

# STATE OF NEW YORK

3387

2023-2024 Regular Sessions

## IN ASSEMBLY

February 2, 2023

Introduced by M. of A. HEVESI -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, the criminal procedure law, the family court act, the general business law, the insurance law, the labor law, the public health law, the social services law, and the state finance law, in relation to establishing the New York state office to end domestic and gender-based violence

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

1 Section 1. The article heading of article 21 of the executive law, as  
2 added by chapter 463 of the laws of 1992, is amended to read as follows:

3 ARTICLE 21

4 NEW YORK STATE OFFICE [~~FOR~~

5 ~~THE PREVENTION OF~~] TO END

6 DOMESTIC AND GENDER-BASED VIOLENCE

7 § 2. Section 575 of the executive law, as added by chapter 463 of the  
8 laws of 1992, subdivisions 3, 4 and 5 as amended by section 1 of part B  
9 of chapter 55 of the laws of 2021, paragraphs (o) and (p) of subdivision  
10 3, paragraph (o) as added and paragraph (p) as relettered by chapter 740  
11 of the laws of 2022, subdivisions 7 and 8 as added by chapter 396 of the  
12 laws of 1994, subdivision 9 as added by chapter 368 of the laws of 1997,  
13 subdivision 10 as added by section 3 of part A of chapter 491 of the  
14 laws of 2012 and paragraph (d) of subdivision 10 as amended by chapter  
15 248 of the laws of 2017, is amended to read as follows:

16 § 575. New York state office [~~for the prevention of~~] to end domestic  
17 and gender-based violence. 1. Establishment of office. There is hereby  
18 established within the executive department the "New York state office  
19 [~~for the prevention of~~] to end domestic and gender-based violence",  
20 hereinafter in this section referred to as the "office".

21 2. Duties and responsibilities. The office shall advise the governor  
22 and the legislature on the most effective ways for state government to

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

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1 respond to the problem of domestic and gender-based violence. In  
2 fulfilling this responsibility, the office shall consult with experts,  
3 service providers and representative organizations in the field of  
4 domestic and gender-based violence and shall act as an advocate for  
5 domestic and gender-based violence victims and survivor-centered  
6 programs.

7 3. Definitions. For the purposes of this section the following terms  
8 shall have the following meanings:

9 (a) "Domestic violence" means a pattern of behavior used by an indi-  
10 vidual to establish and maintain power and control over their intimate  
11 partner. Such behavior includes abusive and coercive tactics, threats  
12 and actions that may or may not rise to the level of criminal behavior,  
13 including, but not limited to, physical, emotional, financial, and sexu-  
14 al abuse.

15 (b) "Gender-based violence" means threats to harm, or actual harms  
16 committed against a person or persons based on actual or perceived sex,  
17 gender, sexual orientation, gender identity or expression or other such  
18 sex/gender related characteristics. "Gender-based violence" shall  
19 include, but not be limited to, domestic violence; sexual violence;  
20 human trafficking; reproductive coercion and violence; stalking; and  
21 child-abuse as connected to gender-based violence. "Gender-based  
22 violence" shall not include actions taken by a person in self-defense  
23 against an act or series of acts of gender-based violence.

24 4. Activities. In addition, the office shall develop and implement  
25 policies and programs designed to assist victims of domestic and  
26 gender-based violence and their families, and to provide education and  
27 prevention, training and technical assistance. Such domestic and  
28 gender-based violence-related activities shall include, but not be  
29 limited to:

30 (a) Serving as a clearinghouse for information and materials;

31 (b) Developing and coordinating community outreach and public educa-  
32 tion throughout the state;

33 (c) Developing and delivering training to professionals, including but  
34 not limited to professionals in the fields of:

35 (i) domestic and gender-based violence;

36 (ii) health and mental health;

37 (iii) social and human services;

38 (iv) public education;

39 (v) law enforcement and criminal justice;

40 (vi) alcohol and substance abuse;

41 (d) Developing and promoting school-based prevention programs;

42 (e) Providing technical assistance to state and local government  
43 bodies and other agencies and to private businesses and not-for-profit  
44 corporations, on effective survivor-centered policies and responses to  
45 domestic and gender-based violence, including development of model  
46 [~~domestic violence~~] policies [~~, pursuant to subdivisions seven, eight and~~  
47 ~~nine of this section~~];

48 (f) Promoting and facilitating interagency cooperation among state  
49 agencies and intergovernmental cooperation between different levels of  
50 government in the state in the delivery and/or funding of survivor-cen-  
51 tered services;

52 (g) Operating, in collaboration with survivors, state coalitions, and  
53 other stakeholders, as an advocate for [~~domestic violence services and~~]  
54 victims and for survivor-centered domestic and gender-based violence  
55 services, including periodic solicitation of input from survivors and  
56 service providers regarding successes, challenges, and needs;

1 (h) Undertaking program and services needs assessments on its own  
2 initiative or at the request of the governor, the legislature or service  
3 providers;

4 (i) Examining the relationship between domestic and gender-based  
5 violence and other problems and making recommendations for effective  
6 policy response;

7 (j) Collecting data, conducting research, and holding public hearings;

8 (k) Making periodic reports to the governor and the legislature recom-  
9 mending policy and program directions and reviewing the activities of  
10 the office;

11 (l) [~~Developing~~] Working with stakeholders in developing and promoting  
12 [~~senior-center-based~~] gender-based violence prevention programs;

13 (m) [~~promoting best practices for abusive partner intervention~~] Inves-  
14 tigating, establishing and promoting best practices for accountability  
15 for those who harm their intimate partners;

16 (n) Administering grant funds appropriated and made available to  
17 support compliance with article one hundred [~~twenty-nine-b~~]  
18 twenty-nine-B of the education law; and undertaking such actions,  
19 duties, and responsibilities as may be necessary to serve the purpose of  
20 article one hundred [~~twenty-nine-b~~] twenty-nine-B of the education law;  
21 and

22 (o) (i) Contracting, within amounts appropriated for such purpose,  
23 with the not-for-profit entity the New York State Coalition Against  
24 Domestic Violence, to develop a training program as described in this  
25 paragraph. Such entity shall be responsible for providing such training  
26 to psychiatrists, psychologists and social workers who are licensed in  
27 the state of New York, so that such individuals may conduct court  
28 ordered forensic evaluations involving child custody and visitation  
29 pursuant to paragraph (a-3) of subdivision one of section two hundred  
30 forty of the domestic relations law; and for reviewing and updating  
31 training topics at least once every two years. Such training shall  
32 include, but not be limited to, a review of: relevant statutes; case law  
33 and psychological definitions of domestic violence; coercive control and  
34 child abuse; the dynamics and effects of domestic and gender-based  
35 violence and child abuse, including but not limited to, emotional,  
36 financial, physical, technological and sexual abuse; the barriers and  
37 fears associated with reporting domestic and gender-based violence and  
38 child abuse and why victims may not have documented evidence of abuse;  
39 tactics commonly used by one party to induce fear in another party or  
40 child, including verbal, emotional, psychological, and/or economic  
41 abuse, isolating techniques, coercive control, and monitoring of a part-  
42 ner's location and activities; litigation abuse and demands for custody  
43 or joint custody in order to pressure the partner to return or punish  
44 the partner for leaving; trauma, particularly as it relates to sexual  
45 abuse and the risks posed to children and the long-term dangers and  
46 impacts imposed by the presence of adverse childhood experiences; the  
47 increased risk of escalating violence that occurs during child custody  
48 proceedings; and the danger of basing child custody decisions on claims  
49 that a child's deficient or negative relationship with a parent is  
50 caused by the other parent.

