STATE OF NEW YORK

1898

2023-2024 Regular Sessions

IN ASSEMBLY

January 23, 2023

Introduced by M. of A. WALSH, DeSTEFANO, BLANKENBUSH, McDONOUGH, MORINELLO, MILLER, J. M. GIGLIO, BYRNES, SIMPSON, DURSO -- Multi-Sponsored by -- M. of A. ANGELINO, GALLAHAN, PALMESANO, 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 Assembly, do enact as follows:

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

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

§ 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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