

NYSCADV

NEW YORK STATE COALITION AGAINST DOMESTIC VIOLENCE

2021 DOMESTIC VIOLENCE RELATED LAWS APPROVED BY LEGISLATURE AND SIGNED BY GOVERNOR

REPORT ON SHELTER POPULATION DURING COVID TO ASSESS FUTURE NEED DURING PUBLIC HEALTH EMERGENCIES

Chapter 12 (A1258 Hevesi/S873 Liu)

Expands the existing requirement for the NYS Department of Health (NYSDOH) and local social service districts (DSS) to prepare a report of the sheltered and unsheltered homeless population during a state disaster emergency to include DV shelters and shelters for runaways and youth; such report shall be updated every three months during the state disaster emergency; information shall be aggregated on a statewide basis to protect individual resident's confidentiality. *Effective immediately.*

INCREASE FINANCIAL LITERACY AND AWARENESS

Chapter 14 (A976 Seawright/S876 Comrie)

Directs the NYS Department of Financial Services (DFS) to provide information on its website to increase financial literacy and consumer awareness such as information on basic banking, personal financial management and best practices for protecting personal information; information will be updated annually. *Effective immediately.*

EXPAND SNAP ONLINE PILOT PROGRAM

Chapter 15 (A1262 Hevesi/S878 Kaminsky)

Authorizes SNAP recipients to purchase groceries online using SNAP benefits; requires the NYS Office of Temporary and Disability Assistance (OTDA) to seek any necessary approvals from the USDA to maximize and expand retail participation with the SNAP online pilot program, which was launched in 2019. *Effective immediately.*

DATA REGARDING CHILD WELFARE PREVENTIVE SERVICES

Chapter 16 (A1261 Hevesi/S882 Persaud)

Extends the time the NYS Office of Children and Family Services (OCFS) is required to collect data on child welfare preventive services, such as the total number of children receiving preventive services, the number of new cases opened, a list of services provided and the number of children entering foster care; OCFS will now continue to collect data until September 1, 2024. *Effective immediately.*

WALKING WHILE TRANS

Chapter 23 (S1351 Hoylman/A3355 Paulin)

Known as the Walking While Trans law, the new legislation repeals the prohibition against "loitering for the purpose of prostitution" which was enacted in 1976 along with other anti-loitering statutes to curtail the proliferation of prostitution; the statute's vagueness led to arbitrary and discriminatory enforcement, particularly impacting cisgender and transgender women of color, women previously arrested for prostitution offenses and trafficking victims. *Effective immediately.*

ESTABLISH VETERAN TREATMENT COURTS

Chapter 91 (A5719A Galef/S1957A Hoylman)

Directs the Office of Court Administration (OCA) to establish veteran treatment courts and to transfer criminal cases against a veteran to a veterans treatment court, except in cases where the accused and victim are family or household members. *Effective immediately.*

HUMANE ALTERNATIVES TO LONG-TERM (HALT) SOLITARY CONFINEMENT ACT

Chapter 93 (A2277A Aubry/S2836 Salazar)

Limits the time someone can spend in segregated confinement; defines and reduces the number of disciplinary infractions eligible for segregated confinement, and exempts vulnerable populations, including the young, elderly, pregnant women, people with disabilities, and individuals with serious mental illness, from being placed in solitary confinement. *Effective March 31, 2022.*

ELIMINATE THE TERM INCORRIGIBLE

Chapter 97 (A5873 Reyes/S2737 Salazar)

Amends the Family Court Act to eliminate the use of the label "incorrigible" during Persons In Need of Supervision (PINS) proceedings; the term has been disproportionately applied to girls of color, unfairly labeling them as "uncorrectable" or "unreformable." *Effective immediately.*

VOTING RIGHTS NOTIFICATION TO INCARCERATED INDIVIDUALS

Chapter 103 (A4448A O'Donnell/S830B Comrie)

Directs the courts to notify defendants prior to receiving a guilty plea that such a conviction will result in the loss of the right to vote during incarceration; provides notice to incarcerated individuals being released of the restoration of their right to vote; ensures that informational materials about voting are provided and provides assistance in registering to vote; develops and implements a program to educate court officials, election officials, and corrections officials of this law. *Fully effective on September 4, 2021.*

EXEMPT COVID-19 STIMULUS RELIEF FROM GARNISHMENT; INCLUDES CRITICAL PROTECTIONS FOR DOMESTIC VIOLENCE SURVIVORS

Chapter 107 (A6617A Weinstein/S5923A Thomas)

Clarifies that seizure or garnishment of federal relief payments is not permitted; creates carve out for claims brought by individuals who have an interest in the relief payments based on their status as spouses or dependents, or in situations involving fraud, including actions brought in Family Court for child support, spousal support, or orders of protection, matrimonial actions and civil claims. *Effective immediately.*

