

# **NYSCADV**

## **NEW YORK STATE COALITION AGAINST DOMESTIC VIOLENCE**

### **2023 DOMESTIC VIOLENCE AND SEXUAL ASSAULT RELATED LAWS APPROVED BY LEGISLATURE AND SIGNED BY GOVERNOR**

#### **AMENDS 2022 LAW REGARDING UNLAWFUL DISSEMINATION OF A PERSONAL IMAGE**

##### **Chapter 30 (A975 Buttenschon/S2221 Martinez)**

Clarifies that the 2022 law regarding unlawful dissemination of a personal image applies to images posted on social media and does not apply to discourse in the public interest or newsworthy or artistic value; clarifies the law applies to images in which some degree of injury is depicted and that the person posting the image must have participated in the underlying crime. **Effective February 26, 2023.**

#### **AMENDS 2022 LAW REGARDING ESTABLISHMENT OF STATEWIDE ELECTRONIC TRACKING SYSTEM FOR SEXUAL ASSAULT EVIDENCE COLLECTION KITS**

##### **Chapter 31 (A976 Paulin/S2226 Webb)**

Clarifies that the kits to be stored in this facility are those that are submitted to the custody of law enforcement, not those in the custody of other entities; clarifies the new law applies to all evidence collection kits submitted prior to, or after the bill's effective date of July 24, 2023. **Effective March 3, 2023.**

#### **DELAYS EFFECTIVE DATE FOR SELF-ATTESTATION TO BREAK UTILITY, TV AND PHONE CONTRACTS SO ADDITIONAL DV SURVIVOR PROTECTIONS CAN BE INCORPORATED INTO LEGISLATION**

##### **Chapter 42 (A998 Rosenthal L./S1344 Parker)**

Changes the effectiveness date of a 2022 law enabling DV survivors to self-attest to break bundled or family-plan TV, phone and utility contracts to June 30, 2023; this change will allow protections to be incorporated that protect DV survivors against abusers seeking to obtain the accommodation for themselves. **Effective June 30, 2023.**

#### **EQUALITY AMENDMENT**

##### **A1283 Seawright/S108A Krueger**

Constitutional amendment providing that no person shall be denied the equal protection of the law because of race, color, ethnicity, national origin, age, disability, creed, religion, or sex, including sexual orientation, gender identity or expression, pregnancy, pregnancy outcomes, and reproductive healthcare and autonomy. **Legislation approved by 2022 and 2023 Legislatures; now will appear as a ballot initiative during the 2024 election to be voted on by NYS registered voters.**

## 2023 REPRODUCTIVE HEALTH LAWS

### APPROVED BY LEGISLATURE AND SIGNED BY GOVERNOR

#### LEGAL PROTECTIONS AGAINST ARREST AND EXTRADITION OF ABORTION SERVICE PROVIDERS

##### Chapter 101 (A1005 Lavine/S1351 Krueger)

Provides legal protections against the arrest and extradition of reproductive health service providers who perform services lawfully in New York State; prohibits the cooperation with out-of-state investigations related to the performance or aiding in the performance of an abortion performed within New York State. **Effective Immediately.**

#### ALLOWS HORMONAL CONTRACEPTION TO BE AVAILABLE OVER THE COUNTER AT PHARMACIES

##### Chapter 128 with Approval Memo 1 (A1060A Paulin/S1043A Stavisky)

Authorizes licensed physicians and nurse practitioners to prescribe and issue non-patient specific orders to pharmacists to dispense self-administered hormonal contraceptives to customers pursuant to rules issued by the Commissioner of Education; pharmacists will be able to dispense the medication provided they provide the patient with a self-screening risk assessment and a fact sheet. **Effective January 1, 2024.**

#### ACCESS TO MEDICATION ABORTION DRUGS AT SUNY AND CUNY CAMPUSES

##### Chapter 129 (A1395C Epstein/S1213B Cleare)

Ensures public colleges provide students with access to medication abortion prescription drugs either by employing or contracting with authorized prescribers acting within their scope of practice or providing students with information and referrals to authorized prescribers acting within their scope of practice. Such information and referrals must include local providers and tele-health providers. **Effective August 1, 2023.**

#### PROTECTS HEALTH CARE PROVIDERS OFFERING REPRODUCTIVE HEALTH SERVICES VIA TELEHEALTH

##### Chapter 138 with Approval Memo 2 (A1709B Reyes/S1066B Bailey)

Ensures out-of-state activities do not impede the ability to provide reproductive health services via telehealth; prevents New York health practitioners from professional disciplinary action for legally protected health activity; prevents medical malpractice insurers from taking adverse action against health care practitioners for legally protected health activity. **Effective Immediately.**

## 2023 LGBTQ+ RELATED LAWS

### APPROVED BY LEGISLATURE AND SIGNED BY GOVERNOR

#### REQUIRES LARGE GROUP POLICY INSURANCE COVERAGE FOR HIV MEDICATION

##### Chapter 79 (A1326 O'Donnell/S825 Hoylman-Sigal)

Amends legislation signed into law last year to clarify provisions relating to applying coverage requirements for pre-exposure prophylaxis and post-exposure prophylaxis to prevent HIV infection to health plans in the state. **Effective immediately.**

## UPDATES TERMINOLOGY IN TRANSGENDER/NON-BINARY WELLNESS AND EQUITY PROGRAM FUND

### Chapter 97 (A1708 Cruz/S1336 Hoylman-Sigal)

Amends provisions in legislation signed into law last year creating the Transgender and Non-Binary Wellness and Equity Fund under the administration of the AIDS Institute; clarifies terms in legislation to more accurately reflect the populations which will be involved in and served by the new fund. **Effective Immediately.**

## GENDER-NEUTRAL TERMS IN STATE LAW

### Chapter 139 with Approval Memo 3 (A1142 Kelles/S155 Krueger)

Prohibits the use of gendered terms in any state law, rule, regulation, ordinance or resolution unless a specific person is being referenced. **Effective June 25, 2023.**

## GENDER-NEUTRAL TERMS ON STATE WEBSITES

### Chapter 140 with Approval Memo 4 (A1371A Rosenthal L./S208A Cleare)

Prohibits on state websites the use of words or expressions that categorize on the basis of gender distinctions that can only be taken to refer to one gender, such as husband, wife, fireman or policeman, but does not apply such prohibition on websites that address a gender-specific matter such as pregnancy or maternal health; applies to website content added or modified after the effective date. **Effective June 25, 2023.**

