

# STATE OF NEW YORK

10413

## IN ASSEMBLY

May 13, 2022

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Hevesi) --  
read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, the criminal procedure law, the domestic relations law, the family court act, the general business law, the insurance law, the labor law, the public health law, the social services law, and the state finance law, in relation to establishing the New York state office to end domestic and gender-based violence

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

1 Section 1. The article heading of article 21 of the executive law, as  
2 added by chapter 463 of the laws of 1992, is amended to read as follows:

3 ARTICLE 21

4 NEW YORK STATE OFFICE [~~FOR~~

5 ~~THE PREVENTION OF~~] TO END

6 DOMESTIC AND GENDER-BASED VIOLENCE

7 § 2. Section 575 of the executive law, as added by chapter 463 of the  
8 laws of 1992, subdivisions 3, 4 and 5 as amended by section 1 of part B  
9 of chapter 55 of the laws of 2021, subdivisions 7 and 8 as added by  
10 chapter 396 of the laws of 1994, subdivision 9 as added by chapter 368  
11 of the laws of 1997, subdivision 10 as added by section 3 of part A of  
12 chapter 491 of the laws of 2012 and paragraph (d) of subdivision 10 as  
13 amended by chapter 248 of the laws of 2017, is amended to read as  
14 follows:

15 § 575. New York state office [~~for the prevention of~~] to end domestic  
16 and gender-based violence. 1. Establishment of office. There is hereby  
17 established within the executive department the "New York state office  
18 [~~for the prevention of~~] to end domestic and gender-based violence",  
19 hereinafter in this section referred to as the "office".

20 2. Duties and responsibilities. The office shall advise the governor  
21 and the legislature on the most effective ways for state government to  
22 respond to the problem of domestic and gender-based violence. In  
23 fulfilling this responsibility, the office shall consult with experts,  
24 service providers and representative organizations in the field of

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

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1 domestic and gender-based violence and shall act as an advocate for  
2 domestic and gender-based violence victims and survivor-centered  
3 programs.

4 3. Definitions. For the purposes of this section the following terms  
5 shall have the following meanings:

6 (a) "Domestic violence" means a pattern of behavior used by an indi-  
7 vidual to establish and maintain power and control over their intimate  
8 partner. Such behavior includes abusive and coercive tactics, threats  
9 and actions that may or may not rise to the level of criminal behavior,  
10 including, but not limited to, physical, emotional, financial, and sexual  
11 abuse.

12 (b) "Gender-based violence" means threats to harm, or actual harms  
13 committed against a person or persons based on actual or perceived sex,  
14 gender, sexual orientation, gender identity or expression or other such  
15 sex/gender related characteristics. "Gender-based violence" shall  
16 include, but not be limited to, domestic violence; sexual violence;  
17 human trafficking; reproductive coercion and violence; stalking; and  
18 child-abuse as connected to gender-based violence. "Gender-based  
19 violence" shall not include actions taken by a person in self-defense  
20 against an act or series of acts of gender-based violence.

21 4. Activities. In addition, the office shall develop and implement  
22 policies and programs designed to assist victims of domestic and  
23 gender-based violence and their families, and to provide education and  
24 prevention, training and technical assistance. Such domestic and  
25 gender-based violence-related activities shall include, but not be  
26 limited to:

27 (a) Serving as a clearinghouse for information and materials;

28 (b) Developing and coordinating community outreach and public educa-  
29 tion throughout the state;

30 (c) Developing and delivering training to professionals, including but  
31 not limited to professionals in the fields of:

32 (i) domestic and gender-based violence;

33 (ii) health and mental health;

34 (iii) social and human services;

35 (iv) public education;

36 (v) law enforcement and criminal justice;

37 (vi) alcohol and substance abuse;

38 (d) Developing and promoting school-based prevention programs;

39 (e) Providing technical assistance to state and local government  
40 bodies and other agencies and to private businesses and not-for-profit  
41 corporations, on effective survivor-centered policies and responses to  
42 domestic and gender-based violence, including development of model  
43 [~~domestic violence~~] policies[~~, pursuant to subdivisions seven, eight and~~  
44 ~~nine of this section~~];

45 (f) Promoting and facilitating interagency cooperation among state  
46 agencies and intergovernmental cooperation between different levels of  
47 government in the state in the delivery and/or funding of survivor-cen-  
48 tered services;

49 (g) Operating, in collaboration with survivors, state coalitions, and  
50 other stakeholders, as an advocate for [~~domestic violence services and~~]  
51 victims and for survivor-centered domestic and gender-based violence  
52 services, including periodic solicitation of input from survivors and  
53 service providers regarding successes, challenges, and needs;

54 (h) Undertaking program and services needs assessments on its own  
55 initiative or at the request of the governor, the legislature or service  
56 providers;

1 (i) Examining the relationship between domestic and gender-based  
2 violence and other problems and making recommendations for effective  
3 policy response;

4 (j) Collecting data, conducting research, and holding public hearings;

5 (k) Making periodic reports to the governor and the legislature recom-  
6 mending policy and program directions and reviewing the activities of  
7 the office;

8 (l) [~~Developing~~] Working with stakeholders in developing and promoting  
9 [~~senior center based~~] gender-based violence prevention programs;

10 (m) [~~promoting best practices for abusive partner intervention~~] Inves-  
11 tigating, establishing and promoting best practices for accountability  
12 for those who harm their intimate partners;

13 (n) Administering grant funds appropriated and made available to  
14 support compliance with article one hundred [~~twenty-nine-b~~]  
15 twenty-nine-B of the education law; and undertaking such actions,  
16 duties, and responsibilities as may be necessary to serve the purpose of  
17 article one hundred [~~twenty-nine-b~~] twenty-nine-B of the education law;  
18 and

19 (o) Any other activities including the making of and promulgation of  
20 rules and regulations deemed necessary to [~~facilitate the prevention of~~]  
21 end domestic and gender-based violence within the scope and purview of  
22 this article which are not otherwise inconsistent with any other  
23 provisions of law.

24 [~~4-~~] 5. Advisory council. (a) An advisory council is hereby estab-  
25 lished to make recommendations on domestic and gender-based violence  
26 related issues and effective strategies [~~for the prevention of~~] to end  
27 domestic and gender-based violence, to assist in the development of  
28 appropriate policies and priorities for effective intervention, public  
29 education and advocacy, and to facilitate and assure communication and  
30 coordination of efforts among state agencies and between different  
31 levels of government, state, federal, and municipal, [~~for the prevention~~  
32 ~~of~~] to end domestic and gender-based violence.

