

STATE OF NEW YORK

9559

IN ASSEMBLY

January 23, 2018

Introduced by M. of A. WALSH -- read once and referred to the Committee on Judiciary

AN ACT to amend the domestic relations law, in relation to establishing a living allowance for an adult child with a developmental disability

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

1 Section 1. The domestic relations law is amended by adding a new
2 section 240-d to read as follows:

3 § 240-d. Support orders for adult dependent children. 1. Parents of an
4 adult child of any age are chargeable with support of such individual so
5 long as such individual is diagnosed with a developmental disability as
6 defined in subdivision twenty-two of section 1.03 of the mental hygiene
7 law.

8 2. The court shall make its award for support for an adult child with
9 a developmental disability pursuant to the provisions of this subdivi-
10 sion. If the court awards a living allowance for an adult child with a
11 developmental disability, then on or before each and every fifth year
12 following the date that such judgment award was entered, the court
13 shall, sua sponte, set the matter down for a mandatory reassessment
14 hearing to determine if a modification of the living allowance is
15 warranted based on a substantial change in circumstances.

16 3. The family court has jurisdiction to determine proceedings brought
17 by petition and order to show cause, for the determination of support of
18 adult dependent children, as well as to enforce or modify orders or
19 judgments.

20 § 2. This act shall take effect immediately.

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

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