51 (ii) The office, in consultation with the New York State Coalition  
52 Against Domestic Violence, shall determine a reasonable number of train-  
53 ing-hours that shall be required for the first instance such program is  
54 provided to psychiatrists, psychologists and social workers and a  
55 reasonable number of training-hours that shall be required for subse-  
56 quent refresher courses provided to such individuals.

1 (iii) The New York State Coalition Against Domestic Violence shall be  
2 responsible for providing a certification of completion to each psychia-  
3 trist, psychologist or social worker who satisfies the requirements of  
4 such training program, so that such individuals may conduct court  
5 ordered forensic evaluations involving child custody and visitation  
6 pursuant to paragraph (a-3) of subdivision one of section two hundred  
7 forty of the domestic relations law; and

8 (p) Any other activities including the making of and promulgation of  
9 rules and regulations deemed necessary to facilitate the prevention of  
10 domestic violence within the scope and purview of this article which are  
11 not otherwise inconsistent with any other provisions of law.

12 [~~4-~~] 5. Advisory council. (a) An advisory council is hereby estab-  
13 lished to make recommendations on domestic and gender-based violence  
14 related issues and effective strategies [~~for the prevention of~~] to end  
15 domestic and gender-based violence, to assist in the development of  
16 appropriate policies and priorities for effective intervention, public  
17 education and advocacy, and to facilitate and assure communication and  
18 coordination of efforts among state agencies and between different  
19 levels of government, state, federal, and municipal, [~~for the prevention~~  
20 ~~of~~] to end domestic and gender-based violence.

21 (b) The advisory council shall consist of nine members and seventeen  
22 ex-officio members. Each member shall be appointed to serve for a term  
23 of three years and shall continue in office until a successor appointed  
24 member is made. A member appointed to fill a vacancy shall be appointed  
25 for the unexpired term of the member he or she is to succeed. All of the  
26 members shall be individuals with expertise in the area of domestic and  
27 gender-based violence. Three members shall be appointed by the governor,  
28 two members shall be appointed upon the recommendation of the temporary  
29 president of the senate, two members shall be appointed upon the recom-  
30 mendation of the speaker of the assembly, one member shall be appointed  
31 upon the recommendation of the minority leader of the senate, and one  
32 member shall be appointed upon the recommendation of the minority leader  
33 of the assembly. The ex-officio members of the advisory board shall  
34 consist of the director of the office, who shall chair the council, and  
35 the following members or their designees: the commissioner of the office  
36 of temporary and disability assistance; the commissioner of the depart-  
37 ment of health; the commissioner of the education department; the  
38 commissioner of the office of mental health; the commissioner of the  
39 office of addiction services and supports; the commissioner of the divi-  
40 sion of criminal justice services; the superintendent of the division of  
41 state police; the director of the office of probation and correctional  
42 alternatives; the commissioner of the office of children and family  
43 services; the director of the office of victim services; the chief  
44 administrative judge of the office of court administration; the commis-  
45 sioner of the department of labor; the director of the state office for  
46 the aging; the commissioner of the department of corrections and commu-  
47 nity supervision; the commissioner of homes and community renewal; the  
48 chief executive officer of the New York state coalition against domestic  
49 violence; and the executive director of the New York state coalition  
50 against sexual assault.

51 (c) The advisory council shall meet as often as deemed necessary by  
52 the chair but in no event less than two times per year.

53 (d) The members of the advisory council shall receive no salary or  
54 other compensation for their services but shall be entitled to  
55 reimbursement for actual and necessary expenses incurred in the perform-  
56 ance of their duties within amounts made available by appropriation

1 therefor subject to the approval of the director of the budget. The  
2 ex-officio members of the advisory council shall receive no additional  
3 compensation for their services on the advisory council above the salary  
4 they receive from the respective departments or divisions that employ  
5 them.

6 ~~[5.]~~ **6.** Executive director. (a) The governor shall appoint an execu-  
7 tive director of the office who shall serve at the pleasure of the  
8 governor.

9 (b) The executive director shall receive an annual salary fixed by the  
10 governor within the amounts appropriated specifically therefor and shall  
11 be entitled to reimbursement for reasonable expenses incurred in  
12 connection with the performance of the director's duties.

13 (c) The director of the office, with the approval of the governor, may  
14 accept as agent of the state any grant, including federal grants, or any  
15 gift or donation for any of the purposes of this article. Any moneys so  
16 received may be expended by the office to effectuate any purpose of this  
17 article, subject to the applicable provisions of the state finance law.

18 (d) The executive director shall appoint staff and perform such other  
19 functions to ensure the efficient operation of the office.

20 ~~[6.]~~ **7.** Assistance of other agencies. The office may request and shall  
21 receive in a timely manner from any department, division, board, bureau,  
22 commission or agency of the state, such information and assistance as  
23 shall enable it to properly carry out its powers and duties pursuant to  
24 this article.

25 ~~[7. Model domestic violence policy for counties. (a) The office shall  
26 convene a task force of county level municipal officials, municipal  
27 police and members of the judiciary, or their representatives, and  
28 directors of domestic violence programs, including representatives from  
29 a statewide advocacy organization for the prevention of domestic  
30 violence, to develop a model domestic violence policy for counties. For  
31 the purposes of this subdivision, "county" shall have the same meaning  
32 as such term is defined in section three of the county law, except that  
33 the city of New York shall be deemed to be one county. The office shall  
34 give due consideration to the recommendations of the governor, the  
35 temporary president of the senate and the speaker of the assembly for  
36 participation by any person on the task force, and shall make reasonable  
37 efforts to assure regional balance in membership.~~

38 ~~(b) The purpose of the model policy shall be to provide consistency  
39 and coordination by and between county agencies and departments, includ-  
40 ing criminal justice agencies and the judiciary, and, as appropriate, by  
41 municipalities or other jurisdictions within the county and other  
42 governmental agencies and departments, by assuring that best practices,  
43 policies, protocols and procedures are used to address the issue of  
44 domestic violence, and to secure the safety of the victim including, but  
45 not limited to:~~

46 ~~(i) response, investigation and arrest policies by police agencies;~~  
47 ~~(ii) response by other criminal justice agencies, including disposi-  
48 tion of domestic violence complaints, the provision of information and  
49 orders of protection;~~

50 ~~(iii) response by human services and health agencies, including iden-  
51 tification, assessment, intervention and referral policies and responses  
52 to victims and the perpetrators of domestic violence;~~

53 ~~(iv) training and appropriate and relevant measures for periodic eval-  
54 uation of community efforts; and~~

55 ~~(v) other issues as shall be appropriate and relevant for the task  
56 force to develop such policy.~~

~~(c) Such model policy shall be reviewed by the task force to assure consistency with existing law and shall be made the subject of public hearings convened by the office throughout the state at places and at times which are convenient for attendance by the public, after which the policy shall be reviewed by the task force and amended as necessary to reflect concerns raised at the hearings. If approved by the task force, such model policy shall be provided as approved with explanation of its provisions to the governor and the legislature not later than two years after the effective date of this subdivision. Notification of the availability of such model domestic violence policy shall be made by the office to every county in the state, and copies of the policy shall be made available to them upon request.~~

~~(d) The office in consultation with the task force, providers of service, the advisory council and others, including representatives of a statewide advocacy organization for the prevention domestic violence, shall provide technical support, information and encouragement to counties to implement the provisions of the model policy on domestic violence.~~

