STATE OF NEW YORK

10105--B

IN ASSEMBLY

May 3, 2024

Introduced by M. of A. BERGER, LUNSFORD, SHIMSKY, BARRETT, SIMON, CUNNINGHAM, EACHUS, L. ROSENTHAL, SILLITTI, AUBRY, RIVERA, HUNTER, REYES, SEPTIMO, LAVINE, RAJKUMAR, BUTTENSCHON, ALVAREZ, HYNDMAN, SANTABARBARA, THIELE, GLICK, ZINERMAN, FAHY, TAPIA, McDONALD, JACOBSON, DAVILA, CRUZ, STECK, SOLAGES, PHEFFER AMATO, GUNTHER, WEPRIN, STERN, SAYEGH, BORES, ROZIC, ZEBROWSKI, STIRPE, CONRAD, HEVESI, WOERNER, ARDILA, ANDERSON, KIM, LUPARDO, WALLACE, COOK, DINOWITZ, BRONSON, McMAHON, PRETLOW, TAYLOR, GIBBS, EPSTEIN, PAULIN, LEVENBERG, VANEL, JONES, DE LOS SANTOS, BURDICK, SIMONE, GONZALEZ-ROJAS, MORINELLO, CLARK, DAIS, BICHOTTE HERMELYN, BRAUNSTEIN, RAMOS, WALKER, OTIS, ZACCARO, KELLES, COLTON, BENEDETTO, MAHER, FALL, BURGOS, DILAN -- read once and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules

AN ACT to amend the penal law, in relation to expanding the definition of mental health care provider for purposes of certain sex offenses

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

Section 1. This act shall be known and may be cited as "Gittel's law".

§ 2. Subdivision 13 of section 130.00 of the penal law, as amended by chapter 230 of the laws of 2004, is amended to read as follows:

13. "Mental health care provider" shall mean a licensed physician, licensed psychologist, registered professional nurse, licensed clinical social worker [~~or a~~], licensed master social worker under the supervision of a physician, psychologist or licensed clinical social worker, **licensed mental health counselor or a licensed marriage and family therapist**.

§ 3. 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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