STATE OF NEW YORK

5798

2019-2020 Regular Sessions

IN ASSEMBLY

February 19, 2019

Introduced by M. of A. GIGLIO, BARCLAY, HAWLEY, PALMESANO, FINCH, KOLB, GOODELL, MIKULIN -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to domestic violence crimes

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

1 2	Section 1. The penal law is amended by adding a new article 264 to read as follows:
2 3	ARTICLE 264
3 4	DOMESTIC VIOLENCE CRIMES
4 5	Section 264.00 Domestic violence crimes.
5	264.05 Sentencing.
7	<u>§ 264.00 Domestic violence crimes.</u>
8	1. A person commits a domestic violence crime when he or she inten-
9	tionally commits or intends to commit a specified offense against a
10	member of the same family or household.
11	2. A "specified offense" is an offense defined by any of the following
12	provisions of this chapter: section 120.00 (assault in the third
13	<u>degree); section 120.05 (assault in the second degree); section 120.10</u>
14	(assault in the first degree); section 120.13 (menacing in the first
15	degree); section 120.14 (menacing in the second degree); section 120.15
16	(menacing in the third degree); section 120.20 (reckless endangerment in
17	the second degree); section 120.25 (reckless endangerment in the first
18	degree); section 120.45 (stalking in the fourth degree); section 120.50
19	(stalking in the third degree); section 120.55 (stalking in the second
20	degree); section 120.60 (stalking in the first degree); section 121.11
21	(criminal obstruction of breathing or blood circulation); section 121.12
22	(strangulation in the second degree); section 121.13 (strangulation in
23	the first degree); subdivision one of section 125.15 (manslaughter in
24	the second degree); subdivision one, two or four of section 125.20
25	(manslaughter in the first degree); section 125.25 (murder in the second
26	degree); section 130.20 (sexual misconduct); section 130.30 (rape in the
20	augroup, percent 100110 (pendal mapoendado), percent 100100 (14pe 14 ene

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

LBD06945-01-9

A. 5798

1

second degree); section 130.35 (rape in the first degree); section
130.40 (criminal sexual act in the third degree); section 130.45 (crimi-

130.40 (criminal sexual act in the third degree); section 130.45 (crimi-2 3 nal sexual act in the second degree); section 130.50 (criminal sexual 4 act in the first degree); section 130.52 (forcible touching); section 5 130.53 (persistent sexual abuse); section 130.55 (sexual abuse in the б third degree); section 130.60 (sexual abuse in the second degree); section 130.65 (sexual abuse in the first degree); section 130.66 7 8 (aggravated sexual abuse in the third degree); section 130.67 (aggra-9 vated sexual abuse in the second degree); section 130.70 (aggravated 10 sexual abuse in the first degree); section 130.91 (sexually motivated 11 felony); section 130.95 (predatory sexual assault); section 130.96 (predatory sexual assault against a child); section 135.05 (unlawful 12 13 imprisonment in the second degree); section 135.10 (unlawful imprison-14 ment in the first degree); section 135.60 (coercion in the third degree); section 135.61 (coercion in the second degree); section 135.65 15 16 (coercion in the first degree); section 140.20 (burglary in the third 17 degree); section 140.25 (burglary in the second degree); section 140.30 (burglary in the first degree); section 145.00 (criminal mischief in the 18 19 fourth degree); section 145.05 (criminal mischief in the third degree); 20 section 145.10 (criminal mischief in the second degree); section 145.12 21 (criminal mischief in the first degree); section 145.14 (criminal tampering in the third degree); section 215.50 (criminal contempt in the 22 second degree); section 215.51 (criminal contempt in the first degree); 23 section 215.52 (aggravated criminal contempt); section 240.20 (disorder-24 ly conduct); section 240.25 (harassment in the first degree); section 25 26 240.26 (harassment in the second degree); subdivision one, two or four 27 of section 240.30 (aggravated harassment in the second degree); aggravated family offense as defined in section 240.75 or any attempt or 28 29 conspiracy to commit any of the foregoing offenses where the defendant 30 and the person against whom the offense was committed were members of 31 the same family or household as defined in subdivision three of this 32 section. 33 3. For purposes of this section, a member of the same family or house-34 hold shall mean the following individuals: 35 (a) persons related by consanguinity or affinity; 36 (b) persons legally married to one another; 37 (c) persons formerly married to one another regardless of whether they 38 still reside in the same household; (d) persons who have a child in common regardless of whether such 39 persons are married or have lived together at any time; or 40 (e) unrelated persons who are continually or at regular intervals 41 42 living in the same household or who have in the past continually or at 43 regular intervals lived in the same household. 44 <u>§ 264.05 Sentencing.</u> 1. When a person is convicted of a domestic violence crime pursuant to 45 46 this article, and the specified offense is a violent felony offense, as 47 defined in section 70.02 of this chapter, the domestic violence crime 48 shall be deemed a violent felony offense. 49 2. When a person is convicted of a domestic violence crime pursuant to this article and the specified offense is a misdemeanor or a class C, D 50 51 or E felony, the domestic violence crime shall be deemed to be one cate-52 gory higher than the specified offense the defendant committed, or one 53 category higher than the offense level applicable to the defendant's 54 conviction for an attempt or conspiracy to commit a specified offense,

