

3871

2009-2010 Regular Sessions

I N S E N A T E

April 2, 2009

Introduced by Sen. MONTGOMERY -- (at request of the Office of Court Administration) -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families

AN ACT to amend the family court act, in relation to orders of protection in juvenile delinquency proceedings

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

1 Section 1. Subdivision 1 of section 352.3 of the family court act, as  
2 amended by chapter 532 of the laws of 2008, is amended to read as  
3 follows:

4 (1) Upon the issuance of an order pursuant to section 315.3 or the  
5 entry of an order of disposition pursuant to section 352.2, a court may  
6 enter an order of protection against any respondent for good cause  
7 shown. The order may require that the respondent: (a) stay away from the  
8 home, school, business or place of employment of the victims of, OR  
9 DESIGNATED WITNESSES TO, the alleged offense AS SHALL BE SPECIFICALLY  
10 NAMED BY THE COURT IN ITS ORDER; or (b) refrain from harassing, intim-  
11 idating, threatening or otherwise interfering with the victim or victims  
12 of, OR DESIGNATED WITNESSES TO, the alleged offense and such members of  
13 the family or household of such victim or victims OR OF DESIGNATED  
14 WITNESSES as shall be specifically named by the court in such order; or  
15 (c) refrain from intentionally injuring or killing, without justifica-  
16 tion, any companion animal the respondent knows to be owned, possessed,  
17 leased, kept or held by the person protected by the order or a minor  
18 child residing in such person's household. "Companion animal", as used  
19 in this subdivision, shall have the same meaning as in subdivision five  
20 of section three hundred fifty of the agriculture and markets law.

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

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

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