

STATE OF NEW YORK

7993

IN SENATE

March 16, 2018

Introduced by Sen. GALLIVAN -- (at request of the Office of Victim Services) -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction

AN ACT to amend the executive law, in relation to the reimbursement of shelter costs and crime scene cleanup for certain, non-injured victims

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

1 Section 1. Subdivision 12 of section 631 of the executive law, as
2 separately amended by section 1 of part G of chapter 55 and chapter 416
3 of the laws of 2017, is amended to read as follows:

4 12. Notwithstanding the provisions of subdivisions one, two and three
5 of this section, an individual who was a victim of either the crime of
6 menacing in the second degree as defined in subdivision two or three of
7 section 120.14 of the penal law, menacing in the first degree as defined
8 in section 120.13 of the penal law, criminal obstruction of breathing or
9 blood circulation as defined in section 121.11 of the penal law, harass-
10 ment in the second degree as defined in section 240.26 of the penal law,
11 harassment in the first degree as defined in section 240.25 of the penal
12 law, aggravated harassment in the second degree as defined in subdivi-
13 sion three or five of section 240.30 of the penal law, aggravated
14 harassment in the first degree as defined in subdivision two of section
15 240.31 of the penal law, criminal contempt in the first degree as
16 defined in subdivision (b) or subdivision (c) of section 215.51 of the
17 penal law, or stalking in the fourth, third, second or first degree as
18 defined in sections 120.45, 120.50, 120.55 and 120.60 of the penal law,
19 respectively, or a hate crime as defined in section 485.05 of the penal
20 law who has not been physically injured as a direct result of such crime
21 shall only be eligible for an award that includes loss of earning or
22 support, the unreimbursed cost of repair or replacement of essential
23 personal property that has been lost, damaged or destroyed as a direct
24 result of such crime, the unreimbursed cost for security devices to
25 enhance the personal protection of such victim, the cost of residing at
26 or utilizing services provided by shelters for battered spouses and
27 children as provided in subdivision one of section six hundred twenty-

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

LBD14378-01-8

1 six of this article, transportation expenses incurred for necessary
2 court appearances in connection with the prosecution of such crime, the
3 unreimbursed costs of counseling provided to such victim on account of
4 mental or emotional stress resulting from the incident in which the
5 crime occurred, the unreimbursed cost of crime scene cleanup and secur-
6 ing a crime scene, reasonable relocation expenses, and for occupational
7 or job training. For purposes of this subdivision, "necessary court
8 appearances" shall include, but not be limited to, any part of trial
9 from arraignment through sentencing, pre and post trial hearings and
10 grand jury hearings.

11 § 2. This act shall take effect on the one hundred eightieth day after
12 it shall have become law and shall apply to all claims filed on or after
13 such effective date.