55 <u>whichever is applicable.</u>

A. 5798

this article and the specified offense is a violation, the domestic violence crime shall be deemed an unclassified misdemeanor and the term of the definite sentence shall not exceed sixty days. 4. Notwithstanding any other provision of law, when a person is convicted of a domestic violence crime pursuant to this article and the specified offense is a class B felony: (a) the maximum term of the indeterminate sentence must be at least six years if the defendant is sentence pursuant to section 70.00 of this chapter: (b) the term of the determinate sentence must be at least eight years if the defendant is sentenced pursuant to section 70.02 of this chapter: (c) the term of the determinate sentence must be at least twelve years if the defendant is sentenced pursuant to section 70.02 of this chapter: (d) the maximum term of the indeterminate sentence must be at least four years if the defendant is sentenced pursuant to section 70.03 of this chapter: (d) the maximum term of the indeterminate sentence must be at least four years if the defendant is sentenced pursuant to section 70.04 of this chapter: (e) the maximum term of the indeterminate sentence or the term of the determinate sentence must be at least four years if the defendant is sentenced pursuant to section 70.05 of this chapter: and (e) the maximum term of the indeterminate sentence or the term of the determinate sentence must be at least to years. 5. Notwithstanding any other provision of law, when a person is convicted of a domestic violence crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the indeterminate sentence imposed upon a person convicted of a domestic violence crime pursuant to this article. that the defendant complete a program, training session or counseling session is appropriate, available and was developed or authorized by the court or local agencies in cooperation with organizations serving the affected commuty.	1	3. When a person is convicted of a domestic violence crime pursuant to
 of the definite sentence shall not exceed sixty days. 4. Notwithstanding any other provision of law, when a person is convicted of a domestic violence crime pursuant to this article and the specified offense is a class B felony: (a) the maximum term of the indeterminate sentence must be at least six years if the defendant is sentenced pursuant to section 70.00 of this chapter: (b) the term of the determinate sentence must be at least eight years if the defendant is sentenced pursuant to section 70.02 of this chapter; (c) the term of the determinate sentence must be at least twelve years if the defendant is sentenced pursuant to section 70.04 of this chapter; (d) the maximum term of the indeterminate sentence must be at least four years if the defendant is sentenced pursuant to section 70.05 of this chapter; and (e) the maximum term of the indeterminate sentence or the term of the determinate sentence must be at least ten years if the defendant is sentenced pursuant to section 70.06 of this chapter. 5. Notwithstanding any other provision of law, when a person is convicted of a domestic violence crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the indeterminate sentence imposed upon a person convicted of a domestic violence crime pursuant to this article, that the defendant complete a program, training session or counseling session directed at domestic violence crime pursuant to this article, that 	2	this article and the specified offense is a violation, the domestic
4. Notwithstanding any other provision of law, when a person is convicted of a domestic violence crime pursuant to this article and the specified offense is a class B felony: (a) the maximum term of the indeterminate sentence must be at least six years if the defendant is sentenced pursuant to section 70.00 of this chapter; (b) the term of the determinate sentence must be at least eight years if the defendant is sentenced pursuant to section 70.02 of this chapter; (c) the term of the determinate sentence must be at least twelve years if the defendant is sentenced pursuant to section 70.04 of this chapter; (d) the maximum term of the indeterminate sentence must be at least twelve years if the defendant is sentenced pursuant to section 70.05 of this chapter; (d) the maximum term of the indeterminate sentence must be at least to section 70.05 of this chapter; and (e) the maximum term of the indeterminate sentence or the term of the determinate sentence or the term of the determinate sentence or the term of the determinate sentence. 5. Notwithstanding any other provision of law, when a person is convicted of a domestic violence crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the indeterminate sentence imposed upon a person convicted of a domestic violence crime pursuant to this article, that the defendant complete a program, training session or counseling session is appropriate, available and was developed or authorized by the court or local acqueries in cooperation with organizations serving the affected community.	3	violence crime shall be deemed an unclassified misdemeanor and the term