## SUBSTANCE ABUSE SERVICES BASED ON GENDER IDENTITY, EXPRESSION OR PREFERENCE

### Chapter 141 (A4903 Kelles/S993A Hoylman-Sigal)

Requires the Office of Addiction Services and Supports to ensure people who suffer from a substance use disorder have the right to seek and receive addiction services, care, treatment and rehabilitation services based on the individual's gender identity, gender expression and/or sexual orientation. **Effective July 25, 2023.**

## UPDATES DEFINITION OF "SEXUAL ORIENTATION" IN HUMAN RIGHTS LAW

### Chapter 142 (A7367 Simone/S2442 Hoylman-Sigal)

Removes outdated language from the definition of "sexual orientation" in the Human Rights Law that contains a disclaimer against illegal conduct; such conflation of homosexuality with criminality is rooted in a time when New York law criminalized consensual sexual acts between adults. **Effective Immediately.**

## NYS SAFE HAVEN FOR TRANS YOUTH AND FAMILIES ACT

### Chapter 143 (A6046B Bronson/S2475B Hoylman-Sigal)

Prohibits New York courts from admitting or considering a finding of abuse based on the parent allowing their child to receive or seek gender-affirming care; prohibits New York courts from considering laws in other states that authorize a child be removed from their parent if such parent allowed their child to receive gender-affirming care; prohibits law enforcement from cooperating or providing information to any individual or out-of-state agency regarding lawful gender-affirming care performed in New York; prohibits New York courts from executing subpoenas in connection with out-of-state proceedings related to legally sought or performed gender-affirming care. **Effective Immediately.**

## 2023 COURT RELATED LAWS

### APPROVED BY LEGISLATURE AND SIGNED BY GOVERNOR

#### AMENDS 2022 LAW MANDATING DV TRAINING FOR FORENSIC CHILD CUSTODY EVALUATORS

##### Chapter 23 (A632 Dinowitz/S860 Hoylman-Sigal)

Amends 2022 law by permitting children living more than 100 miles from New York's borders to be interviewed remotely by trained New York evaluators; clarifies that OPDV and NYSCADV will be mutually responsible for the development and provision of the training; modifies the effective date of the law to February 15, 2024.

*Effective Immediately.*

## OTHER RELEVANT 2023 LAWS

### APPROVED BY LEGISLATURE AND SIGNED BY GOVERNOR

#### COLLEGE POSTING OF CRIME STATISTICS RE: BIAS AND HATE CRIMES

##### Chapter 191 (A3694A Rosenthal D./S2060A Stavisky)

Requires colleges to post campus bias and hate crime statistics on their websites, as they are already required to do for sexual assault, domestic violence and stalking; requires colleges to implement a plan to provide investigation of hate crimes on campus and notice to incoming students regarding hate crime prevention measures. *Effective October 9, 2023.*

## 2023 RELEVANT BILLS

### PASSED BY BOTH CHAMBERS AND AWAITING GOVERNOR'S ACTION

#### ACCURATE INTERPRETATION OF COURT STATEMENTS

##### A129 Cruz/S2193 Bailey

Would require supporting depositions made by a witness to the offense or the alleged complainant/victim in a language other than English, are translated by someone who is qualified to translate them.

#### ADDS WAGE THEFT TO CRIME OF LARCENY

##### A154A Cruz/S2832A Breslin

Would include wage theft, or the theft of an employee's wages, in the types of activities included in the crime of larceny; would permit such crimes to be aggregated for the purposes of prosecution.

#### EXPANDING LIST OF PROFESSIONALS WHO MUST REPORT CHILD ABUSE

##### A219A Solages/S942A Bailey

Would expand list of professionals who must report cases of suspected child abuse and maltreatment to include athletic trainers working at professional, amateur or nonprofit athletic organizations, dance organizations, military academies and facilities, fire training programs or academies, and police training schools and academies.

## **ESTABLISHES BILL OF RIGHTS FOR LGBTQ AND PEOPLE LIVING WITH HIV IN LONG-TERM FACILITIES**

### **A372A Bronson/S1783A Hoylman-Sigal**

Would establish bill of rights for lesbian, gay, bisexual and transgender, and people living with HIV, in long-term care facilities; would prohibit a long-term care facility or facility staff from discriminating against any resident on the basis of such resident's actual or perceived sexual orientation, gender identity or expression, or HIV status.

## **EXTENDS STATUTE OF LIMITATIONS FOR UNLAWFUL DISCRIMINATORY PRACTICES**

### **A501 Rozic/S3255 Hoylman-Sigal**

Would extend the statute of limitations for claims resulting from unlawful discriminatory practices from one year to three years, making it consistent with current law for unlawful discriminatory practices that constitute sexual harassment in the workplace.

## **PROHIBIT SEXUAL HARASSMENT VICTIMS FROM PAYING DAMAGES FOR DISCLOSURE**

### **A581 Rozic/S4516 Fernandez**

Would prohibit settlement agreements involving sexual harassment from including requirements that a victim forfeit compensation for violating a nondisclosure agreement or requiring the victim to sign a statement stating they were not subject to discrimination or retaliation to receive compensation.

## **CLEAN SLATE ACT: SEALING OF CRIMINAL RECORDS**

### **A1029C Cruz/S7551A Myrie**

Would provide for the automatic sealing of certain criminal convictions after three years for misdemeanors and eight years for felonies; defendant must have completed sentence, including parole or probation, for records to be sealed; permits access to sealed records by certain individuals, including parties in civil court proceedings; clarifies that unsealing of records does not impact the validity of existing Orders of Protection.

## **SCHOOLS TO DEVELOP AND IMPLEMENT WORKPLACE VIOLENCE PREVENTION PROGRAMS**

### **A1120 Joyner/S1746 Ramos**

Would include public schools in the provisions of current law designed to require public employers to develop and implement programs to prevent workplace violence; such program would include a system for documenting incidents, procedures to be taken in the event of incidents, and open communication between employers and workers.

## **ESTABLISHES BLACK YOUTH SUICIDE PREVENTION TASK FORCE**

### **A1510 Jean-Pierre/S1861 Brouk**

Would establish a Black youth suicide prevention task force to study the current mental health practices and suicide prevention of Black youth ages 5-18; task force members will recommend mental health practices and suicide prevention efforts and determine potential reasons for the high number of Black youth suicides.

## **FAIR ACCESS TO VICTIM COMPENSATION ACT**

### **A2105A Meeks/S214A Myrie**

Would specify that a victim is eligible for compensation regardless of whether a suspect has been arrested, charged, apprehended or prosecuted, or whether the victim interacted with the law enforcement agency investigating the crime; would expand the types of documentation a victim can provide with a claim to include a

statement by a licensed victim services provider; would extend the timeframe for filing claims from one year to three years.

