

# STATE OF NEW YORK

8633--A

2025-2026 Regular Sessions

## IN SENATE

December 29, 2025

Introduced by Sens. MAY, HARCKHAM, MAYER, RAMOS, SCARCELLA-SPANTON -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Children and Families 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 family court act, the criminal procedure law, the judiciary law and the domestic relations law, in relation to coercive control

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

1 Section 1. The opening paragraph of subdivision 1 of section 812 of  
2 the family court act, as amended by chapter 541 of the laws of 2024, is  
3 amended to read as follows:  
4 The family court and the criminal courts shall have concurrent juris-  
5 diction over any proceeding concerning acts which would constitute coer-  
6 cive control as defined by section eight hundred nineteen of this part,  
7 disorderly conduct, unlawful dissemination or publication of an intimate  
8 image, harassment in the first degree, harassment in the second degree,  
9 aggravated harassment in the second degree, sexual misconduct, forcible  
10 touching, sexual abuse in the third degree, sexual abuse in the second  
11 degree as set forth in subdivision one of section 130.60 of the penal  
12 law, stalking in the first degree, stalking in the second degree, stalk-  
13 ing in the third degree, stalking in the fourth degree, criminal  
14 mischief, menacing in the second degree, menacing in the third degree,  
15 reckless endangerment, criminal obstruction of breathing or blood circu-  
16 lation, strangulation in the second degree, strangulation in the first  
17 degree, assault in the second degree, assault in the third degree, an  
18 attempted assault, identity theft in the first degree, identity theft in  
19 the second degree, identity theft in the third degree, grand larceny in  
20 the fourth degree, grand larceny in the third degree, coercion in the

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

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1 second degree or coercion in the third degree as set forth in subdivi-  
2 sions one, two and three of section 135.60 of the penal law between  
3 spouses or former spouses, or between parent and child or between  
4 members of the same family or household except that if the respondent  
5 would not be criminally responsible by reason of age pursuant to section  
6 30.00 of the penal law, then the family court shall have exclusive  
7 jurisdiction over such proceeding. Notwithstanding a complainant's  
8 election to proceed in family court, the criminal court shall not be  
9 divested of jurisdiction to hear a family offense proceeding pursuant to  
10 this section. In any proceeding pursuant to this article, a court shall  
11 not deny an order of protection, or dismiss a petition, solely on the  
12 basis that the acts or events alleged are not relatively contemporaneous  
13 with the date of the petition, the conclusion of the fact-finding or the  
14 conclusion of the dispositional hearing. For purposes of this article,  
15 "disorderly conduct" includes disorderly conduct not in a public place.  
16 For purposes of this article, "members of the same family or household"  
17 shall mean the following:

18 § 2. The opening paragraph of subdivision 1 of section 530.11 of the  
19 criminal procedure law, as amended by chapter 541 of the laws of 2024,  
20 is amended to read as follows:

21 The family court and the criminal courts shall have concurrent juris-  
22 diction over any proceeding concerning acts which would constitute coer-  
23 cive control as defined by section eight hundred nineteen of the family  
24 court act, disorderly conduct, unlawful dissemination or publication of  
25 an intimate image, harassment in the first degree, harassment in the  
26 second degree, aggravated harassment in the second degree, sexual  
27 misconduct, forcible touching, sexual abuse in the third degree, sexual  
28 abuse in the second degree as set forth in subdivision one of section  
29 130.60 of the penal law, stalking in the first degree, stalking in the  
30 second degree, stalking in the third degree, stalking in the fourth  
31 degree, criminal mischief, menacing in the second degree, menacing in  
32 the third degree, reckless endangerment, strangulation in the first  
33 degree, strangulation in the second degree, criminal obstruction of  
34 breathing or blood circulation, assault in the second degree, assault in  
35 the third degree, an attempted assault, identity theft in the first  
36 degree, identity theft in the second degree, identity theft in the third  
37 degree, grand larceny in the fourth degree, grand larceny in the third  
38 degree, coercion in the second degree or coercion in the third degree as  
39 set forth in subdivisions one, two and three of section 135.60 of the  
40 penal law between spouses or former spouses, or between parent and child  
41 or between members of the same family or household except that if the  
42 respondent would not be criminally responsible by reason of age pursuant  
43 to section 30.00 of the penal law, then the family court shall have  
44 exclusive jurisdiction over such proceeding. Notwithstanding a  
45 complainant's election to proceed in family court, the criminal court  
46 shall not be divested of jurisdiction to hear a family offense proceed-  
47 ing pursuant to this section. For purposes of this section, "disorderly  
48 conduct" includes disorderly conduct not in a public place. For  
49 purposes of this section, "members of the same family or household" with  
50 respect to a proceeding in the criminal courts shall mean the following:

