S T A T E O F N E W Y O R K

4508

2009-2010 Regular Sessions

I N A S S E M B L Y

February 4, 2009

Introduced by M. of A. MAYERSOHN, SCHIMMINGER, CANESTRARI, HOOPER -- Multi-Sponsored by -- M. of A. ALFANO, BARRA, COLTON, DIAZ, FARRELL, GALEF, McENENY, NOLAN, PAULIN, PHEFFER, SEMINERIO, SWEENEY, TITUS, WEPRIN -- read once and referred to the Committee on Children and Families

AN ACT to amend the family court act, in relation to evidence of abuse or neglect in child protective proceedings

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Paragraph (i) of subdivision (a) of section 1046 of the family court act, as added by chapter 962 of the laws of 1970, is amended to read as follows:

(i) proof of the abuse or neglect of one child shall [be admissible evidence on the issue] CREATE A REBUTTABLE PRESUMPTION of the abuse or neglect of any other child of, or the legal responsibility of, the respondent; and

S 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

LBD04376-01-9