

# STATE OF NEW YORK

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8311

2021-2022 Regular Sessions

## IN ASSEMBLY

October 20, 2021

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Introduced by M. of A. J. M. GIGLIO -- read once and referred to the  
Committee on Social Services

AN ACT to amend the social services law, in relation to allowing for  
three forty-five day extensions of necessary and available emergency  
shelter for victims of domestic violence

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

1 Section 1. Section 459-b of the social services law, as amended by  
2 chapter 7 of the laws of 2016, is amended to read as follows:

3 § 459-b. Residential services for victims of domestic violence. In  
4 accordance with section one hundred thirty-one-u of this chapter and the  
5 regulations of the office of children and family services, a social  
6 services district shall offer and provide necessary and available emer-  
7 gency shelter and services for up to ninety days at a residential  
8 program for victims of domestic violence to a victim of domestic  
9 violence who was residing in the social services district at the time of  
10 the alleged domestic violence whether or not such victim is eligible for  
11 public assistance. [~~Two~~] **Three** forty-five day extensions of necessary  
12 and available emergency shelter may be granted beyond the maximum length  
13 of stay at a residential program for victims of domestic violence for  
14 residents who continue to be in need of emergency services and temporary  
15 shelter. If the victim of domestic violence has a service animal as such  
16 term is defined in section one hundred twenty-three-b of the agriculture  
17 and markets law, or therapy dog as such term is defined in section one  
18 hundred eight of the agriculture and markets law, respectively, such  
19 service animal or therapy dog shall be allowed to accompany the victim  
20 at the residential program authorized pursuant to this section, so long  
21 as such accompaniment would not create an undue burden as defined by  
22 section two hundred ninety-six of the executive law.

23 Where such accompaniment would constitute an undue burden, the resi-  
24 dential program shall make reasonable efforts to facilitate placement of

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

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1 such animal at an off-site animal care facility or if reasonable efforts  
2 fail, provide referral to one or more off-site animal care facilities.  
3 Such off-site animal care may include, but not be limited to, boarding  
4 at a veterinary hospital or under the auspices of a duly incorporated  
5 humane society, or duly incorporated animal protection association  
6 approved for such purpose by the department of agriculture and markets.

7 Nothing in this section shall be construed to limit any rights or  
8 obligations provided pursuant to federal or state law, including but not  
9 limited to providing reasonable accommodations for individuals with  
10 disabilities.

11 § 2. This act shall take effect immediately.