~~(e) Nothing contained in this subdivision shall be deemed to prevent the governing body of a county from designating a local advisory committee to investigate the issues, work with providers of domestic violence programs and other interested parties, and to aid in the implementation of the policy required by this subdivision. Such governing body or advisory committee may request and shall receive technical assistance from the office for the development of such a policy. Implementation of the model domestic violence policy may take place in a form considered appropriate by the governing body of a county, including guidelines, regulations and local laws.~~

~~(f) The office shall survey county governments within four years of the effective date of this subdivision to determine the level of compliance with the model domestic violence policy, and shall take such steps as shall be necessary to aid county governments in the implementation of such policy.]~~

8. State domestic violence policy. [~~(a) The office shall survey every state agency to determine any activities, programs, rules, regulations, guidelines or statutory requirements that have a direct or indirect bearing on the state's efforts and abilities to address the issue of domestic violence including, but not limited to, the provision of services to victims and their families. Within two years of the effective date of this subdivision, the office shall compile such information and provide a report, with appropriate comments and recommendations, to the governor and the legislature. For the purposes of this subdivision, "state agency" shall have the same meaning as such term is defined in section two-a of the state finance law.~~

~~(b) Within three years of the effective date of this subdivision the office shall recommend a state domestic violence policy consistent with statute and best practice, policies, procedures and protocols to the governor and the legislature. The purpose of such model policy shall be to provide consistency and coordination by and between state agencies and departments to address the issue of domestic violence. In developing such model policy, the office shall consult with a statewide advocacy organization for the prevention of domestic violence, and shall assure that the advisory council reviews all data and recommendations and shall not submit such model policy until approved by the advisory council. Such recommendations shall be provided exclusive of any study or report the office is required to undertake pursuant to a chapter of the laws of~~

~~1 nineteen hundred ninety four, entitled "the family protection and domestic  
2 violence intervention act of 1994".~~

3 ~~(e)~~ No state agency shall promulgate a rule pursuant to the state  
4 administrative procedure act, or adopt a guideline or other procedure,  
5 including a request for proposals, directly or indirectly affecting the  
6 provision of services to victims of domestic and gender-based violence,  
7 or the provision of services by residential or non-residential domestic  
8 violence programs, as such terms are defined in section four hundred  
9 fifty-nine-a of the social services law, or establish a grant program  
10 directly or indirectly affecting such victims of domestic or gender-  
11 based violence or providers of service, without first consulting the  
12 office, which shall provide all comments in response to such rules,  
13 guidelines or procedures in writing directly to the chief executive  
14 officer of such agency, to the administrative regulations review commit-  
15 tee and to the appropriate committees of the legislature having juris-  
16 diction of the subject matter addressed within two weeks of receipt  
17 thereof, provided that failure of the office to respond as required  
18 herein shall not otherwise impair the ability of such state agency to  
19 promulgate a rule. This paragraph shall not apply to an appropriation  
20 which finances a contract with a not-for-profit organization which has  
21 been identified for a state agency without the use of a request for  
22 proposals.

23 9. ~~[Model domestic violence employee awareness and assistance policy.~~

24 ~~(a) The office shall convene a task force including members of the busi-  
25 ness community, employees, employee organizations, representatives from  
26 the department of labor and the empire state development corporation,  
27 and directors of domestic violence programs, including representatives  
28 of statewide advocacy organizations for the prevention of domestic  
29 violence, to develop a model domestic violence employee awareness and  
30 assistance policy for businesses.~~

31 ~~The office shall give due consideration to the recommendations of the  
32 governor, the temporary president of the senate, and the speaker of the  
33 assembly for participation by any person on the task force, and shall  
34 make reasonable efforts to assure regional balance in membership.~~

35 ~~(b) The purpose of the model employee awareness and assistance policy  
36 shall be to provide businesses with the best practices, policies, proto-  
37 cols and procedures in order that they ascertain domestic violence  
38 awareness in the workplace, assist affected employees, and provide a  
39 safe and helpful working environment for employees currently or poten-  
40 tially experiencing the effects of domestic violence. The model plan  
41 shall include but not be limited to:~~

42 ~~(i) the establishment of a definite corporate policy statement recog-  
43 nizing domestic violence as a workplace issue as well as promoting the  
44 need to maintain job security for those employees currently involved in  
45 domestic violence disputes;~~

46 ~~(ii) policy and service publication requirements, including posting  
47 said policies and service availability pamphlets in break rooms, on  
48 bulletin boards, restrooms and other communication methods;~~

49 ~~(iii) a listing of current domestic violence community resources such  
50 as shelters, crisis intervention programs, counseling and case manage-  
51 ment programs, legal assistance and advocacy opportunities for affected  
52 employees;~~

53 ~~(iv) measures to ensure workplace safety including, where appropriate,  
54 designated parking areas, escort services and other affirmative safe-  
55 guards;~~

~~(v) training programs and protocols designed to educate employees and managers in how to recognize, approach and assist employees experiencing domestic violence, including both victims and batterers, and~~

~~(vi) other issues as shall be appropriate and relevant for the task force in developing such model policy.~~

~~(c) Such model policy shall be reviewed by the task force to assure consistency with existing law and shall be made the subject of public hearings convened by the office throughout the state at places and at times which are convenient for attendance by the public, after which the policy shall be reviewed by the task force and amended as necessary to reflect concerns raised at the hearings. If approved by the task force, such model policy shall be provided as approved with explanation of its provisions to the governor and the legislature not later than one year after the effective date of this subdivision. The office shall make every effort to notify businesses of the availability of such model domestic violence employee awareness and assistance policy.~~

~~(d) The office in consultation with the task force, providers of services, the advisory council, the department of labor, the empire state development corporation, and representatives of statewide advocacy organizations for the prevention of domestic violence, shall provide technical support, information, and encouragement to businesses to implement the provisions of the model domestic violence employee awareness and assistance policy.~~

~~(e) Nothing contained in this subdivision shall be deemed to prevent businesses from adopting their own domestic violence employee awareness and assistance policy.~~

~~(f) The office shall survey businesses within four years of the effective date of this section to determine the level of model policy adoption amongst businesses and shall take steps necessary to promote the further adoption of such policy.~~

~~10.]~~ Fatality review team. (a) There shall be established within the office a fatality review team for the purpose of analyzing, in conjunction with local representation, the domestic violence-related death or near death of individuals, with the goal of:

(i) examining the trends and patterns of domestic violence-related fatalities in New York state;

(ii) educating the public, service providers, and policymakers about domestic violence fatalities and strategies for intervention and prevention; and

(iii) recommending policies, practices, procedures, and services to reduce fatalities due to domestic violence.

(b) A domestic violence-related death or near death shall mean any death or near death caused by a family or household member as defined in section eight hundred twelve of the family court act or section 530.11 of the criminal procedure law, except that there shall be no review of the death or near death of a child for those cases in which the office of children and family services is required to issue a fatality report in accordance with subdivision five of section twenty of the social services law.

(c) The team shall review deaths or near deaths in cases that have been adjudicated and have received a final judgment and that are not under investigation.

(d) Members of a domestic violence fatality review team shall be appointed by the executive director, [~~in consultation with the advisory council,~~] and shall include, but not be limited to, one representative from the office of children and family services, the office of temporary

1 and disability assistance, the division of criminal justice services,  
2 the state police, the department of health, the office of court adminis-  
3 tration, the office of probation and correctional alternatives, the  
4 department of corrections and community supervision, the office of  
5 victim services, at least one representative from local law enforcement,  
6 a county prosecutor's office, a local social services district, a member  
7 of the judiciary, and a domestic violence services program approved by  
8 the office of children and family services. A domestic violence fatality  
9 review team may also include representatives from sexual assault  
10 services programs, public health, mental health and substance abuse  
11 agencies, hospitals, clergy, local school districts, local divisions of  
12 probation, local offices of the department of corrections and community  
13 supervision, the office of the medical examiner or coroner, any local  
14 domestic violence task force, coordinating council or other interagency  
15 entity that meets regularly to support a coordinated community response  
16 to domestic violence, any other program that provides services to domes-  
17 tic violence victims, or any other person necessary to the work of the  
18 team, including survivors of domestic violence.

