

STATE OF NEW YORK

5674

2019-2020 Regular Sessions

IN ASSEMBLY

February 14, 2019

Introduced by M. of A. GIGLIO, BRABENEC, DeSTEFANO, GOODELL, KOLB, LAWRENCE, McDONOUGH, MIKULIN, B. MILLER, MORINELLO, NORRIS, REILLY, SMITH, TAGUE, WALSH -- Multi-Sponsored by -- M. of A. SAYEGH -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to allowing for three forty-five day extensions of necessary and available emergency shelter for victims of domestic violence

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

1 Section 1. Section 459-b of the social services law, as amended by
2 chapter 7 of the laws of 2016, is amended to read as follows:
3 § 459-b. Residential services for victims of domestic violence. In
4 accordance with section one hundred thirty-one-u of this chapter and the
5 regulations of the office of children and family services, a social
6 services district shall offer and provide necessary and available emer-
7 gency shelter and services for up to ninety days at a residential
8 program for victims of domestic violence to a victim of domestic
9 violence who was residing in the social services district at the time of
10 the alleged domestic violence whether or not such victim is eligible for
11 public assistance. [~~Two~~] Three forty-five day extensions of necessary
12 and available emergency shelter may be granted beyond the maximum length
13 of stay at a residential program for victims of domestic violence for
14 residents who continue to be in need of emergency services and temporary
15 shelter. If the victim of domestic violence has a service animal as such
16 term is defined in section one hundred twenty-three-b of the agriculture
17 and markets law, or therapy dog as such term is defined in section one
18 hundred eight of the agriculture and markets law, respectively, such
19 service animal or therapy dog shall be allowed to accompany the victim
20 at the residential program authorized pursuant to this section, so long
21 as such accompaniment would not create an undue burden as defined by
22 section two hundred ninety-six of the executive law.

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

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1 Where such accompaniment would constitute an undue burden, the resi-
2 dential program shall make reasonable efforts to facilitate placement of
3 such animal at an off-site animal care facility or if reasonable efforts
4 fail, provide referral to one or more off-site animal care facilities.
5 Such off-site animal care may include, but not be limited to, boarding
6 at a veterinary hospital or under the auspices of a duly incorporated
7 humane society, or duly incorporated animal protection association
8 approved for such purpose by the department of agriculture and markets.

9 Nothing in this section shall be construed to limit any rights or
10 obligations provided pursuant to federal or state law, including but not
11 limited to providing reasonable accommodations for individuals with
12 disabilities.

13 § 2. This act shall take effect immediately.