convicted of a domestic violence crime pursuant to this article and the specified offense is a class B felony: (a) the maximum term of the indeterminate sentence must be at least six years if the defendant is sentenced pursuant to section 70.00 of this chapter: (b) the term of the determinate sentence must be at least eight years (c) the term of the determinate sentence must be at least twelve years (c) the term of the determinate sentence must be at least twelve years (c) the term of the determinate sentence must be at least twelve years (d) the maximum term of the indeterminate sentence must be at least (e) the maximum term of the indeterminate sentence must be at least (f) the maximum term of the indeterminate sentence or the term of the (e) the maximum term of the indeterminate sentence or the term of the determinate sentence must be at least twelve years (e) the maximum term of the indeterminate sentence or the term of the determinate sentence must be at least training sentenced pursuant to section 70.06 of this chapter. 5. Notwithstanding any other provision of law, when a person is convicted of a domestic violence crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the indeterminate f. In addition to any of the dispositions authorized by this chapter, the court may require as part of the sentence imposed upon a person convicted of a domestic violence crime pursuant to this article, that the defendant complete a program, training session or counseling session directed	4	of the definite sentence shall not exceed sixty days.
specified offense is a class B felony: (a) the maximum term of the indeterminate sentence must be at least six years if the defendant is sentenced pursuant to section 70.00 of this chapter: (b) the term of the determinate sentence must be at least eight years if the defendant is sentenced pursuant to section 70.02 of this chapter; (c) the term of the determinate sentence must be at least twelve years if the defendant is sentenced pursuant to section 70.04 of this chapter; (d) the maximum term of the indeterminate sentence must be at least four years if the defendant is sentenced pursuant to section 70.04 of this chapter; (d) the maximum term of the indeterminate sentence must be at least four years if the defendant is sentenced pursuant to section 70.05 of this chapter; and (e) the maximum term of the indeterminate sentence or the term of the determinate sentence must be at least ten years if the defendant is sentenced pursuant to section 70.06 of this chapter. 5. Notwithstanding any other provision of law, when a person is convicted of a domestic violence crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the inde- terminate sentence shall be not less than twenty years. 6. In addition to any of the dispositions authorized by this chapter, the court may require as part of the sentence imposed upon a person convicted of a domestic violence crime pursuant to this article, that the defendant complete a program, training session or counseling session directed at domestic violence crime prevention and education, where the court determines such program, training session or counseling session is appropriate, available and was developed or authorized by the court or local agencies in cooperation with organizations serving the affected a community.	5	4. Notwithstanding any other provision of law, when a person is
 (a) the maximum term of the indeterminate sentence must be at least six years if the defendant is sentenced pursuant to section 70.00 of this chapter: (b) the term of the determinate sentence must be at least eight years if the defendant is sentenced pursuant to section 70.02 of this chapter; (c) the term of the determinate sentence must be at least twelve years if the defendant is sentenced pursuant to section 70.04 of this chapter; (d) the maximum term of the indeterminate sentence must be at least four years if the defendant is sentenced pursuant to section 70.05 of this chapter; and (e) the maximum term of the indeterminate sentence or the term of the determinate sentence must be at least ten years if the defendant is sentenced pursuant to section 70.06 of this chapter. 5. Notwithstanding any other provision of law, when a person is convicted of a domestic violence crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the indeterminate sentence imposed upon a person convicted of a domestic violence crime pursuant to this article, that the court may require as part of the sentence imposed upon a person directed at domestic violence crime pursuant to this article, that the defendant complete a program, training session or counseling session directed at domestic violence crime provention and education, where the court determines such program, training session or counseling session is appropriate, available and was developed or authorized by the court or local agencies in cooperation with organizations serving the affected community. 	б	convicted of a domestic violence crime pursuant to this article and the
