STATE OF NEW YORK

3102

2019-2020 Regular Sessions

IN ASSEMBLY

January 28, 2019

Introduced by M. of A. GUNTHER -- read once and referred to the Committee on Judiciary

AN ACT to amend the family court act, in relation to child support for any child over 21 years of age who is severely and permanently mentally or physically disabled and unable to live on their own

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

Section 1. Subdivision 1 of section 413 of the family court act is amended by adding a new paragraph (f-1) to read as follows:

(f-1) A parent may petition the court to order the continuation of child support for a child over the age of twenty-one years, if such child (i) is severely and permanently mentally or physically disabled, as determined by the office for persons with developmental disabilities, (ii) is unable to live independently or support himself or herself, and (iii) resides in the home of the parent seeking or receiving child support.

§ 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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