19 (e) The team shall identify potential cases and shall select which  
20 deaths or near deaths will be reviewed each year. Localities may request  
21 that the team conduct a review of a particular death or near death.

22 (f) The team shall work with officials and organizations within the  
23 community where the death or near death occurred to conduct each review.

24 (g) Team members shall serve without compensation but are entitled to  
25 be reimbursed for travel expenses to the localities where a fatality  
26 review will be conducted and members who are full-time salaried officers  
27 or employees of the state or of any political subdivision of the state  
28 are entitled to their regular compensation.

29 (h) To the extent consistent with federal law, upon request the team  
30 shall be provided client-identifiable information and records necessary  
31 for the investigation of a domestic violence-related death or near death  
32 incident, including, but not limited to:

33 (i) records maintained by a local social services district;

34 (ii) law enforcement records, except where the provision of such  
35 records would interfere with an ongoing law enforcement investigation or  
36 identify a confidential source or endanger the safety or welfare of an  
37 individual;

38 (iii) court records;

39 (iv) probation and parole records;

40 (v) records from domestic violence residential or non-residential  
41 programs;

42 (vi) records from any relevant service provider, program or organiza-  
43 tion; and

44 (vii) all other relevant records in the possession of state and local  
45 officials or agencies provided, however, no official or agency shall be  
46 required to provide information or records concerning a person charged,  
47 investigated or convicted in such death or near death in violation of  
48 such person's attorney-client privilege.

49 (i) Any information or records otherwise sealed, confidential and  
50 privileged in accordance with state law which are provided to the team  
51 shall remain sealed, confidential, and privileged as otherwise provided  
52 by law. All records received, meetings conducted, reports and records  
53 made and maintained and all books and papers obtained by the team shall  
54 be confidential and shall not be open or made available, except by court  
55 order or as set forth in paragraphs (k) and (l) of this subdivision.

1 (j) Any person who releases or permits the release of any information  
2 protected under paragraph (i) of this subdivision to persons or agencies  
3 not authorized to receive such information shall be guilty of a class A  
4 misdemeanor.

5 (k) Team members and persons who present information to the team shall  
6 not be questioned in any civil or criminal proceeding regarding any  
7 opinions formed as a result of a meeting of the team. Nothing in this  
8 section shall be construed to prevent a person from testifying as to  
9 information which is obtained independently of the team or information  
10 which is public.

11 (l) Team members are not liable for damages or other relief in any  
12 action brought by reason of the reasonable and good faith performance of  
13 a duty, function, or activity of the team.

14 (m) Consistent with all federal and state confidentiality protections,  
15 the team may provide recommendations to any individual or entity for  
16 appropriate actions to improve a community's response to domestic  
17 violence.

18 (n) The team shall periodically submit a cumulative report to the  
19 governor and the legislature incorporating the aggregate data and a  
20 summary of the general findings and recommendations resulting from the  
21 domestic violence fatality reviews completed pursuant to this subdivi-  
22 sion. The cumulative report shall thereafter be made available to the  
23 public, consistent with federal and state confidentiality protections.

24 § 3. Subdivision 6 of section 530.11 of the criminal procedure law, as  
25 amended by chapter 663 of the laws of 2019, is amended to read as  
26 follows:

27 6. Notice. Every police officer, peace officer or district attorney  
28 investigating a family offense under this article shall advise the  
29 victim of the availability of a shelter or other services in the commu-  
30 nity, and shall immediately give the victim written notice of the legal  
31 rights and remedies available to a victim of a family offense under the  
32 relevant provisions of this chapter and the family court act. Such  
33 notice shall be prepared, at minimum, in plain English, Spanish, Chinese  
34 and Russian and if necessary, shall be delivered orally, and shall  
35 include but not be limited to the information contained in the following  
36 statement:

37 "Are you the victim of domestic violence? If you need help now, you  
38 can call 911 for the police to come to you. You can also call a domestic  
39 violence hotline. You can have a confidential talk with an advocate at  
40 the hotline about help you can get in your community including: where  
41 you can get treatment for injuries, where you can get shelter, where you  
42 can get support, and what you can do to be safe. The New York State  
43 24-hour Domestic & Sexual Violence Hotline number is (insert the state-  
44 wide multilingual 800 number). They can give you information in many  
45 languages. If you are deaf or hard of hearing, call 711.

46 This is what the police can do:

47 They can help you and your children find a safe place such as a family  
48 or friend's house or a shelter in your community.

49 You can ask the officer to take you or help you and your children get  
50 to a safe place in your community.

51 They can help connect you to a local domestic violence program.

52 They can help you get to a hospital or clinic for medical care.

53 They can help you get your personal belongings.

54 They must complete a report discussing the incident. They will give  
55 you a copy of this police report before they leave the scene. It is  
56 free.

1 They may, and sometimes must, arrest the person who harmed you if you  
2 are the victim of a crime. The person arrested could be released at any  
3 time, so it is important to plan for your safety.

4 If you have been abused or threatened, this is what you can ask the  
5 police or district attorney to do:

6 File a criminal complaint against the person who harmed you.

7 Ask the criminal court to issue an order of protection for you and  
8 your child if the district attorney files a criminal case with the  
9 court.

10 Give you information about filing a family offense petition in your  
11 local family court.

12 You also have the right to ask the family court for an order of  
13 protection for you and your children.

14 This is what you can ask the family court to do:

15 To have your family offense petition filed the same day you go to  
16 court.

17 To have your request heard in court the same day you file or the next  
18 day court is open.

19 Only a judge can issue an order of protection. The judge does that as  
20 part of a criminal or family court case against the person who harmed  
21 you. An order of protection in family court or in criminal court can  
22 say:

23 That the other person have no contact or communication with you by  
24 mail, phone, computer or through other people.

25 That the other person stay away from you and your children, your home,  
26 job or school.

27 That the other person not assault, harass, threaten, strangle, or  
28 commit another family offense against you or your children.

29 That the other person turn in their firearms and firearms licenses,  
30 and not get any more firearms.

31 That you have temporary custody of your children.

32 That the other person pay temporary child support.

33 That the other person not harm your pets or service animals.

34 If the family court is closed because it is night, a weekend, or a  
35 holiday, you can go to a criminal court to ask for an order of  
36 protection.

37 If you do not speak English or cannot speak it well, you can ask the  
38 police, the district attorney, or the criminal or family court to get  
39 you an interpreter who speaks your language. The interpreter can help  
40 you explain what happened.

41 You can get the forms you need to ask for an order of protection at  
42 your local family court (insert addresses and contact information for  
43 courts). You can also get them online: [www.NYCourts.gov/forms](http://www.NYCourts.gov/forms).

44 You do not need a lawyer to ask for an order of protection.

45 You have a right to get a lawyer in the family court. If the family  
46 court finds that you cannot afford to pay for a lawyer, it must get you  
47 one for free.

48 If you file a complaint or family court petition, you will be asked to  
49 swear to its truthfulness because it is a crime to file a legal document  
50 that you know is false."

51 The division of criminal justice services in consultation with the  
52 state office [~~for the prevention of~~] to end domestic and gender-based  
53 violence shall prepare the form of such written notice consistent with  
54 provisions of this section and distribute copies thereof to the appro-  
55 priate law enforcement officials pursuant to subdivision nine of section  
56 eight hundred forty-one of the executive law.

