STATE OF NEW YORK

5998--C

Cal. No. 1181

2025-2026 Regular Sessions

IN SENATE

March 4, 2025

Introduced by Sens. SKOUFIS, ADDABBO, ASHBY, BORRELLO, BROUK, CANZONERI-FITZPATRICK, CLEARE, COMRIE, COONEY, FAHY, GALLIVAN, GOUNARDES, HARCKHAM, HELMING, HINCHEY, JACKSON, KRUEGER, LIU, MARTINEZ, MARTINS, MATTERA, MAY, MAYER, MURRAY, MYRIE, OBERACKER, O'MARA, PALUMBO, RAMOS, RHOADS, RIVERA, ROLISON, C. RYAN, SCARCELLA-SPANTON, SEPULVEDA, SERRANO, STAVISKY, WEBB, WEBER, WEIK -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary -- reported favorably from said committee and committed to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- 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 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the domestic relations law and the family court act, in relation to establishing "Kyra's Law"

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

Section 1. Short title. This act shall be known and may be cited as "Kyra's Law".

§ 2. Legislative intent. The legislature recognizes that the safety of children is of paramount importance and is an integral element of their best interests. To that end, the legislature finds that judicial decisions regarding custody of, and access to, children shall promote the safety of children as a threshold issue.

§ 3. Paragraphs (a) and (a-1) of subdivision 1 of section 240 of the domestic relations law, paragraph (a) as amended by chapter 567 of the laws of 2015 and paragraph (a-1) as amended by chapter 295 of the laws of 2009, are amended to read as follows:

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

LBD10304-15-6

(a) In any action or proceeding brought (1) to annul a marriage or to declare the nullity of a void marriage, or (2) for a separation, or (3) for a divorce, or (4) to obtain, by a writ of habeas corpus or by petition and order to show cause, the custody of or right to visitation with any child of a marriage, the court shall require verification of the status of any child of the marriage with respect to such child's custody and support, including any prior orders, and shall enter orders for custody and support as, in the court's discretion, justice requires, having regard to the circumstances of the case and of the respective parties and to the best interests of the child and subject to the provisions of subdivision one-c of this section. **When the parties first appear in court, the court shall advise the parties before proceeding of the right to be represented by counsel of their own choosing, of the right to an adjournment of such length as determined by the court to be necessary to confer with counsel, and the right to seek counsel fees and expenses, pursuant to section two hundred thirty-seven of this article. Pursuant to statute, the court may assign counsel to the eligible parties and to children, including when the assignment of counsel to a child will serve the purposes of the family court act.** Where either party to an action concerning custody of or a right to visitation with a child alleges in a sworn petition or complaint or sworn answer, cross-petition, counterclaim or other sworn responsive pleading that the other party has committed an act of domestic violence against the party making the allegation or a family or household member of either party, as such family or household member is defined in article eight of the family court act, and such allegations are proven by a preponderance of the evidence, the court [~~must~~] **shall** consider the effect of such domestic violence upon the best interests of the child, together with such other facts and circumstances as the court deems relevant in making a direction pursuant to this section and state on the record how such findings, facts and circumstances factored into the direction. If a parent makes a good faith allegation based on a reasonable belief supported by facts that the child is the victim of child abuse, child neglect, or the effects of domestic violence, and if that parent acts lawfully and in good faith in response to that reasonable belief to protect the child or seek treatment for the child, then that parent shall not be deprived of custody, visitation or contact with the child, or restricted in custody, visitation or contact, based solely on that belief or the reasonable actions taken based on that belief. If an allegation that a child is abused is supported by a preponderance of the evidence, then the court shall consider such evidence of abuse in determining the visitation arrangement that is in the best interest of the child, and the court shall not place a child in the custody of a parent who presents a substantial risk of harm to that child, and shall state on the record how such findings were factored into the determination. Where a proceeding filed pursuant to article ten or ten-A of the family court act is pending at the same time as a proceeding brought in the supreme court involving the custody of, or right to visitation with, any child of a marriage, the court presiding over the proceeding under article ten or ten-A of the family court act may jointly hear the dispositional hearing on the petition under article ten or the permanency hearing under article ten-A of the family court act and, upon referral from the supreme court, the hearing to resolve the matter of custody or visitation in the proceeding pending in the supreme court; provided however, the court [~~must~~] **shall** determine custody or visitation in accordance with the terms of this section.

