 of the laws of 2011, is
7 amended to read as follows:

8 6. Any license, which has not been suspended or revoked, may, upon the
9 payment of the renewal fee, be renewed for additional periods of four
10 years from its application, without further examination, upon the filing
11 of an application for such renewal, on a form to be prescribed by the
12 secretary, and, for applicants who have never previously filed a certifi-
13 cate of completion of domestic violence and sexual assault awareness
14 education on his or her initial application or an application for
15 renewal, a certificate indicating completion of domestic violence and
16 sexual assault awareness education.

17 § 3. The general business law is amended by adding a new section 408-b
18 to read as follows:

19 § 408-b. Domestic violence and sexual assault awareness education. 1.
20 The department shall ensure that domestic violence and sexual assault
21 awareness education courses are made available to all licensees and
22 applicants for a license or renewal pursuant to this article and that

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

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1 such courses are offered at least annually. The office for the
2 prevention of domestic violence shall promulgate rules and regulations
3 regarding domestic violence and sexual assault awareness education
4 courses and providers.

5 2. The office for the prevention of domestic violence shall issue a
6 certificate of completion to an applicant for a license or renewal of a
7 license pursuant to this article upon satisfactory proof that the appli-
8 cant has completed domestic violence and sexual assault awareness educa-
9 tion.

10 3. The department, in its discretion, may waive enforcement of the
11 domestic violence and sexual assault awareness education requirement,
12 and shall adopt rules defining the standards and criteria for that waiv-
13 er under the following circumstances:

14 (a) that the licensee is serving in the United States armed forces; or

15 (b) that the licensee is incapacitated due to illness.

16 4. A person licensed under this article who has completed domestic
17 violence and sexual assault awareness education shall not be civilly or
18 criminally liable for acting or failing to act on information obtained
19 during the course of employment concerning potential domestic violence
20 or sexual assault.

21 § 4. This act shall take effect on the one hundred eightieth day after
22 it shall have become a law; provided, however, that effective immediate-
23 ly, the addition and/or repeal of any rule or regulation necessary for
24 the implementation of this act on its effective date are authorized and
25 directed to be made and completed on or before such effective date.