51 § 3. Section 154-c of the family court act is amended by adding a new  
52 subdivision 4 to read as follows:

53 4. Coercive control. The court may issue an order of protection upon a  
54 finding of coercive control, as defined by section eight hundred nine-  
55 teen of this act, based on a preponderance of the evidence. The court  
56 shall update any forms used for the purpose of requesting an order of

1 protection to include coercive control as a basis for an order of  
2 protection. Continued coercive control engaged in after the issuance of  
3 an order of protection may serve as evidence supporting a finding of  
4 contempt in accordance with the penal law.

5 § 4. The judiciary law is amended by adding a new section 39-c to read  
6 as follows:

7 § 39-c. Coercive control training. 1. For the purposes of this  
8 section, "coercive control" shall have the same meaning as such term is  
9 defined by section eight hundred nineteen of the family court act.

10 2. (a) The office of court administration, in consultation with the  
11 office for the prevention of domestic violence and the organization  
12 designated by the federal department of health and human services to  
13 coordinate statewide improvements in the prevention of domestic  
14 violence, shall develop and administer mandatory training for judges,  
15 court clerks, and other court staff as deemed appropriate by the office,  
16 on coercive control.

17 (b) Such training shall cover:

18 (i) the statutory definition of coercive control;

19 (ii) patterns of conduct;

20 (iii) evidentiary considerations;

21 (iv) application in order of protection proceedings;

22 (v) survivor safety; and

23 (vi) the impact on children and implications for custody and visita-  
24 tion.

25 (c) Judges and relevant court personnel shall be required to partic-  
26 ipate in refresher training at least once every two years.

27 (d) The office of court administration shall be authorized to prepare  
28 bench cards, guidance, and forms to support the implementation of such  
29 training.

30 § 5. The domestic relations law is amended by adding a new section 256  
31 to read as follows:

32 § 256. Coercive control. 1. For the purposes of this section, "coer-  
33 cive control" shall have the same meaning as such term is defined by  
34 section eight hundred nineteen of the family court act.

35 2. The court may issue an order of protection upon a finding of coer-  
36 cive control, based on a preponderance of the evidence. The court shall  
37 update any forms used for the purpose of requesting an order of  
38 protection to include coercive control as a basis for an order of  
39 protection.

40 3. The order of protection may protect the petitioner and any minor  
41 child of the marriage or a minor child residing in such petitioner's  
42 household.

43 § 6. Section 1.20 of the criminal procedure law is amended by adding a  
44 new subdivision 46 to read as follows:

45 46. "Coercive control" means coercive control defined by section eight  
46 hundred nineteen of the family court act.

47 § 7. The family court act is amended by adding a new section 819 to  
48 read as follows:

49 § 819. Coercive control. 1. As used in this chapter, the term "coer-  
50 cive control" shall mean a pattern of behavior used to dominate, intim-  
51 idate, or subordinate another person that, in purpose or effect, unrea-  
52 sonably interferes with that person's free will, personal liberty, or  
53 autonomy or causes such person to fear for their safety or the safety of  
54 another. Coercive control shall include, but shall not be limited to:

55 (a) isolating the person from friends, relatives, or other sources of  
56 support;

1 (b) controlling, monitoring, or restricting movements, communications,  
2 or access to services;

3 (c) regulating or monitoring economic resources, controlling access to  
4 money, employment, or credit;

5 (d) restricting or interfering with access to housing, transportation,  
6 health care, or employment;

7 (e) threatening, intimidating, or harassing conduct designed to  
8 instill fear or compliance;

9 (f) monitoring, controlling, or misusing digital devices, accounts, or  
10 online activity;

11 (g) misusing legal or administrative processes to harass or intim-  
12 idate, including but not limited to initiating or maintaining repeated  
13 actions or proceedings that a court has found not to be warranted by  
14 existing law or a good faith argument for the extension, modification,  
15 or reversal of existing law; and

16 (h) repeated verbal degradation, humiliation, or intimidation.

