2024 Legislative Priorities

Domestic violence advocates across New York State are joining NYSCADV in supporting specific legislation to improve services and expand rights for New York’s domestic violence victims. These include:

Rights of Domestic Violence Survivors and Advocates:
1. **S2061 Stavisky**: Prohibits police responding to a DV incident from asking victims about their immigration status; if such status is ascertained and would result in adverse immigration consequences to the victim, the officer shall not report such information to any law enforcement agency.
2. **A1309B Rosenthal L./S2278A Cleare**: Prohibits creditors from enforcing a consumer debt incurred as a result of fraud, intimidation, identity theft, exploitation of debtor’s personal information or similar economic abuse perpetrated against the debtor; establishes a right of action by the debtor for declaratory and injunctive relief against creditors for violation.
3. **A1980 Walker/S901 Brisport**: Requires child protective services to orally and in writing to disclose information to parents and caretakers who are the subject of a child protective services investigation regarding their rights, such as right to counsel and right to refuse medical testing without a court order.
4. **A5629 Reyes/S5131 Webb**: Permits retired public employees to change their option election or select a new beneficiary if their beneficiary is convicted of a family offense of which the member is a complainant.
5. **A5689 Davila/S2705A Persaud**: Updates and expands the resources than an applicant of public assistance may possess without affecting eligibility for assistance.
6. **A6780 Rosenthal L./S7198 Parker**: Enhances protections for DV survivors opting to break telecom contracts with abusers by prohibiting companies from transferring contractual or billing responsibility to other account holders, preventing companies from prohibiting a person who has opted out to enter into a new contract.
7. **A8437 Hevesi/S7793 Persaud**: Adds OVS-licensed crime victim service programs and DOH-licensed rape crisis programs, among others, to designated human services programs eligible for cost of living adjustment.

Prevention:
1. **A4604 Gonzalez-Rojas**: Requires K-12 comprehensive sexuality instruction for students in grades K-12 which addresses age and developmentally appropriate physical, mental, emotional and social dimensions of human sexuality, healthy relationships, consent and the use of technology and social media in intimate relationships.

Civil Justice System:
1. **A2479 Hevesi/S902 Brisport**: Requires a caller making a report of suspected child abuse or maltreatment to the central registry to leave their name and contact information.
2. **A2750 Hevesi/S4149 Palumbo**: Prohibits courts from using forensic child evaluators or allowing a forensic child custody report into evidence in a child custody or visitation proceeding.
3. **A3346A Hevesi/S3170A Skoufis**: Known as Kyra’s Law, prioritizes the safety of children in child custody and visitation proceedings; sets requirements for judicial training in DV and child abuse; restricts admissibility of parental alienation and other non-scientifically valid theories.
4. **A3771 Weinstein/S4434 Fernandez**: Enables parents and their attorneys to obtain copies of court-ordered child custody evaluations and the underlying information supporting the evaluation.
5. **A5873 Lavine/S3340 Mayer:** Ensures temporary and final Extreme Risk Protection Orders are included in the existing statewide computerized registry of orders of protection and warrants of arrest.

6. **S2084 Harckham:** Prohibits forensic child custody evaluators who have been terminated for cause from appearing as an expert witness in family court custody and visitation proceedings.

**Housing:**

1. **A1113 Stirpe/S936 Bailey:** Requires statewide housing authorities, in reviewing applications for housing, to grant DV survivors the same priority granted to other disenfranchised populations such as the disabled, the elderly and the homeless.

2. **A1493 Joyner/S2721 May:** Guarantees the right of every tenant across the State the right to a lawyer when facing eviction; requires courts, judges and landlords to ensure that tenants know about and can use their right to counsel.

3. **A2583 Hevesi/S15 Gounardes:** Addresses the system-wide lack of shelter for single adults by reimbursing DV providers for any payment differential for housing a single individual in a room intended for double occupancy.

4. **A5504 Rosenthal L.:** Reforms the method by which New York State funds DV services by eliminating the per diem reimbursement system and permitting OCFS to enter into contracts directly with DV programs.

5. **A5543 Rosenthal L./S2982 Kavanagh:** Requires local social services districts to provide individuals receiving shelter allowances with up to 100% of the fair market rent for their area.

6. **A5649A Reyes/S4561A Gonzalez:** Requires New York State to pay all costs to ensure individuals living in temporary shelters, including DV shelters, have access to the Internet.

Established in 1978, the New York State Coalition Against Domestic Violence (NYSCADV) is designated by the U.S. Department of Health and Human Services as the information clearinghouse, primary point of contact, and resource center on domestic violence for the State of New York. NYSCADV works to create and support the social change necessary to prevent and confront all forms of domestic violence. NYSCADV’s policy agenda employs both legislative and systems change advocacy to support the needs of domestic violence survivors and their families and the programs that support them.

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