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

7696

I N S E N A T E

May 12, 2016

Introduced by Sen. AVELLA -- 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 the issuance of orders of protection in child protective proceedings

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

Section 1. Subdivision 4 of section 1056 of the family court act, as added by chapter 622 of the laws of 1990, is amended to read as follows:

4. The court may enter an order of protection independently of any other order made under this part, against a person who [was a member of the child's household or a person legally responsible as defined in section one thousand twelve of this chapter, and who is no longer a member of such household at the time of the disposition and who is not related by blood or marriage to the child or a member of the child's household] IS NOT THE CHILD'S BIOLOGICAL PARENT OR ADOPTIVE PARENT, OR AGAINST A CHILD'S BIOLOGICAL OR ADOPTIVE PARENT WHO HAS BEEN FOUND TO HAVE SEVERELY ABUSED ANY CHILD. An order of protection entered pursuant to this subdivision may be for any period of time up to the child's eighteenth birthday and upon such conditions as the court deems necessary and proper to protect the health and safety of the child and the child's caretaker.

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

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

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