

STATE OF NEW YORK

8948

IN ASSEMBLY

January 3, 2020

Introduced by M. of A. LENTOL -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the public health law, in relation to rights of sexual offense victims; and to repeal section 631-b of the executive law relating thereto

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

1 Section 1. Section 631-b of the executive law, as added by a chapter
2 of the laws of 2019 amending the executive law in relation to enacting
3 the "safe way home act", as proposed in legislative bills numbers S.
4 3966-A and A. 5775-A, is REPEALED.

5 § 2. Paragraph (b) of subdivision 1 of section 2805-i of the public
6 health law, as amended by section 1 of part HH of chapter 57 of the laws
7 of 2018, is amended to read as follows:

8 (b) contacting a rape crisis or victim assistance organization, if
9 any, providing victim assistance to the geographic area served by that
10 hospital to establish the coordination of non-medical services, includ-
11 ing but not limited to transportation within the geographic area served
12 by that organization, upon the conclusion of initial medical services,
13 free of charge from the medical facility to sexual offense victims who
14 request such coordination and services;

15 § 3. Subparagraph 3 of paragraph (b) of subdivision 4-b of section
16 2805-i of the public health law, as added by chapter 1 of the laws of
17 2000, is amended to read as follows:

18 (3) Promptly after the examination is completed, the victim shall be
19 permitted to shower, be provided with a change of clothing, be informed
20 that a rape crisis or victim assistance organization providing victim
21 assistance to the geographic area served by that hospital is available
22 to provide transportation within the geographic area served by that
23 organization, upon the conclusion of initial medical services, free of
24 charge from the medical facility, and receive follow-up information,
25 counseling, medical treatment and referrals for same.

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

LBD09283-04-9

1 § 4. Subparagraph 1 of paragraph (a) of subdivision 6 of section
2 2805-i of the public health law, as added by chapter 407 of the laws of
3 2018, is amended to read as follows:

4 (1) consult with a local rape crisis or local victim assistance organ-
5 ization, to have a representative of such organization accompany the
6 victim through the sexual offense examination, ~~and~~ to have such an
7 organization be summoned by the medical facility, police agency, prose-
8 cutorial agency or other law enforcement agency before the commencement
9 of the physical examination or interview, pursuant to this section, and
10 to have such organization provide transportation within the geographic
11 area served by that organization, free of charge from the medical facil-
12 ity to sexual offense victims who request such services upon discharge;

13 § 5. This act shall take effect on the same date and in the same
14 manner as a chapter of the laws of 2019, amending the executive law in
15 relation to enacting the "safe way home act", as proposed in legislative
16 bills numbers S. 3966-A and A. 5775-A, takes effect.