## **GREATER TRANSPARENCY AND COUNSEL FOR THOSE SEEKING TO OVERTURN WRONGFUL CONVICTIONS**

### **A2878A Aubry/S7548 Myrie**

Would extend new due process protections to applicants for post-conviction relief, including the right to access complete discovery of both the prosecution and defense counsel files and access to, and re-testing of, physical evidence; would permit court to assign counsel for those who believe they were wrongfully or improperly convicted; would create a mechanism for people to clear old convictions for crimes that have subsequently been decriminalized.

## **ACCESSIBILITY OF COMMUNITY VIOLENCE PREVENTION SERVICES**

### **A2893A Gonzalez-Rojas/S580A Hoylman-Sigal**

Would make community violence prevention services, such as peer support and counseling, mentorship, conflict mediation, crisis intervention, case management, referrals to health care professionals or social services providers, patient education and screening services, available to Medicaid beneficiaries who are victims of community violence.

## **NOTICE TO DEFENDANTS THAT PLEA COULD CAUSE DEPORTATION**

### **A3057 Cruz/S5826 Kavanagh**

Would require the court, prior to accepting a plea, to advise the defendant of the risk of deportation if they are not a citizen and plead guilty to a misdemeanor or violation.

## **CONSIDERATION OF REPRODUCTIVE HEALTH SERVICES IN HOSPITAL CLOSURES AND MERGERS**

### **A3113A Clark/S3609B Webb**

Before the Department of Health can approve any proposed construction, establishment, merger, acquisition, closure, or reduction in hospital or health-related services, would require the Health Equity Impact Assessment to consider the availability and provision of reproductive health services and maternal health care.

## **HUMAN TRAFFICKING INFORMATION IN AIRPORT LACTATION ROOMS**

### **A3227 Paulin/S4263 Webb**

Would require signs or cards regarding human trafficking in Port Authority airport lactation rooms.

## **REMOVE PENETRATION REQUIREMENT FROM RAPE STATUTE**

### **A3340 Cruz/S3161 Hoylman-Sigal**

Would remove the penetration requirement from rape statutes and redefine rape to include oral and anal sexual conduct.

## **POSTING HUMAN TRAFFICKING INFORMATION IN MTA BATHROOMS AND LACTATION ROOMS**

### **A3720 Paulin/S5527 Cleare**

Would require the posting of informational signs or cards about human trafficking in the rest rooms and lactation rooms of transit facilities operated by the Metropolitan Transit Authority.

## **NOTICE OF VOTING RIGHTS TO PEOPLE RELEASED FROM LOCAL JAILS**

### **A4009A Gibbs/S5965A Bailey**

Would require, upon an individual's discharge or release from a local jail, a written notice on the voting rights of New Yorkers, including information about the importance of voting, eligibility criteria and a voter registration form.

## **NON-REGULATED CAMPS TO ENSURE PERSONNEL ARE NOT ON SEX OFFENDER REGISTRY**

### **A4117 Paulin/S6063 Harckham**

Would modify a law passed last year by requiring non-regulated camps to check whether an employee or volunteer is listed on the national sex offender registry using the DOJ public database, rather than the National Crime Information Center (NCIC) database that only law enforcement and DCJS has access to.

## **POSTING HUMAN TRAFFICKING INFORMATION IN LACTATION ROOMS AT TRUCK STOPS**

### **A4264 Paulin/S6213 Webb**

Would require the posting of informational signs or cards about human trafficking in lactation rooms at truck stops; such signs and cards are already required to be posted in truck stop restrooms.

## **POSTING HUMAN TRAFFICKING INFORMATION IN LACTATION ROOMS AT COMMERCIAL AIRPORTS**

### **A4265 Paulin/S6214 Webb**

Would require the posting of informational signs or cards about human trafficking in lactation rooms at commercial airports; such signs and cards are already required to be posted in airport restrooms.

## **POSTING HUMAN TRAFFICKING INFORMATION IN LACTATION ROOMS AT PORT AUTHORITY BUS TERMINALS**

### **A4669 Paulin/S4267 Webb**

Would require the posting of informational signs or cards about human trafficking in lactation rooms at Port Authority bus terminals; such signs and cards are already required to be posted in Port Authority restrooms.

## **PROVIDES HOPE CARDS TO PETITIONERS TO DOCUMENT VALID ORDERS OF PROTECTION**

### **A5040 Clark/S5935 Cleare**

Would direct the Office of Court Administration to develop a program to issue "Hope Cards" containing information regarding final orders of protection to petitioners who request them; such cards, which would be provided at no charge, would have the same effect of a paper order of protection issued by the courts and have the same validity.

## **CREATES TASK FORCE ON MISSING BIPOC WOMEN AND GIRLS**

### **A5088A Reyes/S4266A Webb**

Would establish a task force on missing women and girls who are black, indigenous and people of color (BIPOC) to develop policy changes that will work to address the lack of care and concern for such individuals with NYS governmental agencies, including identifying policies to ensure first responders are culturally competent, and to develop a strategy to collect statistics, demographics, surveys, oral histories and data analysis.

## **DISTRIBUTION OF ECONOMIC ABUSE INFORMATION MATERIALS**

### **A5347 Rosenthal L./S5915 Gonzalez**

Would require OPDV to create informational materials on economic abuse and describe how it is a form of DV; materials would provide information on the impact of economic abuse, how to identify and prevent economic abuse including coerced debt, and the resources available to people suffering from economic abuse; materials to be provided to DV shelters, local DSS, local police departments and local childcare facilities for distribution to potential victims of DV.

## **VISITATION BETWEEN PARENT AND CHILD AFTER TERMINATION OF PARENTAL RIGHTS**

### **A5394 Joyner/S6720 Brisport**

Would permit family courts to order post-termination visitation and/or contact between a child and their biological parent after a termination of parental rights, subject to the best interests of the child; would give the court discretion to determine the appropriate type of contact for a given family (e.g., supervised visitation, telephone calls, emails, letters, social media, etc.); if all parties do not consent to the visitation, would require court to hold a hearing to determine whether visitation is in child's best interest; visitation would not be permitted for child 14 years of age or older who do not consent to contact, or for cases of severe or repeated abuse.

## **INVESTIGATION OF CONNECTIONS BETWEEN SOCIAL MEDIA AND HUMAN TRAFFICKING**

### **A5505 Rosenthal L./S395 Cleare**

Would direct the NYS Interagency Task Force on Human Trafficking to evaluate the use of social media and its contribution to human trafficking, as social media is the most common tool that traffickers use to lure victims.

## **INFORMATION FOR THOSE EXPERIENCING PREGNANCY OR INFANCY LOSS**

### **A5734A Pretlow/S6082A Fernandez**

Would provide informational pamphlets for those experiencing pregnancy loss or infant loss on what to expect and resources to help them navigate through the healing process; information to be developed by the Department of Health, in consultation with the American College of OB/GYN's and the NYS Association of Licensed Midwives.