An order directing the payment of child support shall contain the social security numbers of the named parties. In all cases there shall be no prima facie right to the custody of the child in either parent. Such direction shall make provision for child support out of the property of either or both parents. The court shall make its award for child support pursuant to subdivision one-b of this section. Such direction may provide for reasonable visitation rights to the [~~maternal and/or paternal~~] grandparents of any child of the parties. Such direction as it applies to rights of visitation with a child remanded or placed in the care of a person, official, agency or institution pursuant to article ten of the family court act, or pursuant to an instrument approved under section three hundred fifty-eight-a of the social services law, shall be enforceable pursuant to part eight of article ten of the family court act and sections three hundred fifty-eight-a and three hundred eighty-four-a of the social services law and other applicable provisions of law against any person having care and custody, or temporary care and custody, of the child. Notwithstanding any other provision of law, any written application or motion to the court for the establishment, modification or enforcement of a child support obligation for persons not in receipt of public assistance and care [~~must~~] **shall** contain either a request for child support enforcement services which would authorize the collection of the support obligation by the immediate issuance of an income execution for support enforcement as provided for by this chapter, completed in the manner specified in section one hundred eleven-g of the social services law; or a statement that the applicant has applied for or is in receipt of such services; or a statement that the applicant knows of the availability of such services, has declined them at this time and where support enforcement services pursuant to section one hundred eleven-g of the social services law have been declined that the applicant understands that an income deduction order may be issued pursuant to subdivision (c) of section fifty-two hundred forty-two of the civil practice law and rules without other child support enforcement services and that payment of an administrative fee may be required. The court shall provide a copy of any such request for child support enforcement services to the support collection unit of the appropriate social services district any time it directs payments to be made to such support collection unit. Additionally, the copy of any such request shall be accompanied by the name, address and social security number of the parties; the date and place of the parties' marriage; the name and date of birth of the child or children; and the name and address of the employers and income payors of the party from whom child support is sought or from the party ordered to pay child support to the other party. Such direction may require the payment of a sum or sums of money either directly to the custodial parent or to third persons for goods or services furnished for such child, or for both payments to the custodial parent and to such third persons; provided, however, that unless the party seeking or receiving child support has applied for or is receiving such services, the court shall not direct such payments to be made to the support collection unit, as established in section one hundred eleven-h of the social services law. Every order directing the payment of support shall require that if either parent currently, or at any time in the future, has health insurance benefits available that may be extended or obtained to cover the child, such parent is required to exercise the option of additional coverage in favor of such child and execute and deliver to such person any forms, notices, documents or

instruments necessary to assure timely payment of any health insurance claims for such child.

(a-1)(1) [~~Permanent and initial~~] **Initial** temporary orders of custody or visitation. Prior to the issuance of any [~~permanent or~~] initial temporary order of custody or visitation, the court shall conduct a review of the decisions and reports listed in subparagraph [~~three~~] **four** of this paragraph. **In the event that either party has made facially credible allegations of domestic violence, child abuse, or other acts also posing a substantial risk of harm to the child, the nature of which warrants the court's immediate attention, the court shall conduct a review pursuant to subparagraph five of this paragraph.**

(2) Successive temporary orders of custody or visitation. Prior to the issuance of any successive temporary order of custody or visitation, the court shall conduct a review of the decisions and reports listed in subparagraph [~~three~~] **four** of this paragraph, unless such a review has been conducted within ninety days prior to the issuance of such order. **In the event that either party has made facially credible allegations of domestic violence, child abuse, or other acts also posing a substantial risk of harm to the child, the nature of which warrants the court's immediate attention, the court shall conduct a review pursuant to subparagraph five of this paragraph, unless such a review has been conducted within ninety days prior to the issuance of such order or the court determines that such additional review is warranted.**

(3) **Final orders of custody or visitation. Prior to the issuance of any final orders of custody or visitation, the court shall conduct a review of the decisions and reports listed in subparagraph four of this paragraph. In the event that either party has made facially credible allegations of domestic violence, child abuse, or other acts also posing a substantial risk of harm to the child,** the nature of which warrants the court's immediate attention, **the court shall conduct a review pursuant to subparagraph five of this paragraph.**

(4) Decisions and reports for review. The court shall conduct a review of the following:

(i) related decisions in court proceedings initiated pursuant to article ten of the family court act, and all warrants issued under the family court act; and

(ii) reports of the statewide computerized registry of orders of protection established and maintained pursuant to section two hundred twenty-one-a of the executive law, and reports of the sex offender registry established and maintained pursuant to section one hundred sixty-eight-b of the correction law.