33 (b) The advisory council shall consist of nine members and seventeen  
34 ex-officio members. Each member shall be appointed to serve for a term  
35 of three years and shall continue in office until a successor appointed  
36 member is made. A member appointed to fill a vacancy shall be appointed  
37 for the unexpired term of the member he or she is to succeed. All of the  
38 members shall be individuals with expertise in the area of domestic and  
39 gender-based violence. Three members shall be appointed by the governor,  
40 two members shall be appointed upon the recommendation of the temporary  
41 president of the senate, two members shall be appointed upon the recom-  
42 mendation of the speaker of the assembly, one member shall be appointed  
43 upon the recommendation of the minority leader of the senate, and one  
44 member shall be appointed upon the recommendation of the minority leader  
45 of the assembly. The ex-officio members of the advisory board shall  
46 consist of the director of the office, who shall chair the council, and  
47 the following members or their designees: the commissioner of the office  
48 of temporary and disability assistance; the commissioner of the depart-  
49 ment of health; the commissioner of the education department; the  
50 commissioner of the office of mental health; the commissioner of the  
51 office of addiction services and supports; the commissioner of the divi-  
52 sion of criminal justice services; the superintendent of the division of  
53 state police; the director of the office of probation and correctional  
54 alternatives; the commissioner of the office of children and family  
55 services; the director of the office of victim services; the chief  
56 administrative judge of the office of court administration; the commis-

1 sioner of the department of labor; the director of the state office for  
2 the aging; the commissioner of the department of corrections and commu-  
3 nity supervision; the commissioner of homes and community renewal; the  
4 chief executive officer of the New York state coalition against domestic  
5 violence; and the executive director of the New York state coalition  
6 against sexual assault.

7 (c) The advisory council shall meet as often as deemed necessary by  
8 the chair but in no event less than two times per year.

9 (d) The members of the advisory council shall receive no salary or  
10 other compensation for their services but shall be entitled to  
11 reimbursement for actual and necessary expenses incurred in the perform-  
12 ance of their duties within amounts made available by appropriation  
13 therefor subject to the approval of the director of the budget. The  
14 ex-officio members of the advisory council shall receive no additional  
15 compensation for their services on the advisory council above the salary  
16 they receive from the respective departments or divisions that employ  
17 them.

18 ~~[5.]~~ **6.** Executive director. (a) The governor shall appoint an execu-  
19 tive director of the office who shall serve at the pleasure of the  
20 governor.

21 (b) The executive director shall receive an annual salary fixed by the  
22 governor within the amounts appropriated specifically therefor and shall  
23 be entitled to reimbursement for reasonable expenses incurred in  
24 connection with the performance of the director's duties.

25 (c) The director of the office, with the approval of the governor, may  
26 accept as agent of the state any grant, including federal grants, or any  
27 gift or donation for any of the purposes of this article. Any moneys so  
28 received may be expended by the office to effectuate any purpose of this  
29 article, subject to the applicable provisions of the state finance law.

30 (d) The executive director shall appoint staff and perform such other  
31 functions to ensure the efficient operation of the office.

32 ~~[6.]~~ **7.** Assistance of other agencies. The office may request and shall  
33 receive in a timely manner from any department, division, board, bureau,  
34 commission or agency of the state, such information and assistance as  
35 shall enable it to properly carry out its powers and duties pursuant to  
36 this article.

37 ~~[7. Model domestic violence policy for counties. (a) The office shall  
38 convene a task force of county level municipal officials, municipal  
39 police and members of the judiciary, or their representatives, and  
40 directors of domestic violence programs, including representatives from  
41 a statewide advocacy organization for the prevention of domestic  
42 violence, to develop a model domestic violence policy for counties. For  
43 the purposes of this subdivision, "county" shall have the same meaning  
44 as such term is defined in section three of the county law, except that  
45 the city of New York shall be deemed to be one county. The office shall  
46 give due consideration to the recommendations of the governor, the  
47 temporary president of the senate and the speaker of the assembly for  
48 participation by any person on the task force, and shall make reasonable  
49 efforts to assure regional balance in membership.~~

50 ~~(b) The purpose of the model policy shall be to provide consistency  
51 and coordination by and between county agencies and departments, includ-  
52 ing criminal justice agencies and the judiciary, and, as appropriate, by  
53 municipalities or other jurisdictions within the county and other  
54 governmental agencies and departments, by assuring that best practices,  
55 policies, protocols and procedures are used to address the issue of~~

~~1 domestic violence, and to secure the safety of the victim including, but  
2 not limited to:~~

- ~~3 (i) response, investigation and arrest policies by police agencies;  
4 (ii) response by other criminal justice agencies, including disposi-  
5 tion of domestic violence complaints, the provision of information and  
6 orders of protection;  
7 (iii) response by human services and health agencies, including iden-  
8 tification, assessment, intervention and referral policies and responses  
9 to victims and the perpetrators of domestic violence;  
10 (iv) training and appropriate and relevant measures for periodic eval-  
11 uation of community efforts; and  
12 (v) other issues as shall be appropriate and relevant for the task  
13 force to develop such policy.~~

~~14 (c) Such model policy shall be reviewed by the task force to assure  
15 consistency with existing law and shall be made the subject of public  
16 hearings convened by the office throughout the state at places and at  
17 times which are convenient for attendance by the public, after which the  
18 policy shall be reviewed by the task force and amended as necessary to  
19 reflect concerns raised at the hearings. If approved by the task force,  
20 such model policy shall be provided as approved with explanation of its  
21 provisions to the governor and the legislature not later than two years  
22 after the effective date of this subdivision. Notification of the avail-  
23 ability of such model domestic violence policy shall be made by the  
24 office to every county in the state, and copies of the policy shall be  
25 made available to them upon request.~~

~~26 (d) The office in consultation with the task force, providers of  
27 service, the advisory council and others, including representatives of a  
28 statewide advocacy organization for the prevention domestic violence,  
29 shall provide technical support, information and encouragement to coun-  
30 ties to implement the provisions of the model policy on domestic  
31 violence.~~

~~32 (e) Nothing contained in this subdivision shall be deemed to prevent  
33 the governing body of a county from designating a local advisory commit-  
34 tee to investigate the issues, work with providers of domestic violence  
35 programs and other interested parties, and to aid in the implementation  
36 of the policy required by this subdivision. Such governing body or advi-  
37 sory committee may request and shall receive technical assistance from  
38 the office for the development of such a policy. Implementation of the  
39 model domestic violence policy may take place in a form considered  
40 appropriate by the governing body of a county, including guidelines,  
41 regulations and local laws.~~

~~42 (f) The office shall survey county governments within four years of  
43 the effective date of this subdivision to determine the level of compli-  
44 ance with the model domestic violence policy, and shall take such steps  
45 as shall be necessary to aid county governments in the implementation of  
46 such policy.]~~

~~47 8. State domestic violence policy. [(a) The office shall survey every  
48 state agency to determine any activities, programs, rules, regulations,  
49 guidelines or statutory requirements that have a direct or indirect  
50 bearing on the state's efforts and abilities to address the issue of  
51 domestic violence including, but not limited to, the provision of  
52 services to victims and their families. Within two years of the effec-  
53 tive date of this subdivision, the office shall compile such information  
54 and provide a report, with appropriate comments and recommendations, to  
55 the governor and the legislature. For the purposes of this subdivision,~~

1 ~~"state agency" shall have the same meaning as such term is defined in~~  
2 ~~section two a of the state finance law.~~

