

STATE OF NEW YORK

3289

2021-2022 Regular Sessions

IN ASSEMBLY

January 22, 2021

Introduced by M. of A. WALSH, DeSTEFANO, MONTESANO, BLANKENBUSH, MORI-
NELLO, B. MILLER, McDONOUGH, M. MILLER, J. M. GIGLIO -- Multi-Spon-
sored by -- M. of A. PALMESANO, SALKA, TAGUE -- read once and
referred to the Committee on Judiciary

AN ACT to amend the family court act, in relation to the scheduling of a
fact finding hearing after the issuance of a temporary order of
protection in family court

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

1 Section 1. Subdivision 1 of section 828 of the family court act is
2 amended by adding a new paragraph (c) to read as follows:

3 (c) Upon issuing a temporary order of protection, the court shall
4 schedule a first appearance for purposes of a fact-finding hearing not
5 later than fourteen days after the temporary order of protection is
6 issued. If no hearing has been scheduled within fourteen days of the
7 issuance of the temporary order of protection, the temporary order of
8 protection issued pursuant to this section shall be deemed to have
9 expired and no longer be in effect.

10 § 2. This act shall take effect immediately.

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

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