[~~(4)~~] **(5) Evidence to review. As applicable pursuant to subparagraph one, two, or three of this paragraph, the court shall conduct a review of competent, material and relevant evidence that is presented to the court, on notice to the parties and the attorney for the child, if one has been appointed, including the following; provided, however, that with respect to temporary orders of custody or visitation, certification or authentification of a law enforcement record or medical record shall not be required for the record, or a portion thereof, to be admitted, and that with respect to successive, temporary orders, certification or authentication of a law enforcement record or medical record shall be required for the record or a portion thereof to be admitted unless the shortness of time or other significant obstacles have prevented the proponent of the record from obtaining a certified or authenticated record despite reasonable efforts to do so; and provided, further, that**

notice to the parties and attorney for the child, if any, may be waived in the case of an emergency ex parte application for relief:

(i) any party's history of domestic violence, child abuse, or other acts also posing a substantial risk of harm to a child;

(ii) police reports, including domestic violence incident reports or reporting of incidents involving child abuse or domestic violence by a party;

(iii) child safety risk factor incidents committed or engaged in by any party, including, but not limited to:

(A) an increase in frequency or severity of domestic violence;

(B) use or threats to use a weapon or dangerous instrument, or unlawful possession of firearms;

(C) threats to harm or kill the child, the other party, the other party's children, self or others, or companion animals;

(D) sexual abuse or other sexual offenses against the child or the other party;

(E) unlawful dissemination or publication of an intimate image, pursuant to section 245.15 of the penal law;

(F) incidents involving obstruction of breathing or strangulation;

(G) a recent pattern of alcohol or substance abuse that threatens the child's safety;

(H) incidents of violence during pregnancy;

(I) incidents of stalking or cyber stalking; and

(J) coercive control, which shall mean a pattern of behavior that unreasonably restricts a party's safety or autonomy through means such as isolation, intimidation, threats, financial control, monitoring, or compelling compliance;

(iv) any rehabilitation by a party as a mitigating factor;

(v) the expressed preference of the child, giving due consideration to the age and maturity of the child; and

(vi) any other evidence the court deems necessary for its determination.

(6) Conditions of custody or visitation.

(i) The court shall state in writing or on the record the considerations it reviewed to set forth conditions of custody or visitation in a temporary order of custody or visitation, and the basis therefor.

(ii) A determination that a party poses a substantial risk of harm to the child, the nature of which warrants the court's immediate, attention shall be a significant factor in determining a temporary order of custody or visitation, including any limitations on or conditions on a party's custody, visitation or contact with a child.

(iii) Nothing contained in this subparagraph shall be deemed in any way to limit, restrict, expand or impair the rights of any party to file for or request a modification of a temporary order as is otherwise provided by law.

(iv) The court shall state in writing or on the record the considerations it reviewed to set forth conditions of custody or visitation in a final order of custody or visitation, and the basis therefor.

(v) A finding by a preponderance of the evidence that a party poses a substantial risk of harm to the child shall be a significant factor in determining a final order of custody or visitation, including any limitations on or conditions on a party's custody, visitation or contact with a child.

(7) (i) In any proceeding for custody or visitation where a party asserts facially credible allegations of domestic violence, child abuse, or other acts that also pose a substantial risk of harm to the child,

the court shall not find that reasonable protective behaviors to safeguard the child which were engaged in by the party who has made such allegations, standing alone, constitute failure to support the child's relationship with the other party.

(ii) The court shall not presume that a child's reluctance to interact with a party was caused by the other party, nor shall a party be given custody for the sole purpose either of improving a relationship between the child and such party or in an attempt to address the child's reluctance to interact with such party. Where appropriate, however, the court may enter an order directing one or more parties to refrain from disparaging the other party or parties in the presence of the child or children.