9 six years if the defendant is sentenced pursuant to section 70.00 of this chapter: (b) the term of the determinate sentence must be at least eight years if the defendant is sentenced pursuant to section 70.02 of this chapter; (c) the term of the determinate sentence must be at least twelve years if the defendant is sentenced pursuant to section 70.04 of this chapter; (d) the maximum term of the indeterminate sentence must be at least four years if the defendant is sentenced pursuant to section 70.05 of this chapter; and (e) the maximum term of the indeterminate sentence or the term of the determinate sentence must be at least ten years if the defendant is sentenced pursuant to section 70.06 of this chapter. 5. Notwithstanding any other provision of law, when a person is convicted of a domestic violence crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the inde- terminate sentence shall be not less than twenty years. 6. In addition to any of the dispositions authorized by this chapter, the court may require as part of the sentence imposed upon a person convicted of a domestic violence crime pursuant to this article, that the defendant complete a program, training session or counseling session directed at domestic violence crime prevention and education, where the court determines such program, training session or counseling session is appropriate, available and was developed or authorized by the court or local agencies in cooperation with organizations serving the affected community.	7	<u>specified offense is a class B felony:</u>
this chapter: (b) the term of the determinate sentence must be at least eight years if the defendant is sentenced pursuant to section 70.02 of this chapter; (c) the term of the determinate sentence must be at least twelve years if the defendant is sentenced pursuant to section 70.04 of this chapter; (d) the maximum term of the indeterminate sentence must be at least four years if the defendant is sentenced pursuant to section 70.05 of this chapter; and (e) the maximum term of the indeterminate sentence or the term of the determinate sentence must be at least ten years if the defendant is sentenced pursuant to section 70.06 of this chapter. 5. Notwithstanding any other provision of law, when a person is convicted of a domestic violence crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the inde- terminate sentence shall be not less than twenty years. 6. In addition to any of the dispositions authorized by this chapter, the court may require as part of the sentence imposed upon a person convicted of a domestic violence crime pursuant to this article, that the defendant complete a program, training session or counseling session directed at domestic violence crime prevention and education, where the court determines such program, training session or counseling session is appropriate, available and was developed or authorized by the court or local agencies in cooperation with organizations serving the affected acommunity.	8	(a) the maximum term of the indeterminate sentence must be at least
 (b) the term of the determinate sentence must be at least eight years if the defendant is sentenced pursuant to section 70.02 of this chapter; (c) the term of the determinate sentence must be at least twelve years if the defendant is sentenced pursuant to section 70.04 of this chapter; (d) the maximum term of the indeterminate sentence must be at least four years if the defendant is sentenced pursuant to section 70.05 of this chapter; and (e) the maximum term of the indeterminate sentence or the term of the determinate sentence must be at least ten years if the defendant is sentenced pursuant to section 70.06 of this chapter. 5. Notwithstanding any other provision of law, when a person is convicted of a domestic violence crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the inde- terminate sentence shall be not less than twenty years. 6. In addition to any of the dispositions authorized by this chapter, the court may require as part of the sentence imposed upon a person convicted of a domestic violence crime pursuant to this article, that the defendant complete a program, training session or counseling session directed at domestic violence crime prevention and education, where the court determines such program, training session or counseling session is appropriate, available and was developed or authorized by the court or local agencies in cooperation with organizations serving the affected community. 	9	six years if the defendant is sentenced pursuant to section 70.00 of
if the defendant is sentenced pursuant to section 70.02 of this chapter; (c) the term of the determinate sentence must be at least twelve years if the defendant is sentenced pursuant to section 70.04 of this chapter; (d) the maximum term of the indeterminate sentence must be at least four years if the defendant is sentenced pursuant to section 70.05 of this chapter; and (e) the maximum term of the indeterminate sentence or the term of the determinate sentence must be at least ten years if the defendant is sentenced pursuant to section 70.06 of this chapter. 5. Notwithstanding any other provision of law, when a person is convicted of a domestic violence crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the inde- terminate sentence shall be not less than twenty years. 6. In addition to any of the dispositions authorized by this chapter, the court may require as part of the sentence imposed upon a person convicted of a domestic violence crime pursuant to this article, that the defendant complete a program, training session or counseling session directed at domestic violence crime pursuant to this article, that the defendant complete a program, training session or counseling session is appropriate, available and was developed or authorized by the court or local agencies in cooperation with organizations serving the affected community.	10	this chapter;
