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

215

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sen. SQUADRON -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction

AN ACT to amend the executive law, in relation to eligibility of domestic partners for compensation from the crime victims' board

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

Section 1. Paragraph (b) of subdivision 1 of section 624 of the executive law, as amended by chapter 233 of the laws of 2012, is amended to read as follows:

(b) a surviving spouse, DOMESTIC PARTNER, grandparent, parent, stepparent, guardian, brother, sister, stepbrother, stepsister, child or stepchild of a victim of a crime who died as a direct result of such crime;

S 2. Section 624 of the executive law is amended by adding a new subdivision 1-a to read as follows:

1-A. FOR THE PURPOSES OF THIS SECTION, "DOMESTIC PARTNER" MEANS A PERSON WHO, WITH RESPECT TO ANOTHER PERSON:

(A) IS FORMALLY A PARTY IN A DOMESTIC PARTNERSHIP OR SIMILAR RELATIONSHIP WITH THE OTHER PERSON, ENTERED INTO PURSUANT TO THE LAWS OF THE UNITED STATES OR OF ANY STATE, LOCAL OR FOREIGN JURISDICTION, OR REGISTERED AS THE DOMESTIC PARTNER OF THE OTHER PERSON WITH ANY REGISTRY MAINTAINED BY THE EMPLOYER OF EITHER PARTY OR ANY STATE, MUNICIPALITY, OR FOREIGN JURISDICTION; OR

(B) IS FORMALLY RECOGNIZED AS A BENEFICIARY OR COVERED PERSON UNDER THE OTHER PERSON'S EMPLOYMENT BENEFITS OR HEALTH INSURANCE; OR

(C) IS DEPENDENT OR MUTUALLY INTERDEPENDENT ON THE OTHER PERSON FOR SUPPORT, AS EVIDENCED BY THE TOTALITY OF THE CIRCUMSTANCES INDICATING A MUTUAL INTENT TO BE A DOMESTIC PARTNER INCLUDING BUT NOT LIMITED TO: COMMON OWNERSHIP OR JOINT LEASING OF REAL OR PERSONAL PROPERTY; COMMON

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

HOUSEHOLDING, SHARED INCOME OR SHARED EXPENSES; CHILDREN IN COMMON; SIGNS OF INTENT TO MARRY OR BECOME A DOMESTIC PARTNER UNDER PARAGRAPH (A) OR (B) OF THIS SUBDIVISION; OR THE LENGTH OF THE PERSONAL RELATIONSHIP OF THE PERSONS.

S 3. Section 626 of the executive law is amended by adding a new subdivision 4 to read as follows:

4. OUT-OF-POCKET LOSS SHALL ALSO INCLUDE THE COST OF COUNSELING FOR SURVIVING FAMILY MEMBERS OF HOMICIDE VICTIMS WHO ARE OTHERWISE ELIGIBLE PURSUANT TO PARAGRAPH (B) OF SUBDIVISION ONE OF SECTION SIX HUNDRED TWENTY-FOUR OF THIS ARTICLE.

S 4. This act shall take effect on the one hundred eightieth day after it shall have become a law.