(iii) Nothing in this section shall be construed to create an exception to section seven hundred fifty-three of the judiciary law, or any other enforcement provision, such that a party may seek to enforce any proper ruling of the court, unless stayed, concerning access to the child or conditions of access to the child.

(8) Notifying counsel and issuing orders. Upon consideration of decisions pursuant to article ten of the family court act, and registry reports and notifying counsel involved in the proceeding, or in the event of a self-represented party, notifying such party of the results thereof, including any court appointed attorney for children, the court may issue a temporary, successive temporary or final order of custody or visitation.

[~~(5)~~] (9) Temporary emergency order. Notwithstanding any other provision of the law, upon emergency situations, including computer malfunctions, to serve the best interest of the child, the court may issue a temporary emergency order for custody or visitation in the event that it is not possible to timely review decisions and reports on registries as required pursuant to subparagraph [~~three~~] four of this paragraph.

[~~(6)~~] (10) After issuing a temporary emergency order. After issuing a temporary emergency order of custody or visitation, the court shall conduct reviews of the decisions and reports on registries as required pursuant to subparagraph [~~three~~] four of this paragraph within twenty-four hours of the issuance of such temporary emergency order. Should such twenty-four hour period fall on a day when court is not in session, then the required reviews shall take place the next day the court is in session. Upon reviewing decisions and reports the court shall notify associated counsel, self-represented parties and attorneys for children pursuant to subparagraph [~~four~~] eight of this paragraph and may issue temporary or permanent custody or visitation orders.

[~~(7)~~] (11) Comprehensive training. The chief administrator of the courts shall present or arrange access to comprehensive training on topics necessary to conduct a review of allegations of domestic violence, child abuse and other acts posing a substantial risk to a child's safety, which shall be mandatory for judges, referees, and other hearing officers presiding over child custody proceedings and shall present or arrange training on such topics every two years thereafter.

(12) Feasibility study. The commissioner of the office of children and family services, in conjunction with the office of court administration, is hereby authorized and directed to examine, study, evaluate and make recommendations concerning the feasibility of the utilization of computers in courts which are connected to the statewide central register of child abuse and maltreatment established and maintained pursuant to

section four hundred twenty-two of the social services law, as a means of providing courts with information regarding parties requesting orders of custody or visitation. Such commissioner shall make a preliminary report to the governor and the legislature of findings, conclusions and recommendations not later than January first, two thousand nine, and a final report of findings, conclusions and recommendations not later than June first, two thousand nine, and shall submit with the reports such legislative proposals as are deemed necessary to implement the commissioner's recommendations.

§ 4. Section 70 of the domestic relations law, as amended by chapter 457 of the laws of 1988, is amended to read as follows:

§ 70. Habeas corpus for child detained by parent. (a) **(i)** Where a minor child is residing within this state, either parent may apply to the supreme court for a writ of habeas corpus to have such minor child brought before such court; and on the return thereof, the court, on due consideration, may award the natural guardianship, charge and custody of such child to either parent for such time, under such regulations and restrictions, and with such provisions and directions, as the case may require, and may at any time thereafter vacate or modify such order. In all cases there shall be no prima facie right to the custody of the child in either parent, but the court shall determine solely what is for the best interest of the child, and what will best promote its welfare and happiness, and make award accordingly. **Prior to issuing any initial or successive temporary order of custody or visitation or permanent order of custody or visitation, the court shall conduct a review of the decisions and reports listed in subparagraph four of paragraph (a-1) of subdivision one of section two hundred forty of this chapter, unless such a review has been conducted within ninety days prior to the issuance of such order or the court determines that such additional review is warranted.**

(ii) When issuing any temporary order of custody or visitation, or denying an application for a temporary order after evidence has been presented to the court regarding allegations of domestic violence, child abuse, or other acts also posing a substantial risk of harm to the child, the nature of which warrants the court's immediate attention, pursuant to subparagraph one of paragraph (a-1) of subdivision one of section two hundred forty of this chapter the court shall state in writing or on the record the considerations it reviewed and the findings supporting the decision to set forth any limitations or conditions placed on a party's custody, visitation or contact with such child.