## **LEGAL AFFIRMATION IN LIEU OF AFFIDAVIT**

### **A5772 Lavine/S5162 Hoylman-Sigal**

Would permit an individual to submit an affirmation under penalty of perjury, rather than a notarized affidavit, in civil courts, relieving the unnecessary burden of having documents notarized for litigants, non-party witnesses, county clerks and courts.

## **NO FEES TO APPLY FOR EXTREME RISK PROTECTION ORDER**

### **A5835 Lavine/S3436 Skoufis**

Would exempt applications for extreme risk protection orders from index number fees, which were \$210 per application in 2022.



## NO COLLECTIONS FOR MEDICAL DEBT

### A6275A Paulin/S4907A Rivera

Would prohibit hospitals, medical providers or ambulance services from providing adverse information about medical debt to consumer reporting agencies, ensuring that patients are able to secure the healthcare they need without fear of facing financial ruin.

## EXTEND HUMAN TRAFFICKING TASK FORCE FOR FOUR MORE YEARS

### A7360 Lee/S7451 Persaud

Would extend the Interagency Task Force on Human Trafficking for an additional four years; would add the Secretary of State to the membership of the task force.

## EXTEND CURRENT PUBLIC ASSISTANCE EXEMPTIONS UNTIL 2025

### A7361 Davila/S6944 Persaud

Would extent current exemptions of income and resources for public assistance applicants until 2025; exemptions are currently set to expire in August 2023.

## INCREASES NUMBER OF JUDGES IN CERTAIN COURTS

### A7669 Bores/S7534 Hoylman-Sigal

Would add one supreme court justice in the second, ninth and eleventh districts; in New York City, would add three judges in family courts, two judges in criminal courts and two judges in civil courts; would add one family court judge in Albany, Chemung, Erie, Monroe, Niagara, Oneida, Onondaga, St. Lawrence, Suffolk and Westchester counties.

## CREATE NYS COMMUNITY COMMISSION ON REPARATIONS REMEDIES

### A7691 Solages/S1163A Sanders

Would establish the New York State Community Commission on Reparations Remedies to examine the institution of slavery, how it affects present day society and whether compensation should be provided to those impacted.

## RELEVANT 2023 ARTICLE VII MEASURES INCLUDED IN APPROVED FY'23-'24 NYS BUDGET

### TWO YEAR EXTENSION OF MANDATORY ARREST LAW

#### Chapter 55 (Public Protection and General Government Budget Part A Section 15

Extends mandatory arrest law for two additional years, through September 1, 2025. *Effective immediately.*

### TWO YEAR EXTENSION OF CLOSED CIRCUIT TV TESTIMONY FOR CHILD VICTIMS

#### Chapter 55 (Public Protection and General Government Budget Part A Section 16

Extends for two additional years, through September 1, 2025, the ability for children to testify via closed circuit TV, if there is clear and convincing evidence the child will suffer serious mental or emotional harm if required to testify without the use of CCTV. *Effective immediately.*

## TWO YEAR EXTENSION OF MAXIMUM LENGTHS FOR CRIMINAL ORDERS OF PROTECTION

### Chapter 55 (Public Protection and General Government Budget Part A Section 17)

Extends for two additional years, through September 1, 2025, the increased maximum length of Orders of Protection (e.g., eight years for a felony conviction; five years for a misdemeanor conviction; two years for other offenses or violations). **Effective immediately.**

## INCREASED ACCESS TO EDUCATION AND TRAINING FOR PUBLIC ASSISTANCE RECIPIENTS

### Chapter 56 (Education, Labor, Housing and Family Assistance Budget Part X)

Removes requirement for public assistance recipients who are enrolled in post-secondary education beyond a 12-month period to also participate in at least 20 hours weekly in paid employment, work or community service; allows public assistance recipients to participate in vocational training; permits a one-time disregard of all earned income for public assistance recipients following job entry for six consecutive months. **Effective January 3, 2024.**

## EXPANDED REIMBURSEMENT TO VICTIMS OF PUBLIC ASSISTANCE FRAUD

### Chapter 56 (Education, Labor, Housing and Family Assistance Budget Part Y)

Provides reimbursement to victims of public assistance fraud as a result of card skimming, cloning, third party misrepresentation or other similar fraudulent activities; reimbursement will be provided within five days after the local Department of Social Services (DSS) verifies benefits and/or property were stolen and reported. **Effective Immediately.**

## INCREASED RENTAL SUBSIDIES TO DISCHARGE CHILDREN FROM FOSTER CARE

### Chapter 56 (Education, Labor, Housing and Family Assistance Budget Part BB)

Where DSS determines that a lack of adequate housing is the primary factor preventing the discharge of a child(ren) from foster care, permits an increase of an individual's monthly rental subsidy from \$300/month to \$725/month to enable the individual's child(ren) to be discharged from foster care to such individual. **Effective January 1, 2024.**

## PRESUMPTION OF ELIGIBILITY FOR CHILD CARE ASSISTANCE

### Chapter 56 (Education, Labor, Housing and Family Assistance Budget Part DD)

Upon receipt of an application for child care assistance, permits DSS to presume an individual is eligible for such assistance from the time of application to when DSS makes a final eligibility determination; if DSS ultimately denies an application for child care assistance, requires DSS to send written notice to the applicant notifying them of its decision and their right to a fair hearing. **Effective May 3, 2024.**

## INCREASED WAGES FOR 18-B ATTORNEYS AND EXPERT WITNESSES

### Chapter 56 (Education, Labor, Housing and Family Assistance Budget Part GG)

Raises hourly wages for '18-B' assigned counsel attorneys to \$158 per hour for time expended in court or time reasonably expended out of court; increases the maximum compensation permitted on an individual case to \$10,000; increases the maximum compensation permitted for investigative, expert or other service providers to \$3,000. **Effective Immediately.**

## **BODY SCANNING AT CORRECTIONAL FACILITIES**

### **Chapter 56 (Education, Labor, Housing and Family Assistance Budget Part LL)**

Authorizes the use of body imaging scanning equipment to screen individuals detained in, committed to, visiting or employed at state or local correctional facilities; requires the State Commission on Corrections, in coordination with DOCCS, to promulgate regulations for such screening. *Effective September 3, 2023.*

## **FUNDING TO MAKE UP VICTIMS OF CRIME ACT GRANT SHORTFALL**

### **Chapter 56 (Education, Labor, Housing and Family Assistance Budget Part PP)**

Transfers \$14.4 million from general revenues to the Office of Victim Services' (OVS) Criminal Justice Improvement Account for the purpose of increasing funding available to victim assistance providers across the state. *Effective On Or Before March 31, 2024.*