 (c) the term of the determinate sentence must be at least twelve years if the defendant is sentenced pursuant to section 70.04 of this chapter; (d) the maximum term of the indeterminate sentence must be at least four years if the defendant is sentenced pursuant to section 70.05 of this chapter; and (e) the maximum term of the indeterminate sentence or the term of the determinate sentence must be at least ten years if the defendant is sentenced pursuant to section 70.06 of this chapter. 5. Notwithstanding any other provision of law, when a person is convicted of a domestic violence crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the inde- terminate sentence shall be not less than twenty years. 6. In addition to any of the dispositions authorized by this chapter, the court may require as part of the sentence imposed upon a person convicted of a domestic violence crime pursuant to this article, that the defendant complete a program, training session or counseling session directed at domestic violence crime pursuant to this article, that the defendant complete a program, training session or counseling session is appropriate, available and was developed or authorized by the court or local agencies in cooperation with organizations serving the affected community. 	11	(b) the term of the determinate sentence must be at least eight years
if the defendant is sentenced pursuant to section 70.04 of this chapter; (d) the maximum term of the indeterminate sentence must be at least four years if the defendant is sentenced pursuant to section 70.05 of this chapter; and (e) the maximum term of the indeterminate sentence or the term of the determinate sentence must be at least ten years if the defendant is sentenced pursuant to section 70.06 of this chapter. 5. Notwithstanding any other provision of law, when a person is convicted of a domestic violence crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the inde- terminate sentence shall be not less than twenty years. 6. In addition to any of the dispositions authorized by this chapter, the court may require as part of the sentence imposed upon a person convicted of a domestic violence crime pursuant to this article, that the defendant complete a program, training session or counseling session directed at domestic violence crime prevention and education, where the court determines such program, training session or counseling session is appropriate, available and was developed or authorized by the court or local agencies in cooperation with organizations serving the affected community.	12	if the defendant is sentenced pursuant to section 70.02 of this chapter;
 (d) the maximum term of the indeterminate sentence must be at least four years if the defendant is sentenced pursuant to section 70.05 of this chapter; and (e) the maximum term of the indeterminate sentence or the term of the determinate sentence must be at least ten years if the defendant is sentenced pursuant to section 70.06 of this chapter. 5. Notwithstanding any other provision of law, when a person is convicted of a domestic violence crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the inde- terminate sentence shall be not less than twenty years. 6. In addition to any of the dispositions authorized by this chapter, the court may require as part of the sentence imposed upon a person convicted of a domestic violence crime pursuant to this article, that the defendant complete a program, training session or counseling session directed at domestic violence crime prevention and education, where the court determines such program, training session or counseling session is appropriate, available and was developed or authorized by the court or local agencies in cooperation with organizations serving the affected community. 	13	(c) the term of the determinate sentence must be at least twelve years
 four years if the defendant is sentenced pursuant to section 70.05 of this chapter; and (e) the maximum term of the indeterminate sentence or the term of the determinate sentence must be at least ten years if the defendant is sentenced pursuant to section 70.06 of this chapter. 5. Notwithstanding any other provision of law, when a person is convicted of a domestic violence crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the inde- terminate sentence shall be not less than twenty years. 6. In addition to any of the dispositions authorized by this chapter, the court may require as part of the sentence imposed upon a person convicted of a domestic violence crime pursuant to this article, that the defendant complete a program, training session or counseling session directed at domestic violence crime prevention and education, where the court determines such program, training session or counseling session is appropriate, available and was developed or authorized by the court or local agencies in cooperation with organizations serving the affected 	14	if the defendant is sentenced pursuant to section 70.04 of this chapter;
