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

9431

I N A S S E M B L Y

March 3, 2016

Introduced by M. of A. ROSENTHAL -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to authorizing domestic violence victims to bring companion animals to residential services or for the provision of off-site facilities where residential facilities are not equipped for companion animals; to amend the state finance law, in relation to establishing the domestic violence animal sheltering fund; and to amend the vehicle and traffic law, in relation to distinctive "protect animals too" license plates

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

Section 1. Section 459-b of the social services law, as amended by chapter 584 of the laws of 2015, is amended to read as follows:

S 459-b. Residential services for victims of domestic violence. 1. In accordance with section one hundred thirty-one-u of this chapter and the regulations of the office of children and family services, a social services district shall offer and provide necessary and available emergency shelter and services for up to ninety days at a residential program for victims of domestic violence to a victim of domestic violence who was residing in the social services district at the time of the alleged domestic violence whether or not such victim is eligible for public assistance. Two forty-five day extensions of necessary and available emergency shelter may be granted beyond the maximum length of stay at a residential program for victims of domestic violence for residents who continue to be in need of emergency services and temporary shelter. If the victim of domestic violence has a service animal or therapy dog as such terms are defined in section [123-b] ONE HUNDRED TWENTY-THREE-B and section [108] ONE HUNDRED EIGHT of the agriculture and markets law, respectively, such service animal or therapy dog shall be allowed to accompany the victim at the residential program authorized pursuant to this section.

2. IF THE VICTIM OF DOMESTIC VIOLENCE HAS A COMPANION ANIMAL AS SUCH TERM IS DEFINED IN SECTION THREE HUNDRED FIFTY OF THE AGRICULTURE AND MARKETS LAW, SUCH COMPANION ANIMAL SHALL BE ALLOWED TO ACCOMPANY THE

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

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VICTIM AT THE RESIDENTIAL PROGRAM AUTHORIZED PURSUANT TO THIS SECTION FOR SUCH PERIOD OF TIME AS THE VICTIM RESIDES AT SUCH RESIDENTIAL PROGRAM PROVIDED SUCH RESIDENTIAL PROGRAM HAS FACILITIES FOR THE HUMANE CARE OF COMPANION ANIMALS. IF SUCH ON-SITE FACILITIES ARE NOT AVAILABLE, SUCH SOCIAL SERVICES DISTRICT SHALL PROVIDE OFF-SITE ANIMAL CARE FACILITIES, INCLUDING BOARDING AT A VETERINARY HOSPITAL OR BOARDING AT OR UNDER THE AUSPICES OF A DULY INCORPORATED SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, DULY INCORPORATED HUMANE SOCIETY, OR DULY INCORPORATED ANIMAL PROTECTION ASSOCIATION, APPROVED FOR THIS PURPOSE BY THE DEPARTMENT OF AGRICULTURE AND MARKETS, FOR SUCH PERIOD OF TIME AS THE VICTIM RESIDES AT SUCH RESIDENTIAL PROGRAM.

3. THE OFFICE OF CHILDREN AND FAMILY SERVICES IS AUTHORIZED TO PROMULGATE ANY AND ALL RULES AND REGULATIONS AND TAKE ANY OTHER MEASURES NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

S 2. The state finance law is amended by adding a new section 92-gg to read as follows:

S 92-GG. DOMESTIC VIOLENCE ANIMAL SHELTERING FUND. 1. THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE STATE COMPTROLLER AND THE COMMISSIONER OF TAXATION AND FINANCE A SPECIAL FUND TO BE KNOWN AS THE "DOMESTIC VIOLENCE ANIMAL SHELTERING FUND."

2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED PURSUANT TO AN APPROPRIATION BY THE LEGISLATURE, ALL MONIES COLLECTED PURSUANT TO SECTION FOUR HUNDRED FOUR-X OF THE VEHICLE AND TRAFFIC LAW AND ALL OTHER MONIES APPROPRIATED, CREDITED, OR TRANSFERRED THERETO FROM ANY OTHER FUND OR SOURCE PURSUANT TO LAW. NOTHING CONTAINED HEREIN SHALL PREVENT THE STATE FROM RECEIVING GRANTS, GIFTS OR BEQUESTS FOR THE PURPOSES OF THE FUND AS DEFINED IN THIS SECTION AND DEPOSITING THEM INTO THE FUND ACCORDING TO LAW.

3. MONIES OF THE FUND, FOLLOWING APPROPRIATION BY THE LEGISLATURE AND ALLOCATION BY THE DIRECTOR OF THE BUDGET, SHALL BE AVAILABLE FOR THE PURPOSE OF FUNDING EXPENSES OF THE OFFICE FOR THE PREVENTION OF DOMESTIC VIOLENCE FOR THE SHELTERING OF ANIMALS OF DOMESTIC VIOLENCE VICTIMS WHO ARE RESIDING AT A RESIDENTIAL PROGRAM FOR VICTIMS OF DOMESTIC VIOLENCE PURSUANT TO SECTION FOUR HUNDRED FIFTY-NINE-B OF THE SOCIAL SERVICES LAW.

S 3. The vehicle and traffic law is amended by adding a new section 404-x to read as follows:

S 404-X. DISTINCTIVE "PROTECT ANIMALS TOO" LICENSE PLATES. 1. ANY PERSON RESIDING IN THIS STATE SHALL, UPON REQUEST, BE ISSUED A DISTINCTIVE "PROTECT ANIMALS TOO" LICENSE PLATE OF A DESIGN APPROVED BY THE COMMISSIONER IN SUPPORT OF PROGRAMS FOR THE SHELTERING OF ANIMALS OF DOMESTIC VIOLENCE VICTIMS. APPLICATION FOR SAID LICENSE PLATE SHALL BE FILED WITH THE COMMISSIONER IN SUCH FORM AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE.

2. (A) A DISTINCTIVE "PROTECT ANIMALS TOO" LICENSE PLATE ISSUED PURSUANT TO THIS SECTION SHALL BE ISSUED IN THE SAME MANNER AS OTHER NUMBER PLATES UPON THE PAYMENT OF THE REGULAR REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS ARTICLE, PROVIDED, HOWEVER, THAT AN ADDITIONAL ANNUAL SERVICE CHARGE OF TWENTY-FIVE DOLLARS SHALL BE CHARGED FOR SUCH PLATE. EACH TWENTY-FIVE DOLLARS RECEIVED AS ANNUAL SERVICE CHARGES UNDER THIS SECTION SHALL BE DEPOSITED TO THE CREDIT OF THE DOMESTIC VIOLENCE ANIMAL SHELTERING FUND ESTABLISHED PURSUANT TO SECTION NINETY-TWO-GG OF THE STATE FINANCE LAW AND SHALL BE USED FOR ANIMAL SHELTERING PROGRAMS UNDERTAKEN PURSUANT TO SECTION FOUR HUNDRED FIFTY-NINE-B OF THE SOCIAL SERVICES LAW.

(B) PROVIDED, HOWEVER, THAT ONE YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION FUNDS IN THE AMOUNT OF FIVE THOUSAND DOLLARS, OR SO MUCH THEREOF AS MAY BE AVAILABLE, SHALL BE ALLOCATED TO THE DEPARTMENT TO OFFSET COSTS ASSOCIATED WITH THE PRODUCTION OF SUCH LICENSE PLATES.

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