1 Additionally, copies of such notice shall be provided to the chief  
2 administrator of the courts to be distributed to victims of family  
3 offenses through the criminal court at such time as such persons first  
4 come before the court and to the state department of health for distrib-  
5 ution to all hospitals defined under article twenty-eight of the public  
6 health law. No cause of action for damages shall arise in favor of any  
7 person by reason of any failure to comply with the provisions of this  
8 subdivision except upon a showing of gross negligence or willful miscon-  
9 duct.

10 § 4. Section 214-b of the executive law, as amended by chapter 432 of  
11 the laws of 2015, is amended to read as follows:

12 § 214-b. Family offense intervention. The superintendent shall, for  
13 all members of the state police including new and veteran officers,  
14 develop, maintain and disseminate, in consultation with the state office  
15 [~~for the prevention of~~] to end domestic and gender-based violence, writ-  
16 ten policies and procedures consistent with article eight of the family  
17 court act and applicable provisions of the criminal procedure and domes-  
18 tic relations laws, regarding the investigation of and intervention in  
19 incidents of family offenses. Such policies and procedures shall make  
20 provision for education and training in the interpretation and enforce-  
21 ment of New York's family offense laws, including but not limited to:

22 (a) intake and recording of victim statements, and the prompt trans-  
23 lation of such statements if made in a language other than English, in  
24 accordance with subdivision (c) of this section, on a standardized  
25 "domestic violence incident report form" promulgated by the state divi-  
26 sion of criminal justice services in consultation with the superinten-  
27 dent and with the state office [~~for the prevention of~~] to end domestic  
28 and gender-based violence, and the investigation thereof so as to ascer-  
29 tain whether a crime has been committed against the victim by a member  
30 of the victim's family or household as such terms are defined in section  
31 eight hundred twelve of the family court act and section 530.11 of the  
32 criminal procedure law;

33 (b) the need for immediate intervention in family offenses including  
34 the arrest and detention of alleged offenders, pursuant to subdivision  
35 four of section 140.10 of the criminal procedure law, and notifying  
36 victims of their rights, in their native language, if identified as  
37 other than English, in accordance with subdivision (c) of this section,  
38 including but not limited to immediately providing the victim with the  
39 written notice provided in subdivision six of section 530.11 of the  
40 criminal procedure law and subdivision five of section eight hundred  
41 twelve of the family court act.

42 (c) The superintendent, in consultation with the division of criminal  
43 justice services and the office [~~for the prevention of~~] to end domestic  
44 and gender-based violence shall determine the languages in which such  
45 translation required by subdivision (a) of this section, and the notifi-  
46 cation required pursuant to subdivision (b) of this section, shall be  
47 provided. Such determination shall be based on the size of the New York  
48 state population that speaks each language and any other relevant  
49 factor. Such written notice required pursuant to subdivision (b) of this  
50 section shall be made available to all state police officers in the  
51 state.

52 § 5. Subdivision 1 of section 221-a of the executive law, as amended  
53 by chapter 492 of the laws of 2015, is amended to read as follows:

54 1. The superintendent, in consultation with the division of criminal  
55 justice services, office of court administration, and the office [~~for~~  
56 ~~the prevention of~~] to end domestic and gender-based violence, shall

1 develop a comprehensive plan for the establishment and maintenance of a  
2 statewide computerized registry of all orders of protection issued  
3 pursuant to articles four, five, six, eight and ten of the family court  
4 act, section 530.12 of the criminal procedure law and, insofar as they  
5 involve victims of domestic violence as defined by section four hundred  
6 fifty-nine-a of the social services law, section 530.13 of the criminal  
7 procedure law and sections two hundred forty and two hundred fifty-two  
8 of the domestic relations law, and orders of protection issued by courts  
9 of competent jurisdiction in another state, territorial or tribal juris-  
10 diction, special orders of conditions issued pursuant to subparagraph  
11 (i) or (ii) of paragraph (o) of subdivision one of section 330.20 of the  
12 criminal procedure law insofar as they involve a victim or victims of  
13 domestic violence as defined by subdivision one of section four hundred  
14 fifty-nine-a of the social services law or a designated witness or  
15 witnesses to such domestic violence, and all warrants issued pursuant to  
16 sections one hundred fifty-three and eight hundred twenty-seven of the  
17 family court act, and arrest and bench warrants as defined in subdivi-  
18 sions twenty-eight, twenty-nine and thirty of section 1.20 of the crimi-  
19 nal procedure law, insofar as such warrants pertain to orders of  
20 protection or temporary orders of protection; provided, however, that  
21 warrants issued pursuant to section one hundred fifty-three of the fami-  
22 ly court act pertaining to articles three and seven of such act and  
23 section 530.13 of the criminal procedure law shall not be included in  
24 the registry. The superintendent shall establish and maintain such  
25 registry for the purposes of ascertaining the existence of orders of  
26 protection, temporary orders of protection, warrants and special orders  
27 of conditions, and for enforcing the provisions of paragraph (b) of  
28 subdivision four of section 140.10 of the criminal procedure law.

29 § 6. The opening paragraph of subdivision 15 of section 837 of the  
30 executive law, as amended by chapter 432 of the laws of 2015, is amended  
31 to read as follows:

32 Promulgate, in consultation with the superintendent of state police  
33 and the state office [~~for the prevention of~~] to end domestic and  
34 gender-based violence, and in accordance with paragraph (f) of subdivi-  
35 sion three of section eight hundred forty of this article, a standard-  
36 ized "domestic violence incident report form" for use by state and local  
37 law enforcement agencies in the reporting, recording and investigation  
38 of all alleged incidents of domestic violence, regardless of whether an  
39 arrest is made as a result of such investigation. Such form shall be  
40 prepared in multiple parts, one of which shall be immediately provided  
41 to the victim, and shall include designated spaces for: the recordation  
42 of the results of the investigation by the law enforcement agency and  
43 the basis for any action taken; the recordation of a victim's allega-  
44 tions of domestic violence; the age and gender of the victim and the  
45 alleged offender or offenders; and immediately thereunder a space on  
46 which the victim may sign and verify such victim's allegations. Such  
47 form shall also include, but not be limited to spaces to identify:

48 § 7. Paragraph (f) of subdivision 3 of section 840 of the executive  
49 law, as amended by chapter 432 of the laws of 2015, is amended to read  
50 as follows:

51 (f) Develop, maintain and disseminate, in consultation with the state  
52 office [~~for the prevention of~~] to end domestic and gender-based  
53 violence, written policies and procedures consistent with article eight  
54 of the family court act and applicable provisions of the criminal proce-  
55 dure and domestic relations laws, regarding the investigation of and  
56 intervention by new and veteran police officers in incidents of family

1 offenses. Such policies and procedures shall make provisions for educa-  
2 tion and training in the interpretation and enforcement of New York's  
3 family offense laws, including but not limited to:

4 (1) intake and recording of victim statements, and the prompt trans-  
5 lation of such statements if made in a language other than English, in  
6 accordance with subparagraph three of this paragraph, on a standardized  
7 "domestic violence incident report form" promulgated by the division of  
8 criminal justice services in consultation with the superintendent of  
9 state police, representatives of local police forces and the state  
10 office [~~for the prevention of~~] to end domestic and gender-based  
11 violence, and the investigation thereof so as to ascertain whether a  
12 crime has been committed against the victim by a member of the victim's  
13 family or household as such terms are defined in section eight hundred  
14 twelve of the family court act and section 530.11 of the criminal proce-  
15 dure law; and