ALLOW PHONE INTERVIEWS FOR PUBLIC ASSISTANCE APPLICATIONS

Chapter 133 (A5414 Rosenthal/S3223A Persaud)

Permits local DSS to interview applicants for public assistance by phone as part of the review and certification process. *Effective immediately.*

ALLOW PHONE AND DIGITAL INTERVIEWS FOR PUBLIC ASSISTANCE APPLICATIONS

Chapter 144 (A7726 Rosenthal/S7007 Persaud)

Permits applicants for public assistance to request to be interviewed by phone or digital means as part of the review and certification process. *Effective immediately.*

GENDER RECOGNITION ACT

Chapter 158 (A5465D O'Donnell/S4402B Hoylman)

Removes excess, discriminatory burdens placed on those petitioning for a change in sex designation on state documents, as well as expand eligibility to have those records sealed for purposes of protection; would remove requirement that applicants for name changes publish their present name and address, as well as their previous name, place of birth and birth date, in a designated newspaper. **Effective December 24, 2021.**

NEW: NOTIFY VICTIMS OF CRIME ELECTRONICALLY

Chapter 210 (A7680 Dinowitz/S7099 Salazar)

Permits DOCCS from communicating the release or escape of an individual to a victim of crime via email, if preferred by the victim. **Effective August 1, 2021.**

NEW: ELDER ABUSE ENHANCED MULTI-DISCIPLINARY TEAM

Chapter 223 (A7634 Cruz/S6528 Persaud)

Establishes an elder abuse enhanced multi-disciplinary team program under the state Office for the Aging for complex cases of elder abuse, including financial exploitation, physical abuse, psychological abuse, sexual abuse and neglect; team professionals include health/medical, mental health, aging, protective services, human services, social work, banking/financial institutions, legal services, district attorney's offices, law enforcement agencies and forensic accountants. **Effective immediately.**

NEW: EXTEND INTERAGENCY TASK FORCE ON HUMAN TRAFFICKING

Chapter 227 (A7484 Gonzalez-Rojas/S6696 Persaud)

Extends, for two years, the Interagency Task Force on Human Trafficking, originally established in 2007. **Effective until Sept. 1st, 2023.**

NEW: HOLD GUN MANUFACTURERS ACCOUNTABLE FOR ILLEGAL FIREARMS

Chapter 237 (A6762B Fahy/S7196 Myrie)

Requires gun manufacturers to establish and utilize reasonable controls and procedures to prevent its products from being possessed, used, marketed or sold unlawfully in NYS; declares any violations that result in harm to the public as public nuisances; permits victims to bring an action for recovery or damages against gun manufacturers for violations of this policy. **Effective immediately.**

NEW: INFORM TENANTS OF RIGHT TO LAWFUL SOURCE OF INCOME

Chapter 243 (A3112B Epstein/S427A Hoylman)

Requires the DHR to develop regulations requiring housing providers to inform housing assistance recipients of their rights to a lawful source of income. **Effective October 16, 2021.**

NEW: PELVIC EXAM INFORMATIONAL PAMPHLET

Chapter 272 (A5489B Solages/S210B Persaud)

Directs NYSDOH to develop an informational pamphlet on pelvic exams, including the proper procedure, privacy and sanitary expectations, and contact information to report any instance of misconduct; requires NYSDOH to consult with medical experts on brochure development, and to make final brochure available on its website and available to medical providers for distribution. **Effective January 16, 2022.**

NEW: UNEMPLOYMENT BENEFITS FOR PART-TIME EMPLOYEES

Chapter 277 (A2355A Stirpe/S1042A Ramos)

Allows part-time employees and employees experiencing reduced hours to have access to unemployment insurance benefits. **Effective August 16, 2021.**

NEW: CONTINUE PERMITTING REFEREES TO DETERMINE APPLICATIONS FOR ORDERS OF PROTECTION

Chapter 303 (A8019 Wallace/S7103 Ramos)

Permits referees to continue determining applications for orders of protection while family court is in session until 2023; such authorization is set to expire on Sept. 1, 2021. **Effective immediately.**

**2021 DOMESTIC VIOLENCE RELATED BILLS
APPROVED BY LEGISLATURE AND
AWAITING GOVERNOR'S SIGNATURE OR VETO**

END CYBER SEXTORTION

A324A Zebrowski/S2986A Brouk

Would expand the crime of coercion in the third degree to include compelling or inducing a person to produce, disseminate, or otherwise display an image depicting nudity of such person or depicting such person engaged in sexual conduct. **Effective on the 60th day after it becomes law.**