## **AMENDMENTS TO PRE-TRIAL RELEASE ON RECOGNIZANCE CONDITIONS**

### **Chapter 56 (Education, Labor, Housing and Family Assistance Budget Part VV Subpart A)**

Removes requirement that pre-trial release under non-monetary conditions shall be the least restrictive conditions necessary to ensure the defendant's return to court and instead requires such conditions reflect the findings of an individualized determination that considers the kind and degree of control or restriction necessary to reasonably assure the individual's return to court; allows judges to set bail for gun charges that were previously subject only to release; expands the list of factors that judges must consider when setting bail, adding history of gun use or possession (previously applied only to domestic violence cases), any previous violation of an order of protection (previously applied only to domestic violence cases); and whether the charge is alleged to have caused serious harm to an individual or individuals. *Effective June 2, 2023.*

## **PHYSICAL ARREST FOR INDIVIDUALS ARRESTED UNDER MANDATORY ARREST LAW**

### **Chapter 56 (Education, Labor, Housing and Family Assistance Budget Part VV Subpart B)**

Prohibits law enforcement from issuing an appearance ticket to anyone arrested under New York's mandatory arrest law (e.g., when a crime has been committed against a family or household member or when an order of protection has been issued against one of the parties.) *Effective Immediately.*

## **2023 DOMESTIC VIOLENCE RELATED BILLS PASSED BY THE ASSEMBLY**

### **BAN VIRGINITY EXAMS**

#### **A128 Solages/S931 Persaud**

Would ban physical examinations for the purposes of determining virginity in NYS.

### **HOSPITAL CLOSURE TO CONSIDER COMMUNITY IMPACT**

#### **A1633 Simon/S2085 Kavanagh**

Would allow the Department of Health to approve a hospital closure only if the needs of the community and impacted stakeholders, including access to emergency medical care, can be adequately met; would require a significant and thorough community input process dictated by a statutorily imposed timeline prior to approval of a hospital's closure.

## **NEW YORK ELECTRONIC COMMUNICATIONS PRIVACY ACT**

### **A1880A Dinowitz/S2615 Parker**

Would safeguard New Yorkers by updating privacy law to match the modern digital world; would require law enforcement to obtain a search warrant before accessing sensitive information, including data from personal electronic devices, emails, digital documents, texts and location information under normal circumstances; bill's notice, reporting and enforcement provisions would ensure proper transparency and oversight.

## **FREE MENSTRUAL PRODUCTS IN PUBLIC COLLEGES AND UNIVERSITIES**

### **A4060 Paulin/S5910 Hinchey**

Would require free menstrual products in all public college and university building restrooms.

## **CLARIFIES LANGUAGE IN COURT NOTICES TO RESPONDENTS IN CHILD ABUSE AND NEGLECT CASES**

### **A7348 Dickens**

Would update language in notice provided to respondents in child abuse and neglect cases regarding length of time before such records are sealed and the availability of such records to future employers.

## **2023 DOMESTIC VIOLENCE RELATED BILLS PASSED BY THE SENATE**

## **PROHIBIT DCJS FROM DISCLOSING PENDING ACOD'S**

### **A45 Weprin/S258 Serrano**

Would conform the Executive Law to the Human Rights Law to prohibit DCJS from disclosing pending orders of adjournment in contemplation of dismissal (ACOD) on civil records of arrests and prosecutions, to ensure individuals have the opportunity to work and provide for their families.

## **EXTEND STATUTE OF LIMITATIONS FOR WORKPLACE DISCRIMINATION**

### **A65 Rosenthal L./S345 Gounardes**

Would extend the statute of limitations for harassment in the workplace from three years to six years.

## **NEW YORK STATE PHOENIX ACT**

### **A145 Cruz/S4686 Parker**

Would extend the statute of limitations for felony family offenses to 10 years and misdemeanor family offenses to five years; also, would require the NYS Police and OPDV to develop, maintain and distribute policies and procedures regarding the investigation and intervention of family offenses to new and veteran police officers.

## **BAN "NO-REHIRE" CLAUSES IN SETTLEMENT CONTRACTS**

### **A306 Cruz/S14 Gounardes**

Would prohibit "no rehire" clauses in settlement agreements for employees or independent contractors that have filed a claim against their employers and would render settlement contracts unenforceable if they contain "no rehire" clauses.

## **REPRODUCTIVE FREEDOM AND EQUITY GRANT PROGRAM**

### **A361B Gonzalez-Rojas**

Would ensure access to abortion care in New York by providing funding to abortion providers, government entities and non-profits whose primary function is to facilitate access to abortion care; such funding is designed to provide support to abortion providers to increase access to care, fund uncompensated care, and to address the support needs of individuals accessing abortion care.

## **REMOVE 10-YEAR TIME PERIOD FOR CRIME OF PERSISTENT SEXUAL ABUSE**

### **A461 Rosenthal L./S1951 Hoylman-Sigal**

Removes 10-year time period from the definition for the crime of persistent sexual abuse; currently, to be charged with persistent sexual abuse, one must commit the crime of forcible touching, sexual abuse in the third degree or sexual abuse in the second degree within a 10-year time period.

## **PROHIBIT PRE-ARRAIGNMENT DETENTION OF INDIVIDUALS FOR MORE THAN 24 HOURS**

### **A505 Gonzalez-Rojas/S449 Gianaris**

Would prohibit detention of individuals for more than 24 hours; if individual is detained before arraignment for longer than 24 hours, would create an evidentiary presumption that such detention was avoidable, unnecessary and unlawful; would provide NYC defender organizations with access to location information about individuals in prison via a detained persons registry.

## **AV AND LIVESTREAM COVERAGE OF COURT PROCEEDINGS**

### **A712 Weprin/S160 Hoylman-Sigal**

Subject to appropriations by the Legislature, would permit livestreaming of proceedings in supreme, county, city, appellate, family, town and village courtrooms, except when good cause is shown or when the courtroom is lawfully closed to the general public; a party may demonstrate good cause if the coverage will have a substantial effect on the individual that is qualitatively different from the effect on members of the public and that such effect will be qualitatively different from coverage by other types of media.

## **INFORMATION TO PATIENTS REGARDING POLICY-BASED EXCLUSIONS**

### **A733A Rozic/S1003A Hinchey**

Would ensure individuals have access to information about whether the hospital(s) in their area provide the care they seek prior to admission and would identify health care deserts in regions of the state.

## **METHOD FOR CANCELLING CONTRACTS**

### **A930 Dinowitz/S682 Comrie**

Would require a business to allow a consumer to cancel a contract using the same method that was used to enter into the contract (e.g., online, in writing).

