

STATE OF NEW YORK

2096

2025-2026 Regular Sessions

IN ASSEMBLY

January 15, 2025

Introduced by M. of A. DiPIETRO -- read once and referred to the Committee on Codes

AN ACT to amend the civil practice law and rules, in relation to forfeiture of the proceeds of a felony related to a sexual performance by a child

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

1 Section 1. Paragraph (g) and the opening paragraph of paragraph (h) of
2 subdivision 2 of section 1349 of the civil practice law and rules, paragraph
3 (g) as amended by chapter 398 of the laws of 2004 and the opening
4 paragraph of paragraph (h) as added by chapter 655 of the laws of 1990,
5 are amended to read as follows:

6 (g) ~~[Forty]~~ Except as otherwise provided in paragraph (i) of this
7 subdivision, forty percent of all moneys realized through forfeiture
8 which are remaining after distributions pursuant to paragraphs (a)
9 through (f) of this subdivision, to the chemical dependence service fund
10 established pursuant to section ninety-seven-w of the state finance law;

11 ~~[All]~~ Except as otherwise provided in paragraph (i) of this subdivi-
12 sion, all moneys remaining after distributions pursuant to paragraphs
13 (a) through (g) of this subdivision shall be distributed as follows:

14 § 2. Subdivision 2 of section 1349 of the civil practice law and rules
15 is amended by adding a new paragraph (i) to read as follows:

16 (i) When the forfeiture was based upon a post-conviction crime or
17 pre-conviction crime, defined in article two hundred sixty-three of the
18 penal law, all moneys which are remaining after distributions pursuant
19 to paragraphs (a) through (f) of this subdivision, in equal amounts to
20 the claiming agent, claiming authority and the local social services
21 office located within the jurisdiction of the claiming authority for the
22 following uses and purposes:

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

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1 (i) to improve training of personnel and to establish, operate and
2 improve community-based multi-disciplinary approaches to address the
3 problem of child sexual molestation;

4 (ii) to conduct training on child sexual exploitation and other sexual
5 molestation of children for other professionals who come in contact with
6 children;

7 (iii) to prevent the sexual molestation of children; and

8 (iv) to fund treatment programs for sexually victimized children.

9 § 3. This act shall take effect on the first of January next succeed-
10 ing the date on which it shall have become a law.