

# STATE OF NEW YORK

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764

2017-2018 Regular Sessions

## IN SENATE

January 4, 2017

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Introduced by Sen. LITTLE -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the domestic relations law, in relation to no-fault divorce

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

1 Section 1. Subdivision 7 of section 170 of the domestic relations law,  
2 as added by chapter 384 of the laws of 2010, is amended to read as  
3 follows:

4 (7) The relationship between husband and wife has broken down irre-  
5 trievably for a period of at least six months, provided that one party  
6 has so stated under oath; provided, further, where the non-petitioning  
7 spouse to the divorce action is a documented victim of domestic violence  
8 by the petitioning spouse the non-petitioning spouse must consent to the  
9 divorce in order for it to occur. No judgment of divorce shall be  
10 granted under this subdivision unless and until the economic issues of  
11 equitable distribution of marital property, the payment or waiver of  
12 spousal support, the payment of child support, the payment of counsel  
13 and experts' fees and expenses as well as the custody and visitation  
14 with the infant children of the marriage have been resolved by the  
15 parties, or determined by the court and incorporated into the judgment  
16 of divorce.

17 § 2. This act shall take effect immediately.

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

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