STATE OF NEW YORK

11345

IN ASSEMBLY

September 19, 2018

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Zebrowski, Jaffee) -- read once and referred to the Committee on Judiciary

AN ACT to amend the domestic relations law, in relation to including acts of domestic violence in the criteria the court shall consider in determining the equitable disposition of property during divorce proceedings

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subparagraph 14 of paragraph d of subdivision 5 of part B of section 236 of the domestic relations law, as amended by chapter 281 of the laws of 1980 and as renumbered by chapter 229 of the laws of 2009, is amended to read as follows:

(14) **whether either party has committed an act or acts of domestic violence, as described in subdivision one of section four hundred fifty-nine-a of the social services law, against the other party and the nature, extent and duration of such act or acts; and**

(15) any other factor which the court shall expressly find to be just and proper.

§ 2. This act shall take effect on the thirtieth day after it shall have become a law and shall apply to matrimonial actions commenced on or after such effective date. Nothing in this act shall be deemed to affect the validity of any agreement made pursuant to subdivision 3 of part B of section 236 of the domestic relations law or section 425 of the family court act prior to the effective date of this act. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made on or before such date.

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

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