

STATE OF NEW YORK

5455

2025-2026 Regular Sessions

IN ASSEMBLY

February 14, 2025

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

AN ACT to amend the executive law, in relation to requiring the office
for the prevention of domestic violence provide informational materi-
als on the removal of accounts from smart home systems

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

1 Section 1. Paragraphs (o) and (p) of subdivision 3 of section 575 of
2 the executive law, paragraph (o) as amended by chapter 23 of the laws of
3 2023, is amended and paragraph (p) as relettered by chapter 740 of the
4 laws of 2022 is relettered paragraph (q) and a new paragraph (p) is
5 added to read as follows:

6 (o) (i) Within amounts appropriated for such purpose, the office shall
7 contract with an organization designated by the federal department of
8 health and human services to coordinate statewide improvements within
9 local communities, social services systems, and programming regarding
10 the prevention and intervention of domestic violence in New York state
11 to mutually develop a training program as described in this paragraph.
12 The office and such organization shall be responsible for providing such
13 training to psychiatrists, psychologists and social workers who are
14 licensed in the state of New York, so that such individuals may conduct
15 court ordered forensic evaluations, involving child custody and visita-
16 tion pursuant to paragraph (a-3) of subdivision one of section two
17 hundred forty of the domestic relations law; for consulting with domes-
18 tic violence service providers and representative organizations in the
19 field of domestic violence when such training is provided in their
20 communities; and for reviewing and updating training topics at least
21 once every two years. Such training shall include, but not be limited
22 to, a review of: relevant statutes; case law and psychological defi-
23 nitions of domestic violence; coercive control and child abuse; the
24 dynamics and effects of domestic violence and child abuse, including but

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

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1 not limited to, emotional, financial, physical, technological and sexual
2 abuse; the barriers and fears associated with reporting domestic
3 violence and child abuse and why victims may not have documented
4 evidence of abuse; tactics commonly used by one party to induce fear in
5 another party or child, including verbal, emotional, psychological,
6 and/or economic abuse, isolating techniques, coercive control, and moni-
7 toring of a partner's location and activities; litigation abuse and
8 demands for custody or joint custody in order to pressure the partner to
9 return or punish the partner for leaving; trauma, particularly as it
10 relates to sexual abuse and the risks posed to children and the long-
11 term dangers and impacts imposed by the presence of adverse childhood
12 experiences; the increased risk of escalating violence that occurs
13 during child custody proceedings; and the danger of basing child custody
14 decisions on claims that a child's deficient or negative relationship
15 with a parent is caused by the other parent.

16 (ii) The office, in consultation with the organization designated by
17 the federal department of health and human services to coordinate state-
18 wide improvements within local communities, social services systems, and
19 programming regarding the prevention and intervention of domestic
20 violence in New York state, shall determine a reasonable number of
21 training-hours that shall be required for the first instance such
22 program is provided to psychiatrists, psychologists and social workers
23 and a reasonable number of training-hours that shall be required for
24 subsequent refresher courses provided to such individuals.

25 (iii) The organization designated by the federal department of health
26 and human services to coordinate statewide improvements within local
27 communities, social services systems, and programming regarding the
28 prevention and intervention of domestic violence in New York state shall
29 be responsible for providing a certification of completion to each
30 psychiatrist, psychologist or social worker who satisfies the require-
31 ments of such training program, so that such individuals may conduct
32 court ordered forensic evaluations involving child custody and visita-
33 tion pursuant to paragraph (a-3) of subdivision one of section two
34 hundred forty of the domestic relations law; ~~and~~

35 (p) Developing and promoting resources, including online resources and
36 physical pamphlets for domestic violence survivors facing harassment
37 through smart home systems, such resources shall include information on
38 common devices that may be used by an abuser to harass a victim, privacy
39 strategies and instructions for removing an abuser's access to a smart
40 home system. Further, the office shall develop strategies for improving
41 privacy, laws on cyber-harassment and stalking. For the purposes of this
42 paragraph, "smart home system" shall mean any electronic device or tech-
43 nology installed directly into the home which handles the security,
44 climate and/or appliances in the home, that is capable of connecting to
45 the internet, directly or indirectly, that is assigned an internet
46 protocol address or bluetooth address, has computer processing capabili-
47 ties for collecting, sending, receiving, or analyzing data; and

48 § 2. This act shall take effect on the ninetieth day after it shall
49 have become a law. Effective immediately, the addition, amendment and/or
50 repeal of any rule or regulation necessary for the implementation of
51 this act on its effective date are authorized to be made and completed
52 on or before such date.