16 (2) the need for immediate intervention in family offenses including  
17 the arrest and detention of alleged offenders, pursuant to subdivision  
18 four of section 140.10 of the criminal procedure law, and notifying  
19 victims of their rights, in their native language, if identified as  
20 other than English, in accordance with subparagraph three of this para-  
21 graph, including but not limited to immediately providing the victim  
22 with the written notice required in subdivision six of section 530.11 of  
23 the criminal procedure law and subdivision five of section eight hundred  
24 twelve of the family court act;

25 (3) determine, in consultation with the superintendent of state police  
26 and the office [~~for the prevention of~~] to end domestic and gender-based  
27 violence, the languages in which such translation required by subpara-  
28 graph one of this paragraph, and the notification required by subpara-  
29 graph two of this paragraph, shall be provided. Such determination shall  
30 be based on the size of the New York state population that speaks each  
31 language and any other relevant factor. Such written notice required  
32 pursuant to subparagraph two of this paragraph shall be made available  
33 to all local law enforcement agencies throughout the state. Nothing in  
34 this paragraph shall prevent the council from using the determinations  
35 made by the superintendent of state police pursuant to subdivision (c)  
36 of section two hundred fourteen-b of this chapter;

37 § 8. The opening paragraph of paragraph 2 of subdivision (b) of  
38 section 153-c of the family court act, as added by chapter 367 of the  
39 laws of 2015, is amended to read as follows:

40 A plan for a pilot program pursuant to this section shall be developed  
41 by the chief administrator of the courts or his or her delegate in  
42 consultation with one or more local programs providing assistance to  
43 victims of domestic violence, the office [~~for the prevention of~~] to end  
44 domestic and gender-based violence, and attorneys who represent family  
45 offense petitions. The plan shall include, but is not limited to:

46 § 9. Paragraph 2 of subdivision (a) of section 249-b of the family  
47 court act, as added by chapter 476 of the laws of 2009, is amended to  
48 read as follows:

49 2. provide for the development of training programs with the input of  
50 and in consultation with the state office [~~for the prevention of~~] to end  
51 domestic and gender-based violence. Such training programs must include  
52 the dynamics of domestic violence and its effect on victims and on chil-  
53 dren, and the relationship between such dynamics and the issues consid-  
54 ered by the court, including, but not limited to, custody, visitation  
55 and child support. Such training programs along with the providers of  
56 such training must be approved by the office of court administration

1 following consultation with and input from the state office for the  
2 prevention of domestic violence; and

3 § 10. The closing paragraph of subdivision 5 of section 812 of the  
4 family court act, as amended by chapter 663 of the laws of 2019, is  
5 amended to read as follows:

6 The division of criminal justice services in consultation with the  
7 state office [~~for the prevention of~~] to end domestic and gender-based  
8 violence shall prepare the form of such written notice consistent with  
9 the provisions of this section and distribute copies thereof to the  
10 appropriate law enforcement officials pursuant to subdivision nine of  
11 section eight hundred forty-one of the executive law. Additionally,  
12 copies of such notice shall be provided to the chief administrator of  
13 the courts to be distributed to victims of family offenses through the  
14 family court at such time as such persons first come before the court  
15 and to the state department of health for distribution to all hospitals  
16 defined under article twenty-eight of the public health law. No cause of  
17 action for damages shall arise in favor of any person by reason of any  
18 failure to comply with the provisions of this subdivision except upon a  
19 showing of gross negligence or willful misconduct.

20 § 11. Subdivision 3 of section 403 of the general business law, as  
21 amended by chapter 715 of the laws of 2019, is amended to read as  
22 follows:

23 3. The advisory committee shall advise the secretary on all matters  
24 relating to this article, and on such other matters as the secretary  
25 shall request. In advising the secretary on matters concerning profes-  
26 sional education or curriculum, inclusive of the maintenance of cultural  
27 and ethnic awareness within the prescribed curriculum in regard to hair  
28 types, including, but not limited to, curl pattern, hair strand thick-  
29 ness, and volume of hair, the advisory committee shall, to the extent  
30 practicable, consult with the state education department. The advisory  
31 committee is directed, in consultation with the department of state, the  
32 New York state office [~~for the prevention of~~] to end domestic and  
33 gender-based violence and an advocacy group recognized by the federal  
34 department of health and human services, which has the ability to coor-  
35 dinate statewide and with local communities on programming and educa-  
36 tional materials related to the prevention and intervention of domestic  
37 violence in New York state, to develop, provide for and integrate aware-  
38 ness training on domestic violence and sexual assault for all prospec-  
39 tive students seeking to be licensed under this article. Further, on a  
40 voluntary basis for those seeking to renew their license as provided for  
41 in this article to develop and provide access to educational material  
42 for domestic violence and sexual assault awareness.

43 § 12. Section 408-b of the general business law, as amended by chapter  
44 71 of the laws of 2020, is amended to read as follows:

45 § 408-b. Domestic violence and sexual assault awareness education. The  
46 department shall ensure that domestic violence and sexual assault aware-  
47 ness education courses are made available to all licensees and appli-  
48 cants for a license or renewal pursuant to this article and that such  
49 courses are offered through the department's website. The department, in  
50 consultation with the office [~~for the prevention of~~] to end domestic and  
51 gender-based violence and advocacy groups recognized by the federal  
52 department of health and human services or the federal department of  
53 justice, which have the ability to coordinate statewide and with local  
54 communities on programming and educational materials related to the  
55 prevention and intervention of domestic violence or sexual assault in  
56 New York state, shall develop and provide access to domestic violence

1 and sexual assault awareness education courses appropriate for those  
2 licensed under this article.

3 § 13. Subsections (f) and (g) and paragraph 8 of subsection (h) of  
4 section 2612 of the insurance law, subsections (f) and (g) as amended by  
5 chapter 579 of the laws of 2022, and paragraph 8 of subsection (h) as  
6 added by section 2 of part E of chapter 491 of the laws of 2012, are  
7 amended to read as follows:

8 (f) If any person covered by an insurance policy issued to another  
9 person as the policyholder delivers to the insurer that issued the poli-  
10 cy, at its home office, a valid order of protection against the policy-  
11 holder, issued by a court of competent jurisdiction in this state, or,  
12 except where the insurance policy was issued by a health insurer as  
13 defined in subparagraph (B) of paragraph (1) of subsection (h) of this  
14 section, a request to designate an alternative mailing address, tele-  
15 phone number or method of contact for the purpose of receiving claim  
16 related information if the person states that disclosure of all or part  
17 of the claim related information could endanger the person, the insurer  
18 shall be prohibited for the duration of the order, or until the request  
19 designating an alternative mailing address, telephone number or other  
20 method of contact is cancelled by the requesting person in writing, from  
21 disclosing to the policyholder the address, telephone number or other  
22 method of contact for the insured, or for any person or entity providing  
23 covered services to the insured, any personally identifying information  
24 of the insured, or the nature of the covered services provided to the  
25 insured, or from mailing, delivering, or otherwise providing claim  
26 related information to any mailing address, telephone number, or other  
27 method of contact other than as designated by the requesting person  
28 pursuant to this subsection. If a child is the covered person, the right  
29 established by this subsection may be asserted by, and shall also extend  
30 to, the parent or guardian of the child. An insurer may require a person  
31 making a request to designate an alternative mailing address, telephone  
32 number or other method of contact pursuant to this subsection to: make  
33 the request in writing; include in the request a statement that disclo-  
34 sure of all or part of the claim related information to which the  
35 request pertains could endanger the person or child; and specify an  
36 alternative mailing address, telephone number, or other method of  
37 contact. For the purpose of this subsection, "claim related information"  
38 means all claim or billing information relating specifically to an  
39 insured or person covered by an insurance policy issued by an insurer  
40 other than a health insurer as defined in subparagraph (B) of paragraph  
41 (1) of subsection (h) of this section. The superintendent, in consulta-  
42 tion with the commissioner of health and the office of children and  
43 family services and the office [~~for the prevention of~~ to end domestic  
44 and gender-based violence, shall promulgate rules to guide and enable  
45 insurers to guard against the disclosure of the address and location of  
46 an insured who is a victim of domestic violence.

