

# STATE OF NEW YORK

1898

2023-2024 Regular Sessions

## IN ASSEMBLY

January 23, 2023

Introduced by M. of A. WALSH, DeSTEFANO, BLANKENBUSH, McDONOUGH, MORI-NELLO, 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:

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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