17 2. Coercive control shall not include reasonable actions taken by an  
18 individual to protect their own or their children's safety, welfare, or  
19 care, or the reasonable exercise of lawful authority.

20 § 8. The opening paragraph of paragraph (a) of subdivision 1 of  
21 section 240 of the domestic relations law, as amended by chapter 567 of  
22 the laws of 2015, is amended to read as follows:

23 In any action or proceeding brought (1) to annul a marriage or to  
24 declare the nullity of a void marriage, or (2) for a separation, or (3)  
25 for a divorce, or (4) to obtain, by a writ of habeas corpus or by peti-  
26 tion and order to show cause, the custody of or right to visitation with  
27 any child of a marriage, the court shall require verification of the  
28 status of any child of the marriage with respect to such child's custody  
29 and support, including any prior orders, and shall enter orders for  
30 custody and support as, in the court's discretion, justice requires,  
31 having regard to the circumstances of the case and of the respective  
32 parties and to the best interests of the child and subject to the  
33 provisions of subdivision one-c of this section. Where either party to  
34 an action concerning custody of or a right to visitation with a child  
35 alleges in a sworn petition or complaint or sworn answer, cross-peti-  
36 tion, counterclaim or other sworn responsive pleading that the other  
37 party has committed an act of domestic violence or coercive control, as  
38 defined by section eight hundred nineteen of the family court act,  
39 against the party making the allegation or a family or household member  
40 of either party, as such family or household member is defined in arti-  
41 cle eight of the family court act, and such allegations are proven by a  
42 preponderance of the evidence, the court must consider the effect of  
43 such domestic violence or coercive control upon the best interests of  
44 the child, together with such other facts and circumstances as the court  
45 deems relevant in making a direction pursuant to this section and state  
46 on the record how such findings, facts and circumstances factored into  
47 the direction. If a parent makes a good faith allegation based on a  
48 reasonable belief supported by facts that the child is the victim of  
49 child abuse, child neglect, or the effects of domestic violence, and if  
50 that parent acts lawfully and in good faith in response to that reason-  
51 able belief to protect the child or seek treatment for the child, then  
52 that parent shall not be deprived of custody, visitation or contact with  
53 the child, or restricted in custody, visitation or contact, based solely  
54 on that belief or the reasonable actions taken based on that belief. If  
55 an allegation that a child is abused is supported by a preponderance of  
56 the evidence, then the court shall consider such evidence of abuse in

1 determining the visitation arrangement that is in the best interest of  
2 the child, and the court shall not place a child in the custody of a  
3 parent who presents a substantial risk of harm to that child, and shall  
4 state on the record how such findings were factored into the determi-  
5 nation. Where a proceeding filed pursuant to article ten or ten-A of the  
6 family court act is pending at the same time as a proceeding brought in  
7 the supreme court involving the custody of, or right to visitation with,  
8 any child of a marriage, the court presiding over the proceeding under  
9 article ten or ten-A of the family court act may jointly hear the dispo-  
10 sitional hearing on the petition under article ten or the permanency  
11 hearing under article ten-A of the family court act and, upon referral  
12 from the supreme court, the hearing to resolve the matter of custody or  
13 visitation in the proceeding pending in the supreme court; provided  
14 however, the court must determine custody or visitation in accordance  
15 with the terms of this section.

16 § 9. This act shall take effect on the one hundred eightieth day after  
17 it shall have become a law. Effective immediately the addition, amend-  
18 ment and/or repeal of any rule or regulation necessary for the implemen-  
19 tation of this act on its effective date are authorized to be made and  
20 completed on or before such date.