## **PROSECUTOR ACCESS TO ORDERS OF PROTECTION**

### **A961 Rosenthal L./S3071 Fernandez**

Would allow prosecutors to have access to Orders of Protection issued in association with sealed prior DV cases if the offender commits a new DV offense, so the offender can be charged with criminal contempt if they violated a past Order of Protection. Would be effective immediately.

## **PROHIBITS USE OF INTOXICATION OF VICTIM AS DEFENSE IN SEX CRIMES**

### **A1065 Dinowitz/S4555A Fernandez**

Would prohibit the use of intoxication of the victim as a defense in sex crimes where the victim is under the extreme influence of any drug, intoxicant, or other substance to a degree which renders that person incapable of giving consent and that condition is known or reasonably should be known to a person in the defendant's situation.

## **INCLUSION OF VICTIMS OF REVENGE PORN IN ADDRESS CONFIDENTIALITY PROGRAM**

### **A1068 Walker/S3236 Sepulveda**

Would expand the definition of a victim of a sexual offense to include victims of revenge porn, enabling such victims to be included in the state Address Confidentiality Program.

## **ASSIST DV SURVIVORS WITH GETTING HOUSING**

### **A1113 Stirpe/S936 Bailey**

Would require statewide housing authorities, when reviewing applicants, to grant DV survivors the same priority granted to other prioritized populations applying for such housing.

## **NO DELAYS IN HIV/AIDS PRESCRIPTION TREATMENT**

### **A1619 Rosenthal L./S1001 Hoylman-Sigal**

Would ensure that anti-retroviral medications are readily available to patients with HIV/AIDS and not subject to procedural delays so patients can begin an HIV treatment regimen as soon as they are diagnosed or exposed to possible infection.

## **PROHIBITS INSURERS FROM DISCRIMINATING AGAINST THOSE WHOSE GENDER INDICATION IS DIFFERENT FROM SEX ASSIGNED AT BIRTH**

### **A1682A Woerner/S3234A Hoylman-Sigal**

Would prohibit insurance policies from excluding coverage for screening, diagnosis and treatment of medical conditions, or services otherwise covered by the policy, if an individual's gender indication on insurance claim forms is different from their sex assigned at birth or their gender otherwise recorded.

## **INDIVIDUALS ON PROBATION ARE INCAPABLE OF CONSENT**

### **A1774 Rosenthal L./S2922 Cleare**

Would protect individuals from sexual assault by their probation officers by deeming individuals who are on probation cannot consent to sexual conduct with supervising probation officers.

## **EXTENDS HOURS OF OPERATION FOR FAMILY COURTS**

### **A1785 Rosenthal D./S2355 Felder**

Would require family courts in New York City to remain open until midnight on at least one weekday each week in at least two counties by January 1, 2024, and in at least three counties by January 1, 2025.

## EXTEND STATUTE OF LIMITATIONS OF ACTIONS RELATED TO SEX TRAFFICKING OFFENSES

### A1940A Dinowitz/S349A Cleare

Would provide sex trafficking survivors with the same protections as survivors of other B felony sex offenses; would remove the statute of limitations for sex trafficking and sex trafficking of a child and would extend the time period in which a civil cause of action can be commenced.

## REPORTS TO FBI OF LAW ENFORCEMENT USE OF FORCE

### A2022A Clark/S5448A Jackson

Would require DCJS to report to the FBI's national use-of-force data collection program, all incidents when law enforcement brandishes, uses or discharges a firearm, impact weapon or electronic control weapon; uses a chokehold or similar restraint; displays, uses or deploys a chemical agent; or engages in conduct resulting in the death or serious bodily injury of another person; would withhold 10% of any state funding to any police department or sheriff's office that fails to make a report.

## SEIZURE OF FIREARMS WHEN RESPONDING TO FAMILY VIOLENCE

### A2413 Paulin/S2102 Harckham

Requires police officers responding to reports of family violence to take temporary custody of firearms in plain sight or discovered pursuant to a consensual or other lawful search; temporary seizure would last for at least 120 hours before being returned.

## VICTIM IMPACT STATEMENTS AT PAROLE HEARINGS

### A2724 Pheffer Amato/S1815 Stavisky

Would require district attorneys to automatically notify victims of upcoming parole hearings and their right to testify at such hearings or file written crime victim impact statements.

## TIMELY PROCUREMENT PROCESS FOR NONPROFIT CONTRACTS WITH THE STATE

### A2740 Paulin/S4877 Mayer

Would require state agencies to register new and renewed contracts with nonprofit organizations within 30 days of the start date of the contract.

## HEALTH INSURANCE FOR ADULT UNDOCUMENTED INDIVIDUALS

### A3020A Gonzalez-Rojas/S2237A Rivera

Would require Department of Health to modify its 1332 waiver program to seek coverage for a minimum of 240,000 adult undocumented individuals who live in New York; would direct DOH to seek approval from the federal government to use federal surplus reserves to support such individuals.

## PROVIDES FOR VICTIM STATEMENTS AT SENTENCING OF A DEFENDANT FOR A MISDEMEANOR

### A3099A Woerner/S1901A Stavisky

Would direct courts, upon a victim's timely request, to permit victims of misdemeanor crimes to make a statement at the sentencing of the defendant where the defendant pled down from a felony charge and the felony offense resulted in serious physical injury to the victim.

## **INCREASE AWARD AMOUNT MADE TO CRIME VICTIMS**

### **A3257 Rajkumar/S303 Salazar**

Would clarify and expand the definition of “welfare” to include personal property that is “lost, damaged or stolen” as a result of a crime and for which “reimbursement or replacement is reasonably necessary for the victim to restore stability or maintain a reasonable and/or basic standard of living.”

## **CONSTITUTIONAL AMENDMENT RE: WORK REQUIREMENTS FOR INCARCERATED INDIVIDUALS**

### **A3412B Epstein/S225B Myrie**

Would provide that no incarcerated individual in any state or local prison or jail shall be compelled or induced to provide labor against their will by actual or threatened force, punishment, sexual assault or other means reasonably likely to cause the individual to believe that if they do not provide such labor, they or another person will suffer physical, emotional or mental harm, or other adverse consequences.

## **CHILD SENSITIVE ARREST POLICIES AND PROCEDURES**

### **A3502 Vanel/S2747 Bailey**

Would direct the superintendent of state police, in consultation with OCFS and DCJS, to develop and institute child-sensitive arrest policies and procedures, including inquiring whether an arrestee is charged with the care or custody of a child; allowing for the arrangement of temporary care for the child; education on how witnessing violence causes emotional harm to children and how law enforcement can minimize the impact of such harm; and information on the availability of access to community-based providers of crisis intervention, child protection and other resources that could aid the child.