PROTECT CONFIDENTIALITY OF DV VICTIMS' VOTER REGISTRATION RECORDS

A465A Rozic/S1555A Myrie

Would simplify the process for DV survivors to ensure the confidentiality of their voter registration information by removing the requirement for a court order and allowing DV survivors to self attest to their status as a victim; a new application must be made every four years. **Effective immediately after it becomes law.**

PROVIDE FEMININE HYGIENE PRODUCTS IN SHELTERS

A529A Rosenthal/S6572 Hinchey

Would require providers of temporary housing assistance, including DV shelters, to provide feminine hygiene products at no cost to clients; includes but is not limited to sanitary napkins, tampons and panty liners. **Effective immediately after it becomes law.**

EXPAND REPORTING OF SUBSTANCE ABUSE DISORDER IN CORRECTIONAL FACILITIES

A540 Rosenthal/S2209 Sepulveda

Would expand the NYS Office of Addiction Services and Supports' annual report on substance abuse disorder treatment programs in correctional facilities to include data on the types of substances abused, available treatments and how many individuals are receiving such treatment. **Effective immediately after it becomes law.**

PROVIDE PREGNANT INCARCERATED WOMEN WITH NEEDED SUPPORTS

A616A Rosenthal/S399A Biaggi

Would permit pregnant incarcerated women to have at least one support person of their choosing to accompany them through the labor and delivery process; would require NYS Department of Corrections and Community

Supervision (DOCCS) to provide information regarding their right to receive pregnancy counseling services and the right to abortion services, as well as her ability to apply to any nursery program run by the department and the locality. *Effective on the 120th day after it becomes law.*

NOTICE OF EXTREME RISK PROTECTION ORDERS AT DISCHARGE FROM MENTAL HEALTH FACILITIES

A1005A Paulin/S5434A Harckham

Would require mental health facilities to provide materials that inform a patient and their guardian about extreme risk protection orders and how to obtain them. *Effective immediately after it becomes law.*

AWARD ATTORNEY AND EXPERT WITNESS FEES

A1899 Dinowitz/S749 Biaggi

Would allow the NYS Division of Human Rights (DHR) and the court to award attorney and expert witness fees in all discrimination cases that fall under the purview of the DHR. *Effective on the 90th day after it becomes law.*

NEW STATUTORY DEFINITION FOR ELDER ABUSE; INCLUDES IDENTITY THEFT

A1994 Cruz/S1560 May

Would statutorily define elder abuse as “any knowing or intentional act by a person which causes harm or a serious risk of harm to an older adult including physical, emotional, sexual, or financial harm, or harm related to identity theft, or neglect, abandonment or confinement”, for purposes of support services and programs for the elderly. *Effective immediately after it becomes law.*

CYBER-BULLYING TASK FORCE

A2206 Barrett/S623 Kaminsky

Would create a temporary task force to explore the effects of cyber-bullying of young people and potential measures to address the effects; task force members would be experts in the fields of child psychology, technology, law enforcement, mental health or social services. *Effective immediately after it becomes law.*

PROTECTIONS FROM ECONOMIC ABUSE IN CONSUMER CREDIT FAIRNESS ACT

A2382 Weinstein/S153 Thomas

Would protect consumers by minimizing abusive debt collection practices and ameliorating the impacts of economic abuse by DV perpetrators; would reduce the statute of limitations on consumer credit actions from six years to three years; would require creditors to mail notices to borrowers informing them of lawsuits and any additional actions, legal resources and how to oppose motions; would require plaintiffs seeking default judgments to provide basic proof of debt, its entitlement to judgment and the timeliness of the lawsuit. *Fully effective on the 180th day after it becomes law.*

CONFIDENTIALITY FOR DV ADVOCATES AND VICTIMS

A2520 Weinstein/S1789 Sanders

Would align NYS statute with federal provisions ensuring the confidentiality of conversations between DV advocates and survivors; communications with clients which reveal suspected child abuse or maltreatment would not be protected. *Effective immediately after it becomes law.*

ESTABLISH COMMISSION ON PRISON EDUCATION**A2530 Barron/S5468 Parker**

Would establish a commission on prison education to study and develop a plan for improving education in the state prison system. *Effective immediately after it becomes law.*

PREVENT PREMATURE SANCTIONS AGAINST PUBLIC ASSISTANCE RECIPIENTS**A3227 Hunter/S668 May**

Would direct local DSS to re-engage with public assistance recipients on work activities when there is non-compliance, such as a missed appointment, instead of prematurely sanctioning recipients. *Effective on the 1st of April succeeding when it becomes law.*

PREVENT EXTORTION AND COERCION THROUGH IMMIGRATION THREATS**A3412A Solages/S343A Kaplan**

Would expand the definition of coercion in the second degree to include compelling a person to engage or abstain in conduct by instilling a fear that if the demand is not complied with, they will cause deportation hearings to be instituted; similarly would expand the definition of larceny by extortion to include compelling a person to turn over property by instilling a fear that if the demand is not complied with, deportation proceedings will be instituted. *Effective on the 30th day after it becomes law.*

