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

3898

2013-2014 Regular Sessions

I N S E N A T E

February 26, 2013

Introduced by Sen. YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families

AN ACT to amend the domestic relations law, in relation to eliminating the requirement of a parent to consent to the adoption of his or her child when such parent has had an order of protection issued against him or her for the protection of the other parent, a person having lawful custody of such child or the child

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

Section 1. Paragraph (e) of subdivision 2 of section 111 of the domestic relations law, as amended by chapter 375 of the laws of 1997, is amended and a new paragraph (f) is added to read as follows:

(e) who has executed an instrument, which shall be irrevocable, denying the paternity of the child, such instrument having been executed after conception and acknowledged or proved in the manner required to permit the recording of a deed[.]; OR

(F) WHO, WHETHER AN ADULT OR CHILD:

(I) IS THE PARENT OF THE CHILD; AND

(II) IS THE SPOUSE OR FORMER SPOUSE OF THE OTHER PARENT OF THE CHILD CONCEIVED OR BORN IN WEDLOCK; AND

(III) HAS HAD AN ORDER OF PROTECTION ISSUED AGAINST HIM OR HER FOR THE PROTECTION OF THE OTHER PARENT, A PERSON HAVING LAWFUL CUSTODY OF SUCH CHILD OR THE CHILD, WHICH IS IN EFFECT AT THE TIME OF THE PLACEMENT OF THE CHILD OR AT ANY TIME DURING THE SIX MONTH PERIOD PRECEDING SUCH PLACEMENT.

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

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

LBD09048-01-3