STATE OF NEW YORK

9005

2025-2026 Regular Sessions

IN ASSEMBLY

August 13, 2025

Introduced by M. of A. SLATER -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to establishing a waiver program allowing for longer stays at domestic violence shelters

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

Section 1. Section 459-b of the social services law, as amended by chapter 7 of the laws of 2016, is amended to read as follows:

§ 459-b. Residential services for victims of domestic violence. **1.** In accordance with section one hundred thirty-one-u of this chapter and the regulations of the office of children and family services, a social services district shall offer and provide necessary and available emergency shelter and services for up to ninety days at a residential program for victims of domestic violence to a victim of domestic violence who was residing in the social services district at the time of the alleged domestic violence whether or not such victim is eligible for public assistance. Two forty-five day extensions of necessary and available emergency shelter may be granted beyond the maximum length of stay at a residential program for victims of domestic violence for residents who continue to be in need of emergency services and temporary shelter. If the victim of domestic violence has a service animal as such term is defined in section one hundred twenty-three-b of the agriculture and markets law, or therapy dog as such term is defined in section one hundred eight of the agriculture and markets law, respectively, such service animal or therapy dog shall be allowed to accompany the victim at the residential program authorized pursuant to this section, so long as such accompaniment would not create an undue burden as defined by section two hundred ninety-six of the executive law.

Where such accompaniment would constitute an undue burden, the residential program shall make reasonable efforts to facilitate placement of such animal at an off-site animal care facility or if reasonable efforts

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

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fail, provide referral to one or more off-site animal care facilities. Such off-site animal care may include, but not be limited to, boarding at a veterinary hospital or under the auspices of a duly incorporated humane society, or duly incorporated animal protection association approved for such purpose by the department of agriculture and markets.

2. (a) Notwithstanding the duration of stay limitations set forth in subdivision one of this section, a social services district, through the office of children and family services, will grant waivers allowing domestic violence residential programs to serve victims who need a length of stay in excess of the maximum one hundred eighty days upon a showing that circumstances prevent such victims from moving to safe, alternative housing, and require the length of stay to be exceeded.

(b) A domestic violence residential program shall apply to the office of children and family services for a waiver enabling a victim of domestic violence to remain at the program's shelter for a period exceeding one hundred eighty days; provided that, no such waiver shall allow for a stay that shall exceed an additional ninety days. Such residential program shall make a written request for a waiver by emailing the social services district. A waiver must be requested by the residential program for each resident requiring a stay in excess of one hundred eighty days.

(c) When applying for a waiver, the domestic violence residential program shall include a description of the following:

(i) the circumstances leading to the request;

(ii) the length of the waiver requested;

(iii) if and how the request will affect the program's ability to continue to provide services.

(d) Requests for a waiver will be reviewed and decided by the office of children and family services within two business days of receipt of the request. The office of children and family services will email both the domestic violence residential program and the social services district or districts that contract with the domestic violence program to advise of any approved waivers. The granting of a waiver shall not affect the process for obtaining reimbursement for emergency shelter. Once a waiver for an extended length of stay is granted, a social services district shall, in accordance with the provisions of section one hundred thirty-one-u of this chapter, provide timely reimbursement for the entirety of such length of stay.

3. Nothing in this section shall be construed to limit any rights or obligations provided pursuant to federal or state law, including but not limited to providing reasonable accommodations for individuals with disabilities.

§ 2. This act shall take effect on the ninetieth 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.