3 ~~(b) Within three years of the effective date of this subdivision the~~  
4 ~~office shall recommend a state domestic violence policy consistent with~~  
5 ~~statute and best practice, policies, procedures and protocols to the~~  
6 ~~governor and the legislature. The purpose of such model policy shall be~~  
7 ~~to provide consistency and coordination by and between state agencies~~  
8 ~~and departments to address the issue of domestic violence. In developing~~  
9 ~~such model policy, the office shall consult with a statewide advocacy~~  
10 ~~organization for the prevention of domestic violence, and shall assure~~  
11 ~~that the advisory council reviews all data and recommendations and shall~~  
12 ~~not submit such model policy until approved by the advisory council.~~  
13 ~~Such recommendations shall be provided exclusive of any study or report~~  
14 ~~the office is required to undertake pursuant to a chapter of the laws of~~  
15 ~~nineteen hundred ninety-four, entitled "the family protection and domes-~~  
16 ~~tic violence intervention act of 1994".~~

17 ~~(c)~~ No state agency shall promulgate a rule pursuant to the state  
18 administrative procedure act, or adopt a guideline or other procedure,  
19 including a request for proposals, directly or indirectly affecting the  
20 provision of services to victims of domestic and gender-based violence,  
21 or the provision of services by residential or non-residential domestic  
22 violence programs, as such terms are defined in section four hundred  
23 fifty-nine-a of the social services law, or establish a grant program  
24 directly or indirectly affecting such victims of domestic or gender-  
25 based violence or providers of service, without first consulting the  
26 office, which shall provide all comments in response to such rules,  
27 guidelines or procedures in writing directly to the chief executive  
28 officer of such agency, to the administrative regulations review commit-  
29 tee and to the appropriate committees of the legislature having juris-  
30 diction of the subject matter addressed within two weeks of receipt  
31 thereof, provided that failure of the office to respond as required  
32 herein shall not otherwise impair the ability of such state agency to  
33 promulgate a rule. This paragraph shall not apply to an appropriation  
34 which finances a contract with a not-for-profit organization which has  
35 been identified for a state agency without the use of a request for  
36 proposals.

37 9. ~~Model domestic violence employee awareness and assistance policy.~~  
38 ~~(a) The office shall convene a task force including members of the busi-~~  
39 ~~ness community, employees, employee organizations, representatives from~~  
40 ~~the department of labor and the empire state development corporation,~~  
41 ~~and directors of domestic violence programs, including representatives~~  
42 ~~of statewide advocacy organizations for the prevention of domestic~~  
43 ~~violence, to develop a model domestic violence employee awareness and~~  
44 ~~assistance policy for businesses.~~

45 ~~The office shall give due consideration to the recommendations of the~~  
46 ~~governor, the temporary president of the senate, and the speaker of the~~  
47 ~~assembly for participation by any person on the task force, and shall~~  
48 ~~make reasonable efforts to assure regional balance in membership.~~

49 ~~(b) The purpose of the model employee awareness and assistance policy~~  
50 ~~shall be to provide businesses with the best practices, policies, proto-~~  
51 ~~cols and procedures in order that they ascertain domestic violence~~  
52 ~~awareness in the workplace, assist affected employees, and provide a~~  
53 ~~safe and helpful working environment for employees currently or poten-~~  
54 ~~tially experiencing the effects of domestic violence. The model plan~~  
55 ~~shall include but not be limited to:~~

~~(i) the establishment of a definite corporate policy statement recognizing domestic violence as a workplace issue as well as promoting the need to maintain job security for those employees currently involved in domestic violence disputes;~~

~~(ii) policy and service publication requirements, including posting said policies and service availability pamphlets in break rooms, on bulletin boards, restrooms and other communication methods;~~

~~(iii) a listing of current domestic violence community resources such as shelters, crisis intervention programs, counseling and case management programs, legal assistance and advocacy opportunities for affected employees;~~

~~(iv) measures to ensure workplace safety including, where appropriate, designated parking areas, escort services and other affirmative safeguards;~~

~~(v) training programs and protocols designed to educate employees and managers in how to recognize, approach and assist employees experiencing domestic violence, including both victims and batterers; and~~

~~(vi) other issues as shall be appropriate and relevant for the task force in developing such model policy.~~

~~(c) Such model policy shall be reviewed by the task force to assure consistency with existing law and shall be made the subject of public hearings convened by the office throughout the state at places and at times which are convenient for attendance by the public, after which the policy shall be reviewed by the task force and amended as necessary to reflect concerns raised at the hearings. If approved by the task force, such model policy shall be provided as approved with explanation of its provisions to the governor and the legislature not later than one year after the effective date of this subdivision. The office shall make every effort to notify businesses of the availability of such model domestic violence employee awareness and assistance policy.~~

~~(d) The office in consultation with the task force, providers of services, the advisory council, the department of labor, the empire state development corporation, and representatives of statewide advocacy organizations for the prevention of domestic violence, shall provide technical support, information, and encouragement to businesses to implement the provisions of the model domestic violence employee awareness and assistance policy.~~

~~(e) Nothing contained in this subdivision shall be deemed to prevent businesses from adopting their own domestic violence employee awareness and assistance policy.~~

~~(f) The office shall survey businesses within four years of the effective date of this section to determine the level of model policy adoption amongst businesses and shall take steps necessary to promote the further adoption of such policy.~~

~~10.] Fatality review team. (a) There shall be established within the office a fatality review team for the purpose of analyzing, in conjunction with local representation, the domestic violence-related death or near death of individuals, with the goal of:~~

~~(i) examining the trends and patterns of domestic violence-related fatalities in New York state;~~

~~(ii) educating the public, service providers, and policymakers about domestic violence fatalities and strategies for intervention and prevention; and~~

~~(iii) recommending policies, practices, procedures, and services to reduce fatalities due to domestic violence.~~

1 (b) A domestic violence-related death or near death shall mean any  
2 death or near death caused by a family or household member as defined in  
3 section eight hundred twelve of the family court act or section 530.11  
4 of the criminal procedure law, except that there shall be no review of  
5 the death or near death of a child for those cases in which the office  
6 of children and family services is required to issue a fatality report  
7 in accordance with subdivision five of section twenty of the social  
8 services law.

9 (c) The team shall review deaths or near deaths in cases that have  
10 been adjudicated and have received a final judgment and that are not  
11 under investigation.

12 (d) Members of a domestic violence fatality review team shall be  
13 appointed by the executive director, [~~in consultation with the advisory~~  
14 ~~council,~~] and shall include, but not be limited to, one representative  
15 from the office of children and family services, the office of temporary  
16 and disability assistance, the division of criminal justice services,  
17 the state police, the department of health, the office of court adminis-  
18 tration, the office of probation and correctional alternatives, the  
19 department of corrections and community supervision, the office of  
20 victim services, at least one representative from local law enforcement,  
21 a county prosecutor's office, a local social services district, a member  
22 of the judiciary, and a domestic violence services program approved by  
23 the office of children and family services. A domestic violence fatality  
24 review team may also include representatives from sexual assault  
25 services programs, public health, mental health and substance abuse  
26 agencies, hospitals, clergy, local school districts, local divisions of  
27 probation, local offices of the department of corrections and community  
28 supervision, the office of the medical examiner or coroner, any local  
29 domestic violence task force, coordinating council or other interagency  
30 entity that meets regularly to support a coordinated community response  
31 to domestic violence, any other program that provides services to domes-  
32 tic violence victims, or any other person necessary to the work of the  
33 team, including survivors of domestic violence.

