

# STATE OF NEW YORK

5444

2019-2020 Regular Sessions

## IN SENATE

May 1, 2019

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 Assem-  
bly, do enact as follows:

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

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

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

12 (i) "Victim of a sexual offense" means a victim of any act constitut-  
13 ing an offense as defined under article one hundred thirty, and/or  
14 sections 255.25, 255.26, and 255.27 of the penal law, including threats  
15 or attempts to commit such offenses.

16 (j) "Victim of stalking" means a victim of any act constituting an  
17 offense as defined under sections 120.45, 120.50, 120.55 and 120.60 of  
18 the penal law.

19 (k) "Victim of human trafficking" means a victim of any act constitut-  
20 ing an offense as defined under section 135.35, 135.37, 230.34, or  
21 230.34-a of the penal law.

22 § 3. Clauses (A) and (B) of subparagraph (i) and subparagraph (iv) of  
23 paragraph (a) of subdivision 2 of section 108 of the executive law, as

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

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1 added by chapter 502 of the laws of 2011, are amended to read as  
2 follows:

3 (A) the applicant, or the minor or incapacitated person on whose  
4 behalf the application is made, is a victim of domestic violence, victim  
5 of human trafficking, victim of a sexual offense, or victim of stalking;

6 (B) the applicant, or the minor or incapacitated person on whose  
7 behalf the application is made, has left his or her residence because of  
8 such violence or acts;

9 (iv) the actual address or addresses that the applicant requests not  
10 be disclosed because of the increased risk of domestic violence, a sexu-  
11 al offense, stalking, or physical injury; and

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

14 3. Designation of agencies to assist applicants. The secretary shall  
15 designate state, local or nonprofit agencies that provide counseling,  
16 referral, shelter or other specialized services to victims of domestic  
17 violence, victims of human trafficking, victims of a sexual offense and  
18 victims of stalking to assist persons applying to be program partic-  
19 ipants. Such persons providing assistance shall be trained by the secre-  
20 tary. Any assistance and counseling rendered by an officer of the secre-  
21 tary or his or her designees to applicants shall in no way be construed  
22 as legal advice.

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