47 (g) If any person covered by a group insurance policy delivers to the  
48 insurer that issued the policy, at its home office, (i) a valid order of  
49 protection against another person covered by the group policy, issued by  
50 a court of competent jurisdiction in this state, or, except where the  
51 insurance policy was issued by a health insurer as defined in subpara-  
52 graph (B) of paragraph (1) of subsection (h) of this section, a request  
53 to designate an alternative mailing address, telephone number or other  
54 method of contact for the purpose of receiving claim related information  
55 if the person states that disclosure of all or part of the claim related  
56 information could endanger the person, the insurer shall be prohibited

1 for the duration of the order, or until the request designating an  
2 alternative mailing address, telephone number or other method of contact  
3 is cancelled by the requesting person in writing, from disclosing to the  
4 person against whom a valid order of protection was issued the address,  
5 telephone number or other method of contact for the insured person  
6 covered by the order of protection or for any person or entity providing  
7 covered services to the insured person covered by the order of  
8 protection, any personally identifying information of the insured, or  
9 the nature of the covered services provided to the insured, or from  
10 mailing, delivering, or otherwise providing claim related information to  
11 any mailing address, telephone number, or other method of contact other  
12 than as designated by the requesting person pursuant to this subsection.  
13 If a child is the covered person, the right established by this  
14 subsection may be asserted by, and shall also extend to, the parent or  
15 guardian of the child. An insurer may require a person making a request  
16 to designate an alternative mailing address, telephone number or other  
17 method of contact pursuant to this subsection to: make the request in  
18 writing; include in the request a statement that disclosure of all or  
19 part of the claim related information to which the request pertains  
20 could endanger the person or child; and specify an alternative mailing  
21 address, telephone number, or other method of contact. For the purpose  
22 of this subsection, "claim related information" means all claim or bill-  
23 ing information relating specifically to an insured or person covered by  
24 an insurance policy issued by an insurer other than a health insurer as  
25 defined in subparagraph (B) of paragraph (1) of subsection (h) of this  
26 section. The superintendent, in consultation with the commissioner of  
27 health, the office of children and family services and the office [~~for~~  
28 ~~the prevention of~~] to end domestic and gender-based violence, shall  
29 promulgate rules to guide and enable insurers to guard against the  
30 disclosure of the address and location of an insured who is a victim of  
31 domestic violence.

32 (8) The superintendent, in consultation with the commissioner of  
33 health, the office of children and family services and the office [~~for~~  
34 ~~the prevention of~~] to end domestic and gender-based violence, shall  
35 promulgate rules to guide health insurers in guarding against the  
36 disclosure of the information protected pursuant to this subsection.

37 § 14. Section 10-a of the labor law, as added by chapter 527 of the  
38 laws of 1995, is amended to read as follows:

39 § 10-a. Domestic violence policy. The commissioner shall study the  
40 issue of employees separated from employment due to acts of domestic  
41 violence as referred to in and qualified by section four hundred fifty-  
42 nine-a of the social services law. The commissioner shall consult with  
43 the New York state office [~~for the prevention of~~] to end domestic and  
44 gender-based violence and its advisory council, the department of social  
45 services, the division of women and members of the public in preparing  
46 such study. Such study shall include a review of case histories in  
47 which unemployment compensation was sought and an analysis of the poli-  
48 cies in other states. A copy of such study shall be transmitted to the  
49 temporary president of the senate and the speaker of the assembly on or  
50 before January fifteenth, nineteen hundred ninety-six and shall contain  
51 policy recommendations.

52 § 15. Section 10-b of the labor law, as added by chapter 368 of the  
53 laws of 1997, is amended to read as follows:

54 § 10-b. Domestic violence employee awareness and assistance. The  
55 commissioner shall assist the office [~~for the prevention of~~] to end  
56 domestic and gender-based violence in the creation, approval and dissem-

1 ination of the model domestic violence employee awareness and assistance  
2 policy [~~as further defined in subdivision nine of section five hundred~~  
3 ~~seventy five of the executive law. Upon completion and approval of the~~  
4 ~~model plan as outlined in subdivision nine of section five hundred~~  
5 ~~seventy five of the executive law, the commissioner shall assist in the~~  
6 ~~promotion of the model policy to businesses in New York state~~].

7 § 16. Section 2137 of the public health law, as added by chapter 163  
8 of the laws of 1998, is amended to read as follows:

9 § 2137. Domestic violence recognition. The department shall, in  
10 consultation with the office [~~for the prevention of~~] to end domestic and  
11 gender-based violence and statewide organizations and community based  
12 organizations, develop a protocol for the identification and screening  
13 of victims of domestic violence who may either be a protected individual  
14 or a contact as used in this title.

15 § 17. Subdivision 2 of section 2803-p of the public health law, as  
16 added by chapter 271 of the laws of 1997, is amended to read as follows:

17 2. Every hospital having maternity and newborn services shall provide  
18 information concerning family violence to parents of newborn infants at  
19 any time prior to the discharge of the mother. Such information shall  
20 also be provided by every diagnostic and treatment center offering  
21 prenatal care services to women upon an initial prenatal care visit.  
22 The commissioner shall, in consultation with the state office [~~for the~~  
23 ~~prevention of~~] to end domestic and gender-based violence and the depart-  
24 ment of social services, prepare, produce and transmit such notice to  
25 such facilities in quantities sufficient to comply with the requirements  
26 of this section. Such notice shall contain information which shall  
27 include but not be limited to the effects of family violence and the  
28 services available to women and children experiencing family violence.

29 Such information shall be in clear and concise language readily  
30 comprehensible. Nothing in this section shall preclude a facility from  
31 providing the notice required by this section as an addendum to, or in  
32 connection with, any other information required to be provided by any  
33 other provision of law, rule or regulation.

34 § 18. Subdivision 3 of section 2805-z of the public health law, as  
35 amended by chapter 37 of the laws of 2020, is amended to read as  
36 follows:

37 3. The commissioner shall promulgate such rules and regulations as may  
38 be necessary and proper to carry out effectively the provisions of this  
39 section. Prior to promulgating such rules and regulations, the commis-  
40 sioner shall consult with the office [~~for the prevention of~~] to end  
41 domestic and gender-based violence and other such persons as the commis-  
42 sioner deems necessary to develop a model policy for hospitals to  
43 utilize in complying with this section and to identify the domestic  
44 violence or victim assistance organizations operating in each hospital's  
45 geographic area, a list of which the commissioner shall provide to  
46 hospitals with the model policy.