34 (e) The team shall identify potential cases and shall select which  
35 deaths or near deaths will be reviewed each year. Localities may request  
36 that the team conduct a review of a particular death or near death.

37 (f) The team shall work with officials and organizations within the  
38 community where the death or near death occurred to conduct each review.

39 (g) Team members shall serve without compensation but are entitled to  
40 be reimbursed for travel expenses to the localities where a fatality  
41 review will be conducted and members who are full-time salaried officers  
42 or employees of the state or of any political subdivision of the state  
43 are entitled to their regular compensation.

44 (h) To the extent consistent with federal law, upon request the team  
45 shall be provided client-identifiable information and records necessary  
46 for the investigation of a domestic violence-related death or near death  
47 incident, including, but not limited to:

48 (i) records maintained by a local social services district;

49 (ii) law enforcement records, except where the provision of such  
50 records would interfere with an ongoing law enforcement investigation or  
51 identify a confidential source or endanger the safety or welfare of an  
52 individual;

53 (iii) court records;

54 (iv) probation and parole records;

55 (v) records from domestic violence residential or non-residential  
56 programs;

1 (vi) records from any relevant service provider, program or organiza-  
2 tion; and

3 (vii) all other relevant records in the possession of state and local  
4 officials or agencies provided, however, no official or agency shall be  
5 required to provide information or records concerning a person charged,  
6 investigated or convicted in such death or near death in violation of  
7 such person's attorney-client privilege.

8 (i) Any information or records otherwise sealed, confidential and  
9 privileged in accordance with state law which are provided to the team  
10 shall remain sealed, confidential, and privileged as otherwise provided  
11 by law. All records received, meetings conducted, reports and records  
12 made and maintained and all books and papers obtained by the team shall  
13 be confidential and shall not be open or made available, except by court  
14 order or as set forth in paragraphs (k) and (l) of this subdivision.

15 (j) Any person who releases or permits the release of any information  
16 protected under paragraph (i) of this subdivision to persons or agencies  
17 not authorized to receive such information shall be guilty of a class A  
18 misdemeanor.

19 (k) Team members and persons who present information to the team shall  
20 not be questioned in any civil or criminal proceeding regarding any  
21 opinions formed as a result of a meeting of the team. Nothing in this  
22 section shall be construed to prevent a person from testifying as to  
23 information which is obtained independently of the team or information  
24 which is public.

25 (l) Team members are not liable for damages or other relief in any  
26 action brought by reason of the reasonable and good faith performance of  
27 a duty, function, or activity of the team.

28 (m) Consistent with all federal and state confidentiality protections,  
29 the team may provide recommendations to any individual or entity for  
30 appropriate actions to improve a community's response to domestic  
31 violence.

32 (n) The team shall periodically submit a cumulative report to the  
33 governor and the legislature incorporating the aggregate data and a  
34 summary of the general findings and recommendations resulting from the  
35 domestic violence fatality reviews completed pursuant to this subdivi-  
36 sion. The cumulative report shall thereafter be made available to the  
37 public, consistent with federal and state confidentiality protections.

38 § 3. Subdivision 6 of section 530.11 of the criminal procedure law, as  
39 amended by chapter 663 of the laws of 2019, is amended to read as  
40 follows:

41 6. Notice. Every police officer, peace officer or district attorney  
42 investigating a family offense under this article shall advise the  
43 victim of the availability of a shelter or other services in the commu-  
44 nity, and shall immediately give the victim written notice of the legal  
45 rights and remedies available to a victim of a family offense under the  
46 relevant provisions of this chapter and the family court act. Such  
47 notice shall be prepared, at minimum, in plain English, Spanish, Chinese  
48 and Russian and if necessary, shall be delivered orally, and shall  
49 include but not be limited to the information contained in the following  
50 statement:

51 "Are you the victim of domestic violence? If you need help now, you  
52 can call 911 for the police to come to you. You can also call a domestic  
53 violence hotline. You can have a confidential talk with an advocate at  
54 the hotline about help you can get in your community including: where  
55 you can get treatment for injuries, where you can get shelter, where you  
56 can get support, and what you can do to be safe. The New York State

1 24-hour Domestic & Sexual Violence Hotline number is (insert the state-  
2 wide multilingual 800 number). They can give you information in many  
3 languages. If you are deaf or hard of hearing, call 711.

4 This is what the police can do:

5 They can help you and your children find a safe place such as a family  
6 or friend's house or a shelter in your community.

7 You can ask the officer to take you or help you and your children get  
8 to a safe place in your community.

9 They can help connect you to a local domestic violence program.

10 They can help you get to a hospital or clinic for medical care.

11 They can help you get your personal belongings.

12 They must complete a report discussing the incident. They will give  
13 you a copy of this police report before they leave the scene. It is  
14 free.

15 They may, and sometimes must, arrest the person who harmed you if you  
16 are the victim of a crime. The person arrested could be released at any  
17 time, so it is important to plan for your safety.

18 If you have been abused or threatened, this is what you can ask the  
19 police or district attorney to do:

20 File a criminal complaint against the person who harmed you.

21 Ask the criminal court to issue an order of protection for you and  
22 your child if the district attorney files a criminal case with the  
23 court.

24 Give you information about filing a family offense petition in your  
25 local family court.

26 You also have the right to ask the family court for an order of  
27 protection for you and your children.

28 This is what you can ask the family court to do:

29 To have your family offense petition filed the same day you go to  
30 court.

31 To have your request heard in court the same day you file or the next  
32 day court is open.

33 Only a judge can issue an order of protection. The judge does that as  
34 part of a criminal or family court case against the person who harmed  
35 you. An order of protection in family court or in criminal court can  
36 say:

37 That the other person have no contact or communication with you by  
38 mail, phone, computer or through other people.

39 That the other person stay away from you and your children, your home,  
40 job or school.

41 That the other person not assault, harass, threaten, strangle, or  
42 commit another family offense against you or your children.

43 That the other person turn in their firearms and firearms licenses,  
44 and not get any more firearms.

45 That you have temporary custody of your children.

46 That the other person pay temporary child support.

47 That the other person not harm your pets or service animals.

48 If the family court is closed because it is night, a weekend, or a  
49 holiday, you can go to a criminal court to ask for an order of  
50 protection.

51 If you do not speak English or cannot speak it well, you can ask the  
52 police, the district attorney, or the criminal or family court to get  
53 you an interpreter who speaks your language. The interpreter can help  
54 you explain what happened.

1 You can get the forms you need to ask for an order of protection at  
2 your local family court (insert addresses and contact information for  
3 courts). You can also get them online: [www.NYCourts.gov/forms](http://www.NYCourts.gov/forms).