(iii) When issuing a final order of custody or visitation, or denying an application for a temporary order after evidence has been presented to the court regarding allegations of domestic violence, child abuse, or other acts also posing a substantial risk of harm to the child, pursuant to subparagraph three of paragraph (a-1) of subdivision one of section two hundred forty of this chapter, the court shall state in writing or on the record the considerations it reviewed and the findings supporting the decision to set forth any limitations or conditions placed on a party's custody, visitation or contact with such child.

(iv) Judges, referees and other hearing officers presiding over child custody proceedings shall receive training in accordance with section two hundred forty of this chapter.

(b) Any order under this section which applies to rights of visitation with a child remanded or placed in the care of a person, official, agency or institution pursuant to article ten of the family court act or pursuant to an instrument approved under section three hundred fifty-

eight-a of the social services law, shall be enforceable pursuant to the provisions of part eight of article ten of such act, sections three hundred fifty-eight-a and three hundred eighty-four-a of the social services law and other applicable provisions of law against any person or official having care and custody, or temporary care and custody, of such child.

§ 5. Subdivision (b) of section 651 of the family court act, as amended by chapter 657 of the laws of 2003, is amended to read as follows:

(b) **(i)** When initiated in the family court, the family court has jurisdiction to determine, in accordance with subdivision one of section two hundred forty of the domestic relations law and with the same powers possessed by the supreme court in addition to its own powers, habeas corpus proceedings and proceedings brought by petition and order to show cause, for the determination of the custody or visitation of minors, including applications by a grandparent or grandparents for visitation or custody rights pursuant to section seventy-two or two hundred forty of the domestic relations law.

(ii) The family court shall update its petition used by parties to initiate child custody and visitation proceedings in a manner to permit petitioners to specify allegations of child abuse, domestic violence or other acts also posing a substantial risk of harm to the child, the nature of which warrants the court's immediate attention.

§ 6. Subdivision (e) of section 651 of the family court act, as amended by chapter 295 of the laws of 2009, is amended to read as follows:

(e) 1. [~~Permanent and initial~~] **Initial** temporary orders of custody or visitation. Prior to the issuance of any [~~permanent or~~] initial temporary order of custody or visitation, the court shall conduct a review of the decisions and reports listed in paragraph [~~three~~] **four** of this subdivision. **In the event that facially credible allegations of domestic violence, child abuse or other acts also posing a substantial risk of harm to the child, the nature of which warrants the court's immediate attention, have been made by either party to an action concerning custody of or a right to visitation with a child against the other party, pursuant to paragraph (a-1) of subdivision one of section two hundred forty of the domestic relations law, the court shall conduct a review pursuant to paragraph five of this subdivision. When the parties first appear in court, the court shall advise the parties before proceeding of the right to be represented by counsel of their own choosing, of the right to have an adjournment of such length as determined by the court to be necessary to confer with counsel, and the right to seek counsel fees and expenses, pursuant to section two hundred thirty-seven of the domestic relations law. Pursuant to statute, the court may assign counsel to the eligible parties and to children, including when the assignment of counsel to a child is appropriate to serve the purposes of this act.**

2. Successive temporary orders of custody or visitation. Prior to the issuance of any successive temporary order of custody or visitation, the court shall conduct a review of the decisions and reports listed in paragraph [~~three~~] **four** of this subdivision, unless such a review has been conducted within ninety days prior to the issuance of such order. **In the event that either party has made allegations of domestic violence, child abuse, or other acts also posing a substantial risk of harm to the child, the nature of which warrants the court's immediate attention, the court shall conduct a review pursuant to paragraph five**

of this subdivision, unless such a review has been conducted within ninety days prior to the issuance of such order or the court determines that such additional review is warranted.

3. Final orders of custody or visitation. Prior to the issuance of any final orders of custody or visitation, the court shall conduct a review of the decisions and reports listed in paragraph four of this paragraph. In the event that either party has made facially credible allegations of domestic violence, child abuse, or other acts also posing a substantial risk of harm to the child, the nature of which warrants the court's immediate attention, the court shall conduct a review pursuant to paragraph five of this paragraph.

4. Decisions and reports for review. The court shall conduct a review of the following:

(i) related decisions in court proceedings initiated pursuant to article ten of this act, and all warrants issued under this act; and

(ii) reports of the statewide computerized registry of orders of protection established and maintained pursuant to section two hundred twenty-one-a of the executive law, and reports of the sex offender registry established and maintained pursuant to section one hundred sixty-eight-b of the correction law.