## **NY PRIVACY ACT**

### **A3593 Rosenthal L./S365B Thomas**

Would require companies to obtain consent from consumers before processing their personal data; would require such companies to disclose their methods for de-identifying personal information; would place special safeguards around data sharing to allow consumers to obtain the names of all entities with whom their information is shared.

## **PREVENT ABUSERS FROM USING TECH TO HARASS VICTIMS**

### **A3883 Braunstein/S2450 Krueger**

Would expand the definition of the offense of aggravated harassment in the second degree to include contacts via text, private message, e-mail or other electronic communication.

## **CRIME OF VOYEURISM**

### **A3909 Fahy/S2301 Mayer**

Would establish the crime of voyeurism in the first and second degree, when someone for their own amusement, entertainment, profit, sexual arousal or sexual gratification trespasses to view a person dressing or undressing or the sexual or other intimate parts of the victim when such victim has a reasonable expectation of privacy.



## **DCJS TO ACCEPT ELECTRONIC REPORTS FROM LOCAL LAW ENFORCEMENT**

### **A4656 McGowan/S40 Gallivan**

Would permit DCJS to accept electronic submission of reports and other information from local law enforcement, including domestic incident reports, uniform crime reports, incident-based reports and sex offender change of address information.

## **INCREASED ACCESS TO FUNDING FOR CULTURALLY DIVERSE ARTS AND CULTURE ORGANIZATIONS**

### **A4912A Cunningham/S5714A Cleare**

Would modify statute to ensure organizations focused on cultural preservation and development, racial and social justice have access to funding available for the performing and fine arts; would ensure inclusion of representatives from such organizations on the state's council on the arts; would expand the council's surveys to include education, creative economy and social justice to foster a deeper level of participation and appreciation of arts and culture.

## **PROTECTION OF HEALTH INFORMATION**

### **A4983B Rosenthal L./S158B Krueger**

Would require electronic apps or websites that are designed to provide a diagnosis or retain health information to receive affirmative consent by the user to retain such information; would provide users the ability to rescind such consent; would provide a legal remedy for those whose data was improperly collected or used.

## **CONSTITUTIONAL AMENDMENT AUTHORIZING INCREASED NUMBER OF SUPREME COURT JUSTICES**

### **A5366 Bores/S5414 Hoylman-Sigal**

Would authorize the Legislature to increase the number of justices of the supreme court in any judicial district by removing the Constitution's limitation of one supreme court justice per 50,000 occupants of a district.

## **FINES FOR DISCRIMINATORY APPRAISAL PRACTICES**

### **A5459 Solages/S2919 Cleare**

Would impose a fine for a violation of fair housing policies related to appraisals and allocate such fines to the anti-discrimination in housing fund to help fund fair housing testing.

## **PROCEDURE INFORMATION TO PROSPECTIVE MATERNITY PATIENTS**

### **A5576 Sillitti/S3610 Webb**

Would require healthcare facilities to provide information about the facility and what types of plans and procedures are in place for maternity patients, including whether the facility participates in quality improvement initiatives; whether the facility arranges for emergent transfer for critically ill pregnant people or infants; whether the facility has a written community needs assessment plan to reduce racial disparities; whether the facility offers, upon patient request, an autopsy for stillbirth; and whether the facility offers bereavement support for patients that suffer a stillbirth or third trimester fetal loss.

## **ANTI-BIAS TRAINING FOR MEDICAL STUDENTS AND PHYSICIAN ASSISTANT STUDENTS**

### **A5625 Reyes/S319 Salazar**

Would require training in implicit and explicit bias for every medical student, medical resident and physician assistant student in the state.

## **FORFEITURE OF BENEFICIARY'S RIGHT TO BENEFITS UPON DV CONVICTION**

### **A5629 Reyes/S5131 Webb**

Would permit a retired city or state employee to change their option election or designate a new beneficiary where the beneficiary has been convicted of a family offense.

## **INTERNET ACCESS FOR EVERYONE IN TEMPORARY HOUSING**

### **A5649A Reyes/S4561A Gonzalez**

Would require DV shelters and other temporary housing facilities to provide internet access in private and common areas accessible to residents; costs for such service would be reimbursed by the State through the ConnectAll program.

## **ESTABLISH 10-DAY WAITING PERIOD FOR FIREARM PURCHASE**

### **A5696 Lavine/S4818 Gianaris**

Would require firearms dealers to wait 10 days after receipt of a completed federal firearms background check report and notice that the purchaser has passed all background checks required by federal, state and local law.

## **REPORTING OF EXTREME RISK PROTECTION ORDERS TO STATEWIDE REGISTRY**

### **A5873 Lavine/S3340 Mayer**

Would require judges to provide notice of the issuance, amendment or revocation or temporary and/or final extreme risk protection orders (ERPOs) to the statewide computerized registry, the centralized database of all court orders of protection and outstanding warrants that is accessible by state and local law enforcement, DCJS, OCA and OPDV.

## **DAMAGES FOR VICTIMS OF HOUSING DISCRIMINATION**

### **A5956 Solages/S532 Thomas**

Would award compensatory damages to victims of housing discrimination; would assess a civil penalty to those who perpetrate housing discrimination.

## **EXTENDING ORDERS OF PROTECTION TO FAMILY MEMBERS OF INTIMATE PARTNERS**

### **A6026 Cunningham/S6288 Hinchey**

Would allow courts to issue orders of protection for immediate family members or household members of the identified domestic violence victim, regardless of age.

## **PSYCHIATRIC CARE FOR VICTIMS OF FIREARM VIOLENCE**

### **A6125A Pretlow/S5894A Bailey**

Would require hospitals to contact psychiatric services to provide assistance to victims of firearm violence and, upon victim's discharge, to coordinate provision of such services; would require DOH to develop, in consultation with the NYS Firearm Violence Research Institute, a model policy for hospitals and to identify organizations in the local community providing such services to firearm violence victims.

## **NO FILING OR NOTICE REQUIREMENT FOR ADULT SURVIVOR ACT CLAIMS**

### **A6138 Rosenthal L./S5916 Hoylman-Sigal**

Would clarify that civil claims or causes of action revived by the Adult Survivors Act do not require the filing of a notice of claim or a notice of intention to file a claim.

## **NO SEGREGATED CONFINEMENT WITHIN EIGHT WEEKS OF DELIVERY REGARDLESS OF OUTCOME**

### **A6247 Aubry/S5830 Salazar**

Would ensure individuals who give birth are not placed in solitary confinement within eight weeks of delivery, regardless of whether the individual experienced a miscarriage or stillbirth.

