Introduced by Sen. SALAZAR -- (at request of the Department of State) -- 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 participation in the address confidentiality program

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

Section 1. The opening paragraph of section 108 of the executive law, as added by chapter 502 of the laws of 2011, is amended to read as follows:

There is created in the office of the secretary of state a program to be known as the "address confidentiality program" to protect victims of domestic violence, victims of human trafficking, victims of a sexual offense and victims of stalking by authorizing the use of designated addresses for such victims and their minor children. The program shall be administered by the secretary of state.

§ 2. Subdivision 1 of section 108 of the executive law is amended by adding three new paragraphs (i), (j) and (k) to read as follows:

(i) "Victim of a sexual offense" means a victim of any act constituting an offense as defined under article one hundred thirty, and/or sections 255.25, 255.26, and 255.27 of the penal law, including threats or attempts to commit such offenses.
(j) "Victim of stalking" means a victim of any act constituting an offense as defined under sections 120.45, 120.50, 120.55 and 120.60 of the penal law.
(k) "Victim of human trafficking" means a victim of any act constituting an offense as defined under section 135.35, 135.37, 230.34, or 230.34-a of the penal law.

§ 3. Clauses (A) and (B) of subparagraph (i) and subparagraph (iv) of paragraph (a) of subdivision 2 of section 108 of the executive law, as amended by chapter 502 of the laws of 2011, are amended by inserting a new paragraph (h) to read as follows:

(h) "Victim of sexual offense and victims of stalking" means a person, including any of the persons described in paragraphs (i) through (k), who is participating in the address confidentiality program.
added by chapter 502 of the laws of 2011, are amended to read as follows:

(A) the applicant, or the minor or incapacitated person on whose behalf the application is made, is a victim of domestic violence, victim of human trafficking, victim of a sexual offense, or victim of stalking; (B) the applicant, or the minor or incapacitated person on whose behalf the application is made, has left his or her residence because of such violence or acts; (iv) the actual address or addresses that the applicant requests not be disclosed because of the increased risk of domestic violence, a sexual offense, stalking, or physical injury; and

§ 4. Subdivision 3 of section 108 of the executive law, as added by chapter 502 of the laws of 2011, is amended to read as follows:

3. Designation of agencies to assist applicants. The secretary shall designate state, local or nonprofit agencies that provide counseling, referral, shelter or other specialized services to victims of domestic violence, victims of human trafficking, victims of a sexual offense and victims of stalking to assist persons applying to be program participants. Such persons providing assistance shall be trained by the secretary. Any assistance and counseling rendered by an officer of the secretary or his or her designees to applicants shall in no way be construed as legal advice.

§ 5. This act shall take effect on the ninetieth day after it shall have become a law.