17 this chapter; and (e) the maximum term of the indeterminate sentence or the term of the determinate sentence must be at least ten years if the defendant is sentenced pursuant to section 70.06 of this chapter. 1 5. Notwithstanding any other provision of law, when a person is convicted of a domestic violence crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the inde- terminate sentence shall be not less than twenty years. 6. In addition to any of the dispositions authorized by this chapter, the court may require as part of the sentence imposed upon a person convicted of a domestic violence crime pursuant to this article, that the defendant complete a program, training session or counseling session of directed at domestic violence crime prevention and education, where the court determines such program, training session or counseling session is appropriate, available and was developed or authorized by the court or local agencies in cooperation with organizations serving the affected a community.	15	(d) the maximum term of the indeterminate sentence must be at least
 (e) the maximum term of the indeterminate sentence or the term of the determinate sentence must be at least ten years if the defendant is sentenced pursuant to section 70.06 of this chapter. 5. Notwithstanding any other provision of law, when a person is convicted of a domestic violence crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the indeterminate sentence shall be not less than twenty years. 6. In addition to any of the dispositions authorized by this chapter, the court may require as part of the sentence imposed upon a person convicted of a domestic violence crime pursuant to this article, that the defendant complete a program, training session or counseling session directed at domestic violence crime prevention and education, where the court determines such program, training session or counseling session is appropriate, available and was developed or authorized by the court or local agencies in cooperation with organizations serving the affected community. 	16	four years if the defendant is sentenced pursuant to section 70.05 of
19 determinate sentence must be at least ten years if the defendant is 20 sentenced pursuant to section 70.06 of this chapter. 21 5. Notwithstanding any other provision of law, when a person is 22 convicted of a domestic violence crime pursuant to this article and the 23 specified offense is a class A-1 felony, the minimum period of the inde- 24 terminate sentence shall be not less than twenty years. 25 6. In addition to any of the dispositions authorized by this chapter, 26 the court may require as part of the sentence imposed upon a person 27 convicted of a domestic violence crime pursuant to this article, that 28 the defendant complete a program, training session or counseling session 29 directed at domestic violence crime prevention and education, where the 30 court determines such program, training session or counseling session is 31 appropriate, available and was developed or authorized by the court or 32 local agencies in cooperation with organizations serving the affected 33 community.	17	this chapter; and
20 sentenced pursuant to section 70.06 of this chapter. 21 5. Notwithstanding any other provision of law, when a person is 22 convicted of a domestic violence crime pursuant to this article and the 23 specified offense is a class A-1 felony, the minimum period of the inde- 24 terminate sentence shall be not less than twenty years. 25 6. In addition to any of the dispositions authorized by this chapter, 26 the court may require as part of the sentence imposed upon a person 27 convicted of a domestic violence crime pursuant to this article, that 28 the defendant complete a program, training session or counseling session 29 directed at domestic violence crime prevention and education, where the 30 court determines such program, training session or counseling session is 31 appropriate, available and was developed or authorized by the court or 32 local agencies in cooperation with organizations serving the affected 33 community.	18	(e) the maximum term of the indeterminate sentence or the term of the
5. Notwithstanding any other provision of law, when a person is convicted of a domestic violence crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the inde- terminate sentence shall be not less than twenty years. 6. In addition to any of the dispositions authorized by this chapter, the court may require as part of the sentence imposed upon a person convicted of a domestic violence crime pursuant to this article, that the defendant complete a program, training session or counseling session directed at domestic violence crime prevention and education, where the court determines such program, training session or counseling session is appropriate, available and was developed or authorized by the court or local agencies in cooperation with organizations serving the affected community.	19	<u>determinate sentence must be at least ten years if the defendant is</u>