4 You do not need a lawyer to ask for an order of protection.

5 You have a right to get a lawyer in the family court. If the family  
6 court finds that you cannot afford to pay for a lawyer, it must get you  
7 one for free.

8 If you file a complaint or family court petition, you will be asked to  
9 swear to its truthfulness because it is a crime to file a legal document  
10 that you know is false."

11 The division of criminal justice services in consultation with the  
12 state office [~~for the prevention of~~] to end domestic and gender-based  
13 violence shall prepare the form of such written notice consistent with  
14 provisions of this section and distribute copies thereof to the appro-  
15 priate law enforcement officials pursuant to subdivision nine of section  
16 eight hundred forty-one of the executive law.

17 Additionally, copies of such notice shall be provided to the chief  
18 administrator of the courts to be distributed to victims of family  
19 offenses through the criminal court at such time as such persons first  
20 come before the court and to the state department of health for distrib-  
21 ution to all hospitals defined under article twenty-eight of the public  
22 health law. No cause of action for damages shall arise in favor of any  
23 person by reason of any failure to comply with the provisions of this  
24 subdivision except upon a showing of gross negligence or willful miscon-  
25 duct.

26 § 4. Section 214-b of the executive law, as amended by chapter 432 of  
27 the laws of 2015, is amended to read as follows:

28 § 214-b. Family offense intervention. The superintendent shall, for  
29 all members of the state police including new and veteran officers,  
30 develop, maintain and disseminate, in consultation with the state office  
31 [~~for the prevention of~~] to end domestic and gender-based violence, writ-  
32 ten policies and procedures consistent with article eight of the family  
33 court act and applicable provisions of the criminal procedure and domes-  
34 tic relations laws, regarding the investigation of and intervention in  
35 incidents of family offenses. Such policies and procedures shall make  
36 provision for education and training in the interpretation and enforce-  
37 ment of New York's family offense laws, including but not limited to:

38 (a) intake and recording of victim statements, and the prompt trans-  
39 lation of such statements if made in a language other than English, in  
40 accordance with subdivision (c) of this section, on a standardized  
41 "domestic violence incident report form" promulgated by the state divi-  
42 sion of criminal justice services in consultation with the superinten-  
43 dent and with the state office [~~for the prevention of~~] to end domestic  
44 and gender-based violence, and the investigation thereof so as to ascer-  
45 tain whether a crime has been committed against the victim by a member  
46 of the victim's family or household as such terms are defined in section  
47 eight hundred twelve of the family court act and section 530.11 of the  
48 criminal procedure law;

49 (b) the need for immediate intervention in family offenses including  
50 the arrest and detention of alleged offenders, pursuant to subdivision  
51 four of section 140.10 of the criminal procedure law, and notifying  
52 victims of their rights, in their native language, if identified as  
53 other than English, in accordance with subdivision (c) of this section,  
54 including but not limited to immediately providing the victim with the  
55 written notice provided in subdivision six of section 530.11 of the

1 criminal procedure law and subdivision five of section eight hundred  
2 twelve of the family court act.

3 (c) The superintendent, in consultation with the division of criminal  
4 justice services and the office [~~for the prevention of~~] to end domestic  
5 and gender-based violence shall determine the languages in which such  
6 translation required by subdivision (a) of this section, and the notifi-  
7 cation required pursuant to subdivision (b) of this section, shall be  
8 provided. Such determination shall be based on the size of the New York  
9 state population that speaks each language and any other relevant  
10 factor. Such written notice required pursuant to subdivision (b) of this  
11 section shall be made available to all state police officers in the  
12 state.

13 § 5. Subdivision 1 of section 221-a of the executive law, as amended  
14 by chapter 492 of the laws of 2015, is amended to read as follows:

15 1. The superintendent, in consultation with the division of criminal  
16 justice services, office of court administration, and the office [~~for~~  
17 ~~the prevention of~~] to end domestic and gender-based violence, shall  
18 develop a comprehensive plan for the establishment and maintenance of a  
19 statewide computerized registry of all orders of protection issued  
20 pursuant to articles four, five, six, eight and ten of the family court  
21 act, section 530.12 of the criminal procedure law and, insofar as they  
22 involve victims of domestic violence as defined by section four hundred  
23 fifty-nine-a of the social services law, section 530.13 of the criminal  
24 procedure law and sections two hundred forty and two hundred fifty-two  
25 of the domestic relations law, and orders of protection issued by courts  
26 of competent jurisdiction in another state, territorial or tribal juris-  
27 diction, special orders of conditions issued pursuant to subparagraph  
28 (i) or (ii) of paragraph (o) of subdivision one of section 330.20 of the  
29 criminal procedure law insofar as they involve a victim or victims of  
30 domestic violence as defined by subdivision one of section four hundred  
31 fifty-nine-a of the social services law or a designated witness or  
32 witnesses to such domestic violence, and all warrants issued pursuant to  
33 sections one hundred fifty-three and eight hundred twenty-seven of the  
34 family court act, and arrest and bench warrants as defined in subdivi-  
35 sions twenty-eight, twenty-nine and thirty of section 1.20 of the crimi-  
36 nal procedure law, insofar as such warrants pertain to orders of  
37 protection or temporary orders of protection; provided, however, that  
38 warrants issued pursuant to section one hundred fifty-three of the fami-  
39 ly court act pertaining to articles three and seven of such act and  
40 section 530.13 of the criminal procedure law shall not be included in  
41 the registry. The superintendent shall establish and maintain such  
42 registry for the purposes of ascertaining the existence of orders of  
43 protection, temporary orders of protection, warrants and special orders  
44 of conditions, and for enforcing the provisions of paragraph (b) of  
45 subdivision four of section 140.10 of the criminal procedure law.

46 § 6. The opening paragraph of subdivision 15 of section 837 of the  
47 executive law, as amended by chapter 432 of the laws of 2015, is amended  
48 to read as follows:

49 Promulgate, in consultation with the superintendent of state police  
50 and the state office [~~for the prevention of~~] to end domestic and  
51 gender-based violence, and in accordance with paragraph (f) of subdivi-  
52 sion three of section eight hundred forty of this article, a standard-  
53 ized "domestic violence incident report form" for use by state and local  
54 law enforcement agencies in the reporting, recording and investigation  
55 of all alleged incidents of domestic violence, regardless of whether an  
56 arrest is made as a result of such investigation. Such form shall be

1 prepared in multiple parts, one of which shall be immediately provided  
2 to the victim, and shall include designated spaces for: the recordation  
3 of the results of the investigation by the law enforcement agency and  
4 the basis for any action taken; the recordation of a victim's allega-  
5 tions of domestic violence; the age and gender of the victim and the  
6 alleged offender or offenders; and immediately thereunder a space on  
7 which the victim may sign and verify such victim's allegations. Such  
8 form shall also include, but not be limited to spaces to identify:

9 § 7. Paragraph (f) of subdivision 3 of section 840 of the executive  
10 law, as amended by chapter 432 of the laws of 2015, is amended to read  
11 as follows:

