

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:

1 Section 1. The social services law is amended by adding a new section
2 398-f to read as follows:

3 § 398-f. Supervised visitation. 1. The legislature finds and declares
4 that professionally supervised visitation programs are often necessary
5 in order to keep families safe, to foster healthy family relationships
6 and to further the best interests of children in family offense, child
7 protective, and custody and visitation proceedings in supreme and family
8 courts. Recognizing that a large number of counties have no supervised
9 visitation programs at all and, of those that have such programs, the
10 need far exceeds the availability of the programs, it is the intent of
11 this section to provide state support for the establishment of at least
12 one program in every county that does not have one and, for those coun-
13 ties and cities that have programs, to expand their reach to meet the
14 need. Such programs may be essential in cases involving family violence,
15 as well as in cases in which supervision is vital to meet the special
16 needs of the parent and/or child.

17 2. Within grant funds appropriated by the state for this purpose, the
18 office of children and family services, in consultation with the office
19 for the prevention of domestic violence, shall establish a statewide
20 supervised visitation initiative that shall include culturally sensitive
21 services that provide language access for those who need it and that are
22 affordable for those with limited means to pay. The office of children
23 and family services shall require each county and New York City to
24 submit annual assessments of the local needs for supervised visitation
25 services, as well as plans for meeting the assessed needs and for
26 collecting data regarding usage and effectiveness of the programs. The
27 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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1 number of children and families to be served by the programs, the esti-
2 ated number of fee waivers and the estimated cost of the programs. The
3 submissions may include plans to contract with private non-profit organ-
4 izations for services and may include multi-county programs if geograph-
5 ically accessible for families utilizing the programs. The plan for such
6 programs shall be included in the district-wide child welfare services
7 plan pursuant to section four hundred nine-d of this article.

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

14 4. The office of children and family services shall promulgate regu-
15 lations necessary to implement this section and shall submit a report to
16 the legislature and governor one year after the effective date of this
17 section and annually thereafter. The report shall provide data regarding
18 the programs in each county, shall evaluate the effectiveness of the
19 statewide initiative in meeting local needs and shall include recommen-
20 dations for enhancing the initiative.

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