STATE OF NEW YORK

10521

IN ASSEMBLY

May 31, 2024

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Hevesi, Lavine) -- read once and referred to the Committee on Children and Families

AN ACT to amend the social services law, in relation to the establishment of a statewide supervised visitation initiative

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

Section 1. The social services law is amended by adding a new section 398-f to read as follows:

§ 398-f. Supervised visitation. 1. The legislature finds and declares that professionally supervised visitation programs are often necessary in order to keep families safe, to foster healthy family relationships and to further the best interests of children in family offense, child protective, and custody and visitation proceedings in supreme and family courts. Recognizing that a large number of counties have no supervised visitation programs at all and, of those that have such programs, the need far exceeds the availability of the programs, it is the intent of this section to provide state support for the establishment of at least one program in every county that does not have one and, for those counties and cities that have programs, to expand their reach to meet the need. Such programs may be essential in cases involving family violence, as well as in cases in which supervision is vital to meet the special needs of the parent and/or child.

2. Within grant funds appropriated by the state for this purpose, the office of children and family services, in consultation with the office for the prevention of domestic violence, shall establish a statewide supervised visitation initiative that shall include culturally sensitive services that provide language access for those who need it and that are affordable for those with limited means to pay. The office of children and family services shall require each county and New York City to submit annual assessments of the local needs for supervised visitation services, as well as plans for meeting the assessed needs and for collecting data regarding usage and effectiveness of the programs. The submissions shall specify the services to be provided, the estimated

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

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number of children and families to be served by the programs, the estimated number of fee waivers and the estimated cost of the programs. The submissions may include plans to contract with private non-profit organizations for services and may include multi-county programs if geographically accessible for families utilizing the programs. The plan for such programs shall be included in the district-wide child welfare services plan pursuant to section four hundred nine-d of this article.

3. Such programs shall be made available to comply with supreme and family court temporary orders requiring such supervision as a condition of access to children and shall include provisions for waiver of fees for users of such programs who cannot afford to pay. Where directed by the court, the programs shall provide reports to the court at the end of the visitation period and as the court otherwise directs.

4. The office of children and family services shall promulgate regulations necessary to implement this section and shall submit a report to the legislature and governor one year after the effective date of this section and annually thereafter. The report shall provide data regarding the programs in each county, shall evaluate the effectiveness of the statewide initiative in meeting local needs and shall include recommendations for enhancing the initiative.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.