12 (f) Develop, maintain and disseminate, in consultation with the state  
13 office [~~for the prevention of~~] to end domestic and gender-based  
14 violence, written policies and procedures consistent with article eight  
15 of the family court act and applicable provisions of the criminal proce-  
16 dure and domestic relations laws, regarding the investigation of and  
17 intervention by new and veteran police officers in incidents of family  
18 offenses. Such policies and procedures shall make provisions for educa-  
19 tion and training in the interpretation and enforcement of New York's  
20 family offense laws, including but not limited to:

21 (1) intake and recording of victim statements, and the prompt trans-  
22 lation of such statements if made in a language other than English, in  
23 accordance with subparagraph three of this paragraph, on a standardized  
24 "domestic violence incident report form" promulgated by the division of  
25 criminal justice services in consultation with the superintendent of  
26 state police, representatives of local police forces and the state  
27 office [~~for the prevention of~~] to end domestic and gender-based  
28 violence, and the investigation thereof so as to ascertain whether a  
29 crime has been committed against the victim by a member of the victim's  
30 family or household as such terms are defined in section eight hundred  
31 twelve of the family court act and section 530.11 of the criminal proce-  
32 dure law; and

33 (2) the need for immediate intervention in family offenses including  
34 the arrest and detention of alleged offenders, pursuant to subdivision  
35 four of section 140.10 of the criminal procedure law, and notifying  
36 victims of their rights, in their native language, if identified as  
37 other than English, in accordance with subparagraph three of this para-  
38 graph, including but not limited to immediately providing the victim  
39 with the written notice required in subdivision six of section 530.11 of  
40 the criminal procedure law and subdivision five of section eight hundred  
41 twelve of the family court act;

42 (3) determine, in consultation with the superintendent of state police  
43 and the office [~~for the prevention of~~] to end domestic and gender-based  
44 violence, the languages in which such translation required by subpara-  
45 graph one of this paragraph, and the notification required by subpara-  
46 graph two of this paragraph, shall be provided. Such determination shall  
47 be based on the size of the New York state population that speaks each  
48 language and any other relevant factor. Such written notice required  
49 pursuant to subparagraph two of this paragraph shall be made available  
50 to all local law enforcement agencies throughout the state. Nothing in  
51 this paragraph shall prevent the council from using the determinations  
52 made by the superintendent of state police pursuant to subdivision (c)  
53 of section two hundred fourteen-b of this chapter;

54 § 8. The opening paragraph of paragraph 2 of subdivision (b) of  
55 section 153-c of the family court act, as added by chapter 367 of the  
56 laws of 2015, is amended to read as follows:

1 A plan for a pilot program pursuant to this section shall be developed  
2 by the chief administrator of the courts or his or her delegate in  
3 consultation with one or more local programs providing assistance to  
4 victims of domestic violence, the office [~~for the prevention of~~] to end  
5 domestic and gender-based violence, and attorneys who represent family  
6 offense petitions. The plan shall include, but is not limited to:

7 § 9. Paragraph 2 of subdivision (a) of section 249-b of the family  
8 court act, as added by chapter 476 of the laws of 2009, is amended to  
9 read as follows:

10 2. provide for the development of training programs with the input of  
11 and in consultation with the state office [~~for the prevention of~~] to end  
12 domestic and gender-based violence. Such training programs must include  
13 the dynamics of domestic violence and its effect on victims and on chil-  
14 dren, and the relationship between such dynamics and the issues consid-  
15 ered by the court, including, but not limited to, custody, visitation  
16 and child support. Such training programs along with the providers of  
17 such training must be approved by the office of court administration  
18 following consultation with and input from the state office for the  
19 prevention of domestic violence; and

20 § 10. The closing paragraph of subdivision 5 of section 812 of the  
21 family court act, as amended by chapter 663 of the laws of 2019, is  
22 amended to read as follows:

23 The division of criminal justice services in consultation with the  
24 state office [~~for the prevention of~~] to end domestic and gender-based  
25 violence shall prepare the form of such written notice consistent with  
26 the provisions of this section and distribute copies thereof to the  
27 appropriate law enforcement officials pursuant to subdivision nine of  
28 section eight hundred forty-one of the executive law. Additionally,  
29 copies of such notice shall be provided to the chief administrator of  
30 the courts to be distributed to victims of family offenses through the  
31 family court at such time as such persons first come before the court  
32 and to the state department of health for distribution to all hospitals  
33 defined under article twenty-eight of the public health law. No cause of  
34 action for damages shall arise in favor of any person by reason of any  
35 failure to comply with the provisions of this subdivision except upon a  
36 showing of gross negligence or willful misconduct.

37 § 11. Subdivision 3 of section 403 of the general business law, as  
38 amended by chapter 715 of the laws of 2019, is amended to read as  
39 follows:

40 3. The advisory committee shall advise the secretary on all matters  
41 relating to this article, and on such other matters as the secretary  
42 shall request. In advising the secretary on matters concerning profes-  
43 sional education or curriculum, inclusive of the maintenance of cultural  
44 and ethnic awareness within the prescribed curriculum in regard to hair  
45 types, including, but not limited to, curl pattern, hair strand thick-  
46 ness, and volume of hair, the advisory committee shall, to the extent  
47 practicable, consult with the state education department. The advisory  
48 committee is directed, in consultation with the department of state, the  
49 New York state office [~~for the prevention of~~] to end domestic and  
50 gender-based violence and an advocacy group recognized by the federal  
51 department of health and human services, which has the ability to coor-  
52 dinate statewide and with local communities on programming and educa-  
53 tional materials related to the prevention and intervention of domestic  
54 violence in New York state, to develop, provide for and integrate aware-  
55 ness training on domestic violence and sexual assault for all prospec-  
56 tive students seeking to be licensed under this article. Further, on a

1 voluntary basis for those seeking to renew their license as provided for  
2 in this article to develop and provide access to educational material  
3 for domestic violence and sexual assault awareness.

4 § 12. Section 408-b of the general business law, as amended by chapter  
5 71 of the laws of 2020, is amended to read as follows:

6 § 408-b. Domestic violence and sexual assault awareness education. The  
7 department shall ensure that domestic violence and sexual assault aware-  
8 ness education courses are made available to all licensees and appli-  
9 cants for a license or renewal pursuant to this article and that such  
10 courses are offered through the department's website. The department, in  
11 consultation with the office [~~for the prevention of~~] to end domestic and  
12 gender-based violence and advocacy groups recognized by the federal  
13 department of health and human services or the federal department of  
14 justice, which have the ability to coordinate statewide and with local  
15 communities on programming and educational materials related to the  
16 prevention and intervention of domestic violence or sexual assault in  
17 New York state, shall develop and provide access to domestic violence  
18 and sexual assault awareness education courses appropriate for those  
19 licensed under this article.

