

3694--A

Cal. No. 157

2015-2016 Regular Sessions

I N A S S E M B L Y

January 27, 2015

Introduced by M. of A. GLICK, JAFFEE, PERRY, GOTTFRIED, AUBRY, ABINANTI, OTIS, WEPRIN, LINARES, MILLER -- Multi-Sponsored by -- M. of A. COLTON, O'DONNELL, WEINSTEIN, WRIGHT -- read once and referred to the Committee on Governmental Operations -- advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

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:

1 Section 1. Paragraph (b) of subdivision 1 of section 624 of the execu-
2 tive law, as amended by chapter 104 of the laws of 2015, is amended to
3 read as follows:
4 (b) a surviving spouse, DOMESTIC PARTNER, grandparent, parent, step-
5 parent, guardian, brother, sister, stepbrother, stepsister, child, step-
6 child or grandchild of a victim of a crime who died as a direct result
7 of such crime;
8 S 2. Section 624 of the executive law is amended by adding a new
9 subdivision 1-a to read as follows:
10 1-A. FOR THE PURPOSES OF THIS SECTION, "DOMESTIC PARTNER" MEANS A
11 PERSON WHO, WITH RESPECT TO ANOTHER PERSON:
12 (A) IS FORMALLY A PARTY IN A DOMESTIC PARTNERSHIP OR SIMILAR RELATION-
13 SHIP WITH THE OTHER PERSON, ENTERED INTO PURSUANT TO THE LAWS OF THE
14 UNITED STATES OR OF ANY STATE, LOCAL OR FOREIGN JURISDICTION, OR REGIS-
15 TERED AS THE DOMESTIC PARTNER OF THE OTHER PERSON WITH ANY REGISTRY
16 MAINTAINED BY THE EMPLOYER OF EITHER PARTY OR ANY STATE, MUNICIPALITY,
17 OR FOREIGN JURISDICTION; OR
18 (B) IS FORMALLY RECOGNIZED AS A BENEFICIARY OR COVERED PERSON UNDER
19 THE OTHER PERSON'S EMPLOYMENT BENEFITS OR HEALTH INSURANCE; OR
20 (C) IS DEPENDENT OR MUTUALLY INTERDEPENDENT ON THE OTHER PERSON FOR
21 SUPPORT, AS EVIDENCED BY THE TOTALITY OF THE CIRCUMSTANCES INDICATING A

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

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1 MUTUAL INTENT TO BE A DOMESTIC PARTNER INCLUDING BUT NOT LIMITED TO:
2 COMMON OWNERSHIP OR JOINT LEASING OF REAL OR PERSONAL PROPERTY; COMMON
3 HOUSEHOLDING, SHARED INCOME OR SHARED EXPENSES; CHILDREN IN COMMON;
4 SIGNS OF INTENT TO MARRY OR BECOME A DOMESTIC PARTNER UNDER PARAGRAPH
5 (A) OR (B) OF THIS SUBDIVISION; OR THE LENGTH OF THE PERSONAL RELATION-
6 SHIP OF THE PERSONS.

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

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

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