## **STATE CONTRACTORS' POLICIES ON HUMAN TRAFFICKING**

### **A6423 Solages/S4235 Cleare**

Would require state contractors to submit a statement on preventing human trafficking in bids to the state and maintain a written policy for preventing human trafficking within its operations, business dealings.

## **VISITING PROGRAM FOR INCARCERATED PEOPLE**

### **A6488 Weprin/S3318 Sepulveda**

Would require state and local correctional facilities to develop visiting programs for incarcerated people, allowing them to have personal contact with relatives, friends, clergy, volunteers and others; such program would set visiting hours, including evening and/or weekend hours, duration of visits and an overcrowding policy; would clarify that video conferencing may supplement, but not replace, in-person visits.

## **MENTAL HEALTH ILLNESS TRAINING FOR TEMPORARY HOUSING PROVIDERS**

### **A6523 Rosenthal L./S1567 Salazar**

Would require OTDA, OMH and OCFS to develop a training course on identifying best practices to recognize the signs and symptoms of mental illness and providing referrals, as appropriate, to individuals who may be suffering from a mental illness, to be provided to all employees and volunteers working or volunteering at a provider of temporary housing assistance, including DV shelters.

## **RAISE AGE FOR HOMELESS YOUTH IN SHELTER**

### **A6982 Gonzalez-Rojas/S2674 Fernandez**

Would raise the maximum age for homeless youth in a transitional independent living program from 21 to 24.

## **ELDER ABUSE AWARENESS AND PREVENTION TRAINING**

### **A6986 Steck/S1730 Sanders**

Requires the Office for the Aging, in cooperation with OCFS and the Division of State Police, to develop and provide elder abuse prevention training to train senior service providers and contractors in the detection and reporting of elder abuse; such training would address physical abuse, sexual abuse, emotional abuse, active neglect, passive neglect, self neglect and financial exploitation.

## EXPAND MEMBERSHIP OF INTERAGENCY TASK FORCE ON HUMAN TRAFFICKING

### A7133A Reyes/S6424B Persaud

Would expand the membership of the interagency task force on trafficking in persons to include the secretary of state, the DOT commissioner, the DMV commissioner and the executive director of the NYS Thruway Authority; would extend the Task Force until Sept. 1, 2027.

## LANGUAGE ACCESSIBILITY

### A7235 De Los Santos/S3381A Kennedy

Would require state agencies that provide direct public services to translate all vital documents, forms and instructions relevant to services offered by the agency in the 12 most common non-English languages spoken by limited English proficient individuals who arrived within the last five years, and data collected by the Census Bureau, public schools, local interpreting agencies, resettlement programs and state agencies; would require such agencies to provide competent and timely interpretation services.

## NO MANAGED CARE PROGRAMS FOR VICTIMS OF TRAUMATIC BRAIN INJURY

### A7369 McDonald/S2867 Rivera

Would ensure that services to medical assistance recipients suffering from traumatic brain injuries or qualifying for nursing home diversion and transition services shall be provided outside of managed care program; would authorize DOH to take any action required with the federal government to continue the provision of such services.

## TRANSPARENCY OF COURTS' TIMELINESS IN RESOLVING CASES

### A7507 Gonzalez-Rojas/S6665 Gianaris

Would require the chief administrator of the courts to prepare an annual report regarding the timeliness of each judges' and justices' actions and proceedings; the number of motions pending for more than six months; the number of bench trials submitted for more than six months; and the number of cases not yet terminated after three years of filing; such report would also assess the security and safety of judicial and non-judicial officers.

## EXTENDING DURATION OF ORDERS OF PROTECTION IN CHILD ABUSE AND NEGLECT CASES

### A7680 McMahon/S7446 Salazar

Currently, an abuser living in the home of a child who is the subject of a child abuse or neglect case may only be ordered out of the home for the period of the case disposition, typically one year, with one year potential extension; this bill would allow an order of protection for a period of two years or, in special circumstances, up to five years, with annual judicial review.

## CONSENT NEEDED TO FILM VISUAL IMAGES OF MEDICAL TREATMENT

### S134 Krueger

Would require a medical facility or related services to obtain written consent before the making or broadcasting of visual images of a patient's medical treatment.

## REPRODUCTIVE FREEDOM AND EQUITY GRANT PROGRAM

### S348B Cleare

Would establish program within the Department of Health to ensure access to abortion care by providing funding to abortion providers, government entities and non-profits whose primary function is to facilitate access

to abortion care; funding would be used to increase access to care, fund uncompensated care, and address the support needs of individuals accessing abortion care.

## **X GENDER MARKER ON STATE AGENCY DOCUMENTS**

### **S1110 Comrie**

Would require state agencies, public authorities and municipalities to include an “X” gender marker for individuals who do not identify as male or female on any form requiring such information.

## **RESTRICT FORENSIC CHILD CUSTODY EVALUATORS TERMINATED FOR CAUSE FROM SERVING AS EXPERT WITNESSES**

### **S2084 Harckham**

Would prohibit forensic child custody evaluators from appearing as an expert witness if they have been removed from the panel of forensic custody evaluators, have offered to step down from the panel or have negotiated a settlement and agreed to no longer serve as a forensic child custody evaluator.

## **ADD USE OF DEVICES OR COMPUTERS IN DEFINITION OF CRIME OF STALKING**

### **S5505 Scarcella-Spanton**

Would redefine the term “following” for a crime of stalking in the fourth degree to include the use of certain devices or computers to gain access to, record, track or report the movement or location of a person or their property without the person’s permission or authority to do so.

## **ACCESS TO PATIENT AND CLIENT RECORDS FOR PROFESSIONAL MISCONDUCT INVESTIGATIONS**

### **S6936 Stavisky**

Would permit the State Education Department’s Board of Professional Medical Conduct to access patient or client records to investigate and prosecute professional licensing and misconduct proceedings without the consent of patients or clients who were treated by the licensed professional; such records will be kept confidential during such investigation and shall not be disclosed to anyone not authorized by the department to participate in such investigation, unless express consent is obtained from the patient or client.

## **STATE INSPECTOR GENERAL INVESTIGATIONS OF SEXUAL ASSAULT IN CORRECTIONAL FACILITIES**

### **S6975 Salazar**

Would require the State Inspector General to establish protocol and procedures for receiving and investigating complaints of sexual assault in correctional facilities and other places operated by DOCCS, including creation of a confidential and secure reporting system; procedures for collection of evidence and conducting thorough and impartial investigations; procedures for notifying victims of the status of their case and the outcome of the investigation; procedures for referral of cases for criminal prosecution and for tracking and reporting sexual assault allegations, investigations and outcomes.