20 § 13. Subsections (f) and (g) and paragraph 8 of subsection (h) of  
21 section 2612 of the insurance law, subsection (f) as amended by chapter  
22 246 of the laws of 2005, subsection (g) as added by chapter 361 of the  
23 laws of 2006, and paragraph 8 of subsection (h) as added by section 2 of  
24 part E of chapter 491 of the laws of 2012, are amended to read as  
25 follows:

26 (f) If any person covered by an insurance policy issued to another  
27 person as the policyholder delivers to the insurer that issued the poli-  
28 cy, at its home office, a valid order of protection against the policy-  
29 holder, issued by a court of competent jurisdiction in this state, the  
30 insurer shall be prohibited for the duration of the order from disclos-  
31 ing to the policyholder the address and telephone number of the insured,  
32 or of any person or entity providing covered services to the insured. If  
33 a child is the covered person, the right established by this subsection  
34 may be asserted by, and shall also extend to, the parent or guardian of  
35 the child. The superintendent, in consultation with the commissioner of  
36 health and the office of children and family services and the office  
37 [~~for the prevention of~~] to end domestic and gender-based violence, shall  
38 promulgate rules to guide and enable insurers to guard against the  
39 disclosure of the address and location of an insured who is a victim of  
40 domestic violence.

41 (g) If any person covered by a group insurance policy delivers to the  
42 insurer that issued the policy, at its home office, a valid order of  
43 protection against another person covered by the group policy, issued by  
44 a court of competent jurisdiction in this state, the insurer shall be  
45 prohibited for the duration of the order from disclosing to the person  
46 against whom the valid order of protection was issued the address and  
47 telephone number of the insured person covered by the order of  
48 protection, or of any person or entity providing covered services to the  
49 insured person covered by the order of protection. If a child is the  
50 covered person, the right established by this subsection may be asserted  
51 by, and shall also extend to, the parent or guardian of the child. The  
52 superintendent, in consultation with the commissioner of health, the  
53 office of children and family services and the office [~~for the~~  
54 ~~prevention of~~] to end domestic and gender-based violence, shall promul-  
55 gate rules to guide and enable insurers to guard against the disclosure

1 of the address and location of an insured who is a victim of domestic  
2 violence.

3 (8) The superintendent, in consultation with the commissioner of  
4 health, the office of children and family services and the office [~~for~~  
5 ~~the prevention of~~] to end domestic and gender-based violence, shall  
6 promulgate rules to guide health insurers in guarding against the  
7 disclosure of the information protected pursuant to this subsection.

8 § 14. Section 10-a of the labor law, as added by chapter 527 of the  
9 laws of 1995, is amended to read as follows:

10 § 10-a. Domestic violence policy. The commissioner shall study the  
11 issue of employees separated from employment due to acts of domestic  
12 violence as referred to in and qualified by section four hundred fifty-  
13 nine-a of the social services law. The commissioner shall consult with  
14 the New York state office [~~for the prevention of~~] to end domestic and  
15 gender-based violence and its advisory council, the department of social  
16 services, the division of women and members of the public in preparing  
17 such study. Such study shall include a review of case histories in  
18 which unemployment compensation was sought and an analysis of the poli-  
19 cies in other states. A copy of such study shall be transmitted to the  
20 temporary president of the senate and the speaker of the assembly on or  
21 before January fifteenth, nineteen hundred ninety-six and shall contain  
22 policy recommendations.

23 § 15. Section 10-b of the labor law, as added by chapter 368 of the  
24 laws of 1997, is amended to read as follows:

25 § 10-b. Domestic violence employee awareness and assistance. The  
26 commissioner shall assist the office [~~for the prevention of~~] to end  
27 domestic and gender-based violence in the creation, approval and dissem-  
28 ination of the model domestic violence employee awareness and assistance  
29 policy [~~as further defined in subdivision nine of section five hundred~~  
30 ~~seventy-five of the executive law. Upon completion and approval of the~~  
31 ~~model plan as outlined in subdivision nine of section five hundred~~  
32 ~~seventy-five of the executive law, the commissioner shall assist in the~~  
33 ~~promotion of the model policy to businesses in New York state~~].

34 § 16. Section 2137 of the public health law, as added by chapter 163  
35 of the laws of 1998, is amended to read as follows:

36 § 2137. Domestic violence recognition. The department shall, in  
37 consultation with the office [~~for the prevention of~~] to end domestic and  
38 gender-based violence and statewide organizations and community based  
39 organizations, develop a protocol for the identification and screening  
40 of victims of domestic violence who may either be a protected individual  
41 or a contact as used in this title.

42 § 17. Subdivision 2 of section 2803-p of the public health law, as  
43 added by chapter 271 of the laws of 1997, is amended to read as follows:

44 2. Every hospital having maternity and newborn services shall provide  
45 information concerning family violence to parents of newborn infants at  
46 any time prior to the discharge of the mother. Such information shall  
47 also be provided by every diagnostic and treatment center offering  
48 prenatal care services to women upon an initial prenatal care visit.  
49 The commissioner shall, in consultation with the state office [~~for the~~  
50 ~~prevention of~~] to end domestic and gender-based violence and the depart-  
51 ment of social services, prepare, produce and transmit such notice to  
52 such facilities in quantities sufficient to comply with the requirements  
53 of this section. Such notice shall contain information which shall  
54 include but not be limited to the effects of family violence and the  
55 services available to women and children experiencing family violence.

1 Such information shall be in clear and concise language readily  
2 comprehensible. Nothing in this section shall preclude a facility from  
3 providing the notice required by this section as an addendum to, or in  
4 connection with, any other information required to be provided by any  
5 other provision of law, rule or regulation.

6 § 18. Subdivision 3 of section 2805-z of the public health law, as  
7 amended by chapter 37 of the laws of 2020, is amended to read as  
8 follows:

9 3. The commissioner shall promulgate such rules and regulations as may  
10 be necessary and proper to carry out effectively the provisions of this  
11 section. Prior to promulgating such rules and regulations, the commis-  
12 sioner shall consult with the office [~~for the prevention of~~ to end  
13 domestic and gender-based violence and other such persons as the commis-  
14 sioner deems necessary to develop a model policy for hospitals to  
15 utilize in complying with this section and to identify the domestic  
16 violence or victim assistance organizations operating in each hospital's  
17 geographic area, a list of which the commissioner shall provide to  
18 hospitals with the model policy.

19 § 19. The opening paragraph of subdivision (g) of section 17 of the  
20 social services law, as added by chapter 280 of the laws of 2002, is  
21 amended to read as follows:

22 require participation of all employees of a child protective service  
23 in a training course which has been developed by the office [~~for the~~  
24 ~~prevention of~~ to end domestic and gender-based violence in conjunction  
25 with the office of children and family services whose purpose is to  
26 develop an understanding of the dynamics of domestic violence and its  
27 connection to child abuse and neglect. Such course shall:

28 § 20. Subdivision 1 of section 111-v of the social services law, as  
29 added by chapter 398 of the laws of 1997, is amended to read as follows:

30 1. The department, in consultation with appropriate agencies including  
31 but not limited to the New York state office [~~for the prevention of~~ to  
32 end domestic and gender-based violence, shall by regulation prescribe  
33 and implement safeguards on the confidentiality, integrity, accuracy,  
34 access, and the use of all confidential information and other data  
35 handled or maintained, including data obtained pursuant to section one  
36 hundred eleven-o of this article and including such information and data  
37 maintained in the automated child support enforcement system. Such  
38 information and data shall be maintained in a confidential manner  
39 designed to protect the privacy rights of the parties and shall not be  
40 disclosed except for the purpose of, and to the extent necessary to,  
41 establish paternity, or establish, modify or enforce an order of  
42 support.

