STATE OF NEW YORK

6210--B

2023-2024 Regular Sessions

IN SENATE

April 3, 2023

Introduced by Sens. MAYER, GOUNARDES, HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Judiciary in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the judiciary law, in relation to requiring data reporting by the chief administrator to delineate specific information relating to all courts in the unified court system, including town and village courts

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

Section 1. Paragraph (e) of subdivision 2 of section 212 of the judiciary law, as amended by chapter 323 of the laws of 1987, the closing paragraph as amended by chapter 349 of the laws of 1995, is amended to read as follows:

(e) Prepare forms and compile **and publish** data on family offenses, proceedings or actions in all courts[~~,~~] **in the unified court system, including town and village courts**, including but not limited to the following information:

(i) the offense alleged;

(ii) the relationship of the alleged offender to the petitioner or complainant;

(iii) the court where the action or proceeding was instituted;

(iv) the disposition; and

(v) in the case of dismissal, the reasons therefor.

In executing this requirement, the chief administrator may adopt rules requiring appropriate law enforcement or criminal justice agencies to identify actions and proceedings involving family offenses and, with respect to such actions and proceedings, to report, in such form and

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

LBD10553-03-4

manner as the chief administrator shall prescribe, the information specified herein.

The chief administrator of the courts shall adopt rules to facilitate record sharing and other communication among [~~the supreme, criminal and family~~] **all courts in the unified court system, including town and village** courts, subject to applicable provisions of the domestic relations law, criminal procedure law and the family court act pertaining to the confidentiality, expungement and sealing of records, where such courts exercise concurrent jurisdiction over family offense proceedings or proceedings involving orders of protection.

§ 2. The opening paragraphs of paragraphs (u-1) and (v-1) of subdivision 2 of section 212 of the judiciary law, as added by chapter 102 of the laws of 2020, are amended to read as follows:

Compile and publish data on misdemeanor offenses in all courts **in the unified court system including town and village courts**, disaggregated by county, **and by individual court,** including the following information:

Compile and publish data on violations, to the greatest extent practicable, in all courts **in the unified court system including town and village courts,** disaggregated by county, **and by individual court,** including the following information:

§ 3. Paragraph (w-1) of subdivision 2 of section 212 of the judiciary law, as added by chapter 102 of the laws of 2020, is amended to read as follows:

(w-1) The chief administrator shall include the information required by paragraphs (u-1) [~~and~~]**,** (v-1)**, and (ff)** of this subdivision in the annual report submitted to the legislature and the governor pursuant to paragraph (j) of subdivision one of this section. The chief administrator shall also make the information required by paragraphs (u-1) [~~and~~]**,** (v-1)**, and (ff)** of this subdivision available to the public by posting it on the website of the office of court administration and shall update such information on a monthly basis. The information shall be posted in alphanumeric form that can be digitally transmitted or processed and not in portable document format or scanned copies of original documents.

§ 4. Subdivision 2 of section 212 of the judiciary law is amended by adding two new paragraphs (ff) and (gg) to read as follows:

(ff) Prepare forms and compile and publish data on eviction filings, proceedings or actions in all courts in the unified court system, including town and village courts, disaggregated by county, and by individual court, including but not limited to the following information:

(i) the total number of eviction filings in each court by month;

(ii) the number of holdover proceedings versus nonpayment proceedings;

(iii) the court where the action or proceeding was instituted;

(iv) the disposition of the proceeding, including whether a warrant of eviction was issued or stayed; and

(v) in the case of dismissal, the reasons therefor.

(gg) In addition to the data reporting required under paragraphs (e), (u-1), (v-1), (w-1), and (ff) of this subdivision, wherever the chief administrator is required to compile, report, and make other court data publicly available, or wherever the chief administrator opts to require such collection, reporting, and public availability of data, this shall include data from all courts in the unified court system, including town and village courts, disaggregated by county and by individual court.

§ 5. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, sections one and two of this act shall take effect one year after it shall have become a law; and provided, further, the amendments to the opening paragraph of para-

graph (v-1) of subdivision 2 of section 212 of the judiciary law made by section two of this act shall take effect two years after it shall have become a law.