convicted of a domestic violence crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the inde- terminate sentence shall be not less than twenty years. 6. In addition to any of the dispositions authorized by this chapter, the court may require as part of the sentence imposed upon a person convicted of a domestic violence crime pursuant to this article, that the defendant complete a program, training session or counseling session directed at domestic violence crime prevention and education, where the court determines such program, training session or counseling session is appropriate, available and was developed or authorized by the court or local agencies in cooperation with organizations serving the affected community.	20	sentenced pursuant to section 70.06 of this chapter.
23 specified offense is a class A-1 felony, the minimum period of the inde- 24 terminate sentence shall be not less than twenty years. 25 6. In addition to any of the dispositions authorized by this chapter, 26 the court may require as part of the sentence imposed upon a person 27 convicted of a domestic violence crime pursuant to this article, that 28 the defendant complete a program, training session or counseling session 29 directed at domestic violence crime prevention and education, where the 30 court determines such program, training session or counseling session is 31 appropriate, available and was developed or authorized by the court or 32 local agencies in cooperation with organizations serving the affected 33 community.	21	5. Notwithstanding any other provision of law, when a person is
terminate sentence shall be not less than twenty years. 6. In addition to any of the dispositions authorized by this chapter, the court may require as part of the sentence imposed upon a person convicted of a domestic violence crime pursuant to this article, that the defendant complete a program, training session or counseling session directed at domestic violence crime prevention and education, where the court determines such program, training session or counseling session is appropriate, available and was developed or authorized by the court or local agencies in cooperation with organizations serving the affected community.		<u>convicted of a domestic violence crime pursuant to this article and the</u>
6. In addition to any of the dispositions authorized by this chapter, the court may require as part of the sentence imposed upon a person convicted of a domestic violence crime pursuant to this article, that the defendant complete a program, training session or counseling session directed at domestic violence crime prevention and education, where the court determines such program, training session or counseling session is appropriate, available and was developed or authorized by the court or local agencies in cooperation with organizations serving the affected community.	23	specified offense is a class A-1 felony, the minimum period of the inde-
the court may require as part of the sentence imposed upon a person convicted of a domestic violence crime pursuant to this article, that the defendant complete a program, training session or counseling session directed at domestic violence crime prevention and education, where the court determines such program, training session or counseling session is appropriate, available and was developed or authorized by the court or local agencies in cooperation with organizations serving the affected community.	24	terminate sentence shall be not less than twenty years.
27 convicted of a domestic violence crime pursuant to this article, that 28 the defendant complete a program, training session or counseling session 29 directed at domestic violence crime prevention and education, where the 30 court determines such program, training session or counseling session is 31 appropriate, available and was developed or authorized by the court or 32 local agencies in cooperation with organizations serving the affected 33 community.	25	6. In addition to any of the dispositions authorized by this chapter,
28 the defendant complete a program, training session or counseling session 29 directed at domestic violence crime prevention and education, where the 30 court determines such program, training session or counseling session is 31 appropriate, available and was developed or authorized by the court or 32 local agencies in cooperation with organizations serving the affected 33 community.	26	
29 directed at domestic violence crime prevention and education, where the 30 court determines such program, training session or counseling session is 31 appropriate, available and was developed or authorized by the court or 32 local agencies in cooperation with organizations serving the affected 33 community.		
30 court determines such program, training session or counseling session is 31 appropriate, available and was developed or authorized by the court or 32 local agencies in cooperation with organizations serving the affected 33 community.		
31 appropriate, available and was developed or authorized by the court or 32 local agencies in cooperation with organizations serving the affected 33 community.		directed at domestic violence crime prevention and education, where the
32 local agencies in cooperation with organizations serving the affected 33 community.	30	<u>court determines such program, training session or counseling session is</u>
33 <u>community.</u>		
34 8.2 This act shall take effect on the ninetieth day after it shall		
27 base bases a last take effect on the inneticent day after it shaft	34	§ 2. This act shall take effect on the ninetieth day after it shall

35 have become a law.