43 § 21. Subdivisions 1, 2 and 3 of section 349-a of the social services  
44 law, as added by section 36 of part B of chapter 436 of the laws of 1997  
45 and subdivision 2 as amended by chapter 144 of the laws of 2021, are  
46 amended to read as follows:

47 1. The department, after consultation with the office [~~for the~~  
48 ~~prevention of~~ to end domestic and gender-based violence and statewide  
49 domestic violence advocacy groups, shall by regulation establish  
50 requirements for social services districts to notify all applicants and,  
51 upon recertification, recipients, of procedures for protection from  
52 domestic violence and the availability of services. Such notice shall  
53 inform applicants and recipients that the social services district will  
54 make periodic inquiry regarding the existence of domestic violence  
55 affecting the individual. Such notice shall also inform individuals  
56 that response to these inquiries is voluntary and confidential;

1 provided, however, that information regarding neglect or abuse of chil-  
2 dren will be reported to child protective services.

3 2. Such inquiry shall be performed utilizing a universal screening  
4 form to be developed by the department after consultation with the  
5 office [~~for the prevention of~~] to end domestic and gender-based violence  
6 and statewide domestic violence advocacy groups. Such screening may be  
7 conducted by telephone or other digital means at the request of the  
8 applicant or recipient. An individual may request such screening at any  
9 time, and any individual who at any time self identifies as a victim of  
10 domestic or gender-based violence shall be afforded the opportunity for  
11 such screening.

12 3. An individual indicating the presence of domestic violence, as a  
13 result of such screening, shall be promptly referred to a domestic  
14 violence liaison who meets training requirements established by the  
15 department, after consultation with the office [~~for the prevention of~~]  
16 to end domestic and gender-based violence and statewide domestic  
17 violence advocacy groups.

18 § 22. The opening paragraph of subdivision 2 and the opening paragraph  
19 of subdivision 3 of section 427-a of the social services law, as added  
20 by chapter 452 of the laws of 2007, are amended to read as follows:

21 Any social services district interested in implementing a differential  
22 response program shall apply to the office of children and family  
23 services for permission to participate. The criteria for a social  
24 services district to participate will be determined by the office of  
25 children and family services after consultation with the office [~~for the~~  
26 ~~prevention of~~] to end domestic and gender-based violence, however the  
27 social services district's application must include a plan setting forth  
28 the following:

29 The criteria for determining which cases may be placed in the assess-  
30 ment track shall be determined by the local department of social  
31 services, in conjunction with the office of children and family services  
32 and after consultation with the office [~~for the prevention of~~] to end  
33 domestic and gender-based violence. Provided, however, that reports  
34 including any of the following allegations shall not be included in the  
35 assessment track of a differential response program:

36 § 23. Subdivision (a) of section 483-cc of the social services law, as  
37 amended by chapter 368 of the laws of 2015, is amended to read as  
38 follows:

39 (a) As soon as practicable after a first encounter with a person who  
40 reasonably appears to a law enforcement agency, district attorney's  
41 office, or an established provider of social or legal services desig-  
42 nated by the office of temporary and disability assistance, the office  
43 [~~for the prevention of~~] to end domestic and gender-based violence or the  
44 office of victim services to be a human trafficking victim, that law  
45 enforcement agency or district attorney's office shall notify the office  
46 of temporary and disability assistance and the division of criminal  
47 justice services that such person may be eligible for services under  
48 this article or, in the case of an established provider of social or  
49 legal services, shall notify the office of temporary and disability  
50 assistance and the division of criminal justice services if such victim  
51 consents to seeking services pursuant to this article.

52 § 24. Subdivision (a) of section 483-ee of the social services law, as  
53 amended by chapter 413 of the laws of 2016, is amended to read as  
54 follows:

55 (a) There is established an interagency task force on trafficking in  
56 persons, which shall consist of the following members or their desig-

1 nees: (1) the commissioner of the division of criminal justice services;  
2 (2) the commissioner of the office of temporary and disability assist-  
3 ance; (3) the commissioner of health; (4) the commissioner of the office  
4 of mental health; (5) the commissioner of labor; (6) the commissioner of  
5 the office of children and family services; (7) the commissioner of the  
6 office of alcoholism and substance abuse services; (8) the director of  
7 the office of victim services; (9) the executive director of the office  
8 [~~for the prevention of~~] to end domestic and gender-based violence; and  
9 (10) the superintendent of the division of state police; and the follow-  
10 ing additional members, who shall be promptly appointed by the governor,  
11 each for a term of two years, provided that such person's membership  
12 shall continue after such two year term until a successor is appointed  
13 and provided, further, that a member may be reappointed if again recom-  
14 mended in the manner specified in this subdivision: (11) two members,  
15 who shall be appointed on the recommendation of the temporary president  
16 of the senate; (12) two members, who shall be appointed on the recommen-  
17 dation of the speaker of the assembly; (13) two members, who shall be  
18 appointed on the recommendation of the not-for-profit organization in  
19 New York state that receives the largest share of funds, appropriated by  
20 and through the state budget, for providing services to victims of human  
21 trafficking, as shall be identified annually in writing by the director  
22 of the budget; and (14) one member, who shall be appointed on the recom-  
23 mendation of the president of the New York state bar association; and  
24 others as may be necessary to carry out the duties and responsibilities  
25 under this section. The task force will be co-chaired by the commission-  
26 ers of the division of criminal justice services and the office of  
27 temporary and disability assistance, or their designees. It shall meet  
28 as often as is necessary, but no less than three times per year, and  
29 under circumstances as are appropriate to fulfilling its duties under  
30 this section. All members shall be provided with written notice reason-  
31 ably in advance of each meeting with date, time and location of such  
32 meeting.

33 § 25. Subdivision 3 of section 97-yyy of the state finance law, as  
34 added by chapter 634 of the laws of 2002, is amended to read as follows:

35 3. Moneys of the fund, following appropriation by the legislature and  
36 allocation by the director of the budget, shall be available for the  
37 purpose of funding expenses of the office [~~for the prevention of~~] to end  
38 domestic and gender-based violence for educational and prevention  
39 programs undertaken pursuant to article twenty-one of the executive law.

40 § 26. Wherever the term "office for the prevention of domestic  
41 violence" appears in the consolidated or unconsolidated laws of this  
42 state, such term shall hereby mean "office to end domestic and gender-  
43 based violence".

44 § 27. This act shall take effect immediately; provided however that  
45 the amendments to subdivision (a) of section 483-ee of the social  
46 services law made by section twenty-four of this act shall not affect  
47 the repeal of such subdivision and shall be deemed repealed therewith.