

STATE OF NEW YORK

5394--A

Cal. No. 1277

2017-2018 Regular Sessions

IN SENATE

March 24, 2017

Introduced by Sen. TEDISCO -- (at request of the Office for Prevention of Domestic Violence) -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services -- reported favorably from said committee and committed to the Committee on Finance -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the executive law, in relation to the advisory council and the domestic violence fatality review team

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

1 Section 1. Paragraph (b) of subdivision 4 of section 575 of the execu-
2 tive law, as amended by section 1 of part A of chapter 491 of the laws
3 of 2012, is amended to read as follows:

4 (b) The advisory council shall consist of nine members and [~~fifteen~~]
5 sixteen ex-officio members. Each member shall be appointed to serve for
6 a term of three years and shall continue in office until a successor
7 appointed member is made. A member appointed to fill a vacancy shall be
8 appointed for the unexpired term of the member he or she is to succeed.
9 All of the members shall be individuals with expertise in the area of
10 domestic violence. Three members shall be appointed by the governor, two
11 members shall be appointed upon the recommendation of the temporary
12 president of the senate, two members shall be appointed upon the recom-
13 mendation of the speaker of the assembly, one member shall be appointed
14 upon the recommendation of the minority leader of the senate, and one
15 member shall be appointed upon the recommendation of the minority leader
16 of the assembly. The ex-officio members of the advisory board shall
17 consist of the director of the office, who shall chair the council, and
18 the following members or their designees: the commissioner of the office
19 of temporary and disability assistance; the commissioner of the depart-
20 ment of health; the commissioner of the education department; the

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

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1 commissioner of the office of mental health; the commissioner of the
2 office of alcoholism and substance abuse services; the commissioner of
3 the division of criminal justice services; the superintendent of the
4 division of state police; the director of the office of probation and
5 correctional alternatives; the commissioner of the office of children
6 and family services; the director of the office of victim services; the
7 chief administrative judge of the office of court administration; the
8 commissioner of the department of labor; the director of the state
9 office for the aging; the commissioner of the department of corrections
10 and community supervision; the chief executive officer of the New York
11 state coalition against domestic violence; and the executive director of
12 the New York state coalition against sexual assault.

13 § 2. Paragraph (d) of subdivision 10 of section 575 of the executive
14 law, as added by section 3 of part A of chapter 491 of the laws of 2012,
15 is amended to read as follows:

16 (d) Members of a domestic violence fatality review team shall be
17 appointed by the executive director, in consultation with the advisory
18 council, and shall include, but not be limited to, one representative
19 from the office of children and family services, the office of temporary
20 and disability assistance, the division of criminal justice services,
21 the state police, the department of health, the office of court adminis-
22 tration, the office of probation and correctional alternatives, the
23 department of corrections and community supervision, the office of
24 victim services, at least one representative from local law enforcement,
25 a county prosecutor's office, a local social services district, a member
26 of the judiciary, and a domestic violence services program approved by
27 the office of children and family services. A domestic violence fatality
28 review team may also include representatives from sexual assault
29 services programs, public health, mental health and substance abuse
30 agencies, hospitals, clergy, local school districts, local divisions of
31 probation, local offices of the department of corrections and community
32 supervision, the office of the medical examiner or coroner, any local
33 domestic violence task force, coordinating council or other interagency
34 entity that meets regularly to support a coordinated community response
35 to domestic violence, any other program that provides services to domes-
36 tic violence victims, or any other person necessary to the work of the
37 team, including survivors of domestic violence.

38 § 3. This act shall take effect immediately.