47 § 19. The opening paragraph of subdivision (g) of section 17 of the  
48 social services law, as added by chapter 280 of the laws of 2002, is  
49 amended to read as follows:

50 require participation of all employees of a child protective service  
51 in a training course which has been developed by the office [~~for the~~  
52 ~~prevention of~~] to end domestic and gender-based violence in conjunction  
53 with the office of children and family services whose purpose is to  
54 develop an understanding of the dynamics of domestic violence and its  
55 connection to child abuse and neglect. Such course shall:

1 § 20. Subdivision 1 of section 111-v of the social services law, as  
2 added by chapter 398 of the laws of 1997, is amended to read as follows:

3 1. The department, in consultation with appropriate agencies including  
4 but not limited to the New York state office [~~for the prevention of~~] to  
5 end domestic and gender-based violence, shall by regulation prescribe  
6 and implement safeguards on the confidentiality, integrity, accuracy,  
7 access, and the use of all confidential information and other data  
8 handled or maintained, including data obtained pursuant to section one  
9 hundred eleven-o of this article and including such information and data  
10 maintained in the automated child support enforcement system. Such  
11 information and data shall be maintained in a confidential manner  
12 designed to protect the privacy rights of the parties and shall not be  
13 disclosed except for the purpose of, and to the extent necessary to,  
14 establish paternity, or establish, modify or enforce an order of  
15 support.

16 § 21. Subdivisions 1, 2 and 3 of section 349-a of the social services  
17 law, subdivisions 1 and 3 as added by section 36 of part B of chapter  
18 436 of the laws of 1997 and subdivision 2 as amended by chapter 144 of  
19 the laws of 2021, are amended to read as follows:

20 1. The department, after consultation with the office [~~for the~~  
21 ~~prevention of~~] to end domestic and gender-based violence and statewide  
22 domestic violence advocacy groups, shall by regulation establish  
23 requirements for social services districts to notify all applicants and,  
24 upon recertification, recipients, of procedures for protection from  
25 domestic violence and the availability of services. Such notice shall  
26 inform applicants and recipients that the social services district will  
27 make periodic inquiry regarding the existence of domestic violence  
28 affecting the individual. Such notice shall also inform individuals  
29 that response to these inquiries is voluntary and confidential;  
30 provided, however, that information regarding neglect or abuse of chil-  
31 dren will be reported to child protective services.

32 2. Such inquiry shall be performed utilizing a universal screening  
33 form to be developed by the department after consultation with the  
34 office [~~for the prevention of~~] to end domestic and gender-based violence  
35 and statewide domestic violence advocacy groups. Such screening may be  
36 conducted by telephone or other digital means at the request of the  
37 applicant or recipient. An individual may request such screening at any  
38 time, and any individual who at any time self identifies as a victim of  
39 domestic or gender-based violence shall be afforded the opportunity for  
40 such screening.

41 3. An individual indicating the presence of domestic violence, as a  
42 result of such screening, shall be promptly referred to a domestic  
43 violence liaison who meets training requirements established by the  
44 department, after consultation with the office [~~for the prevention of~~]  
45 to end domestic and gender-based violence and statewide domestic  
46 violence advocacy groups.

47 § 22. The opening paragraph of subdivision 2 and the opening paragraph  
48 of subdivision 3 of section 427-a of the social services law, as added  
49 by chapter 452 of the laws of 2007, are amended to read as follows:

50 Any social services district interested in implementing a differential  
51 response program shall apply to the office of children and family  
52 services for permission to participate. The criteria for a social  
53 services district to participate will be determined by the office of  
54 children and family services after consultation with the office [~~for the~~  
55 ~~prevention of~~] to end domestic and gender-based violence, however the

1 social services district's application must include a plan setting forth  
2 the following:

3 The criteria for determining which cases may be placed in the assess-  
4 ment track shall be determined by the local department of social  
5 services, in conjunction with the office of children and family services  
6 and after consultation with the office [~~for the prevention of~~] to end  
7 domestic and gender-based violence. Provided, however, that reports  
8 including any of the following allegations shall not be included in the  
9 assessment track of a differential response program:

10 § 23. Subdivision (a) of section 483-cc of the social services law, as  
11 amended by chapter 368 of the laws of 2015, is amended to read as  
12 follows:

13 (a) As soon as practicable after a first encounter with a person who  
14 reasonably appears to a law enforcement agency, district attorney's  
15 office, or an established provider of social or legal services desig-  
16 nated by the office of temporary and disability assistance, the office  
17 [~~for the prevention of~~] to end domestic and gender-based violence or the  
18 office of victim services to be a human trafficking victim, that law  
19 enforcement agency or district attorney's office shall notify the office  
20 of temporary and disability assistance and the division of criminal  
21 justice services that such person may be eligible for services under  
22 this article or, in the case of an established provider of social or  
23 legal services, shall notify the office of temporary and disability  
24 assistance and the division of criminal justice services if such victim  
25 consents to seeking services pursuant to this article.

26 § 24. Subdivision (a) of section 483-ee of the social services law, as  
27 amended by chapter 413 of the laws of 2016, is amended to read as  
28 follows:

29 (a) There is established an interagency task force on trafficking in  
30 persons, which shall consist of the following members or their desig-  
31 nees: (1) the commissioner of the division of criminal justice services;  
32 (2) the commissioner of the office of temporary and disability assist-  
33 ance; (3) the commissioner of health; (4) the commissioner of the office  
34 of mental health; (5) the commissioner of labor; (6) the commissioner of  
35 the office of children and family services; (7) the commissioner of the  
36 office of alcoholism and substance abuse services; (8) the director of  
37 the office of victim services; (9) the executive director of the office  
38 [~~for the prevention of~~] to end domestic and gender-based violence; and  
39 (10) the superintendent of the division of state police; and the follow-  
40 ing additional members, who shall be promptly appointed by the governor,  
41 each for a term of two years, provided that such person's membership  
42 shall continue after such two year term until a successor is appointed  
43 and provided, further, that a member may be reappointed if again recom-  
44 mended in the manner specified in this subdivision: (11) two members,  
45 who shall be appointed on the recommendation of the temporary president  
46 of the senate; (12) two members, who shall be appointed on the recommen-  
47 dation of the speaker of the assembly; (13) two members, who shall be  
48 appointed on the recommendation of the not-for-profit organization in  
49 New York state that receives the largest share of funds, appropriated by  
50 and through the state budget, for providing services to victims of human  
51 trafficking, as shall be identified annually in writing by the director  
52 of the budget; and (14) one member, who shall be appointed on the recom-  
53 mendation of the president of the New York state bar association; and  
54 others as may be necessary to carry out the duties and responsibilities  
55 under this section. The task force will be co-chaired by the commission-  
56 ers of the division of criminal justice services and the office of

1 temporary and disability assistance, or their designees. It shall meet  
2 as often as is necessary, but no less than three times per year, and  
3 under circumstances as are appropriate to fulfilling its duties under  
4 this section. All members shall be provided with written notice reason-  
5 ably in advance of each meeting with date, time and location of such  
6 meeting.

7 § 25. Subdivision 3 of section 97-yyy of the state finance law, as  
8 added by chapter 634 of the laws of 2002, is amended to read as follows:

9 3. Moneys of the fund, following appropriation by the legislature and  
10 allocation by the director of the budget, shall be available for the  
11 purpose of funding expenses of the office [~~for the prevention of~~ to end  
12 domestic and gender-based violence for educational and prevention  
13 programs undertaken pursuant to article twenty-one of the executive law.

14 § 26. Wherever the term "office for the prevention of domestic  
15 violence" appears in the consolidated or unconsolidated laws of this  
16 state, such term shall hereby mean "office to end domestic and gender-  
17 based violence".

18 § 27. This act shall take effect immediately; provided however that  
19 the amendments to subdivision (a) of section 483-ee of the social  
20 services law made by section twenty-four of this act shall not affect  
21 the repeal of such subdivision and shall be deemed repealed therewith;  
22 and provided, further, that paragraphs (o) and (p) of subdivision 3 of  
23 section 575 of the executive law made by section two of this act shall  
24 take effect on the same date and in the same manner as chapter 740 of  
25 the laws of 2022, takes effect.