[~~(4)~~] 5. Evidence to review. As applicable pursuant to paragraph one, two, or three of this subdivision, the court shall also conduct a review of competent, material and relevant evidence that is presented to the court on notice to the parties and the attorney for the child, if one has been appointed, including the following; provided however, that with respect to temporary, emergency orders of custody or visitation, certification or authentification of a law enforcement record or medical record shall not be required for the record, or portion thereof, to be admitted, and that with respect to successive, temporary orders, certification or authentication of a law enforcement record or medical record shall be required for the record or a portion thereof to be admitted unless the shortness of time or other significant obstacles have prevented the proponent of the record from obtaining a certified or authenticated record despite reasonable efforts to do so; and provided, further, that notice to the parties and attorney for the child, if any, may be waived in the case of an emergency, ex parte application for relief:

(i) any party's history of domestic violence, child abuse or other acts also posing a substantial risk of harm to a child;

(ii) police reports, including domestic violence incident reports, or reports of incidents involving child abuse or domestic violence by a party;

(iii) child safety risk factor incidents committed or engaged in by any party, including but not limited to:

(A) an increase in frequency or severity of domestic violence;

(B) use or threats to use a weapon or dangerous instrument, or unlawful possession of firearms;

(C) threats to harm or kill the child, the other party, the other party's children, self or others, or companion animals;

(D) sexual abuse or other sexual offenses against the child or other party;

(E) unlawful dissemination or publication of an intimate image, pursuant to section 245.15 of the penal law;

(F) incidents involving obstruction of breathing or strangulation;

(G) a recent pattern of alcohol or substance abuse that threatens the child's safety;

(H) incidents of violence during pregnancy;

(I) incidents of stalking or cyber stalking; and

(J) coercive control, which shall mean a pattern of behavior that unreasonably restricts a party's safety or autonomy through means such as isolation, intimidation, threats, financial control, monitoring, or compelling compliance;

(iv) any rehabilitation by a party as a mitigating factor;

(v) the expressed preference of the child, giving due consideration to the age and maturity of the child; and

(vi) any other considerations the court deems necessary for its determination.

6. Notifying counsel and issuing orders. Upon consideration of decisions pursuant to article ten of this act, and registry reports and notifying counsel involved in the proceeding, or in the event of a self-represented party, notifying such party of the results thereof, including any court appointed attorney for children, the court may issue a temporary, successive temporary or final order of custody or visitation.

[~~5.~~] 7. Temporary emergency order. Notwithstanding any other provision of the law, upon emergency situations, including computer malfunctions, to serve the best interest of the child, the court may issue a temporary emergency order for custody or visitation in the event that it is not possible to timely review decisions and reports on registries as required pursuant to paragraph [~~three~~] four of this subdivision.

[~~6.~~] 8. After issuing a temporary emergency order. After issuing a temporary emergency order of custody or visitation, the court shall conduct reviews of the decisions and reports on registries as required pursuant to paragraph [~~three~~] four of this subdivision within twenty-four hours of the issuance of such temporary emergency order. Should such twenty-four hour period fall on a day when court is not in session, then the required reviews shall take place the next day the court is in session. Upon reviewing decisions and reports the court shall notify associated counsel, self-represented parties and attorneys for children pursuant to paragraph [~~four~~] six of this subdivision and may issue temporary or permanent custody or visitation orders.

[~~7.~~] 9. Feasibility study. The commissioner of the office of children and family services, in conjunction with the office of court administration, is hereby authorized and directed to examine, study, evaluate and make recommendations concerning the feasibility of the utilization of computers in family courts which are connected to the statewide central register of child abuse and maltreatment established and maintained pursuant to section four hundred twenty-two of the social services law, as a means of providing family courts with information regarding parties requesting orders of custody or visitation. Such commissioner shall make a preliminary report to the governor and the legislature of findings, conclusions and recommendations not later than January thirty-first, two thousand nine, and a final report of findings, conclusions and recommendations not later than June first, two thousand nine, and shall submit with the reports such legislative proposals as are deemed necessary to implement the commissioner's recommendations.

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