RAISE THE AGE OF MARRIAGE TO 18**A3891 Ramos/S3086 Salazar**

Would increase the age of consent of marriage to eighteen and would repeal provisions that currently allow 17-year-olds to marry. *Effective on the 30th day after it becomes law.*

RIGHT TO JURY TRIAL**A4319 Dinowitz/S689 Hoylman**

Clarifies that anyone charged with any level of misdemeanor in New York City is entitled to a jury trial, as defendants already are in the rest of the state. *Effective on the 1st of July succeeding when it becomes law.*

BREAK UTILITY CONTRACTS**A4496 De La Rose/S1557 Parker**

Permits DV survivors to break utility contracts without penalty if they provide a valid police report, valid order of protection, DIR or affidavit from an advocate, attorney or healthcare provider. *Effective immediately after it becomes law.*

FOIL REQUESTS FOR JUDICIAL PROCEEDINGS**A5470 Englebright/S6017 Skoufis**

Would require that when an agency is considering denying access to records under the state's Freedom of Information Law on the grounds that such disclosure would interfere with a judicial proceeding, the decision of whether to grant access to the records would be made by the judge presiding over the judicial proceeding; would clarify that access to a record cannot be withheld solely because they relate to an investigation or criminal proceeding; would also clarify that portions of reports that identify a victim of sexual violence are exempt from disclosure. *Effective immediately after it becomes law.*

LESS IS MORE**A5576A Forrest/S1144A Benjamin**

Would ensure that individuals on parole or probation are not re-incarcerated due to minor technical violations such as violating curfew, alcohol or drug use, failing to notify parole officer of change in employment or failure to pay fines or surcharges; such individuals could be re-incarcerated at a judge's discretion if they commit new misdemeanors or felonies while on parole or probation. *Effective on March 1, 2022, if it becomes law.*

ESTABLISH RACIAL EQUITY WORKING GROUP**A5679A Darling/S2987A Parker**

Would declare racism a public health crisis and establish a working group within NYSDOH to address issues related to racism as a public health crisis; would require the working group develop a report of its findings, with recommendations for the Legislature on a biennial basis. *Effective on the 30th day after it becomes law.*

CONSIDER BEST INTERESTS OF PETS**A5775 Glick/S4248 Skoufis**

Would direct the courts to consider the best interests of a companion animal when awarding the possession of the pet in a divorce proceeding; currently, pets are treated the same as personal property such as cars and furniture. *Effective immediately after it becomes law.*

CHILD VISITATION AND/OR CONTACT POST-TERMINATION OF PARENTAL RIGHTS**A6700 Joyner/S6357 Savino**

Would allow courts to permit visits between biological parents and their children who have been adopted, subject to the best interests of the child; would give the court the discretion to determine the appropriate type of contact for a given family; if the adoptive parents do not agree, would require the court to hold a hearing to determine whether such order is in the child's best interest. *Effective on the 180th day after it becomes law.*

APPLY FOR ABSENTEE BALLOTS ONLINE**A6970A Walker/S6482B Myrie**

Would establish an online system for voters to apply for absentee ballots; requires applications to be available in any language required by the federal Voting Rights Act and that reasonable accommodations be made for those with disabilities. *Effective January 1, 2022 if it becomes law.*

ESTABLISH 9-8-8 SUICIDE PREVENTION AND MENTAL HEALTH CRISIS HOTLINE**A7177B Gunther/S6194B Brouk**

Would create a 9-8-8 suicide prevention and mental health crisis hotline to provide suicide prevention and crisis intervention services; callers to the new line would be directed to trained National Suicide Prevention Lifeline counselors to ensure a safer, more equitable response to mental health, substance abuse and suicidal crises. *Effective immediately after it becomes law.*

PUBLISH INFORMATION ON FIREARMS USED IN CRIMES**A7243 Richardson/S1251 Gianaris**

Would require the NYS Division of Criminal Justice Services (DCJS) and the State Police to publish on their websites quarterly reports on firearms, rifles and shotguns used in the commission of crimes in NYS; information

will be used to determine whether guns used in NYS were acquired in states with weaker gun laws. **Effective immediately after it becomes law.**

ESTABLISH FIREARM VIOLENCE RESEARCH INSTITUTE

A7302 Simon/S2981 Persaud

Would establish the NYS Firearm Violence Research Institute to collect data regarding firearm violence in NYS and to evaluate potential prevention efforts. **Effective on the 90th day after it becomes law.**

YOUTHFUL OFFENDERS IN FAMILY COURT

A7706 Davila/S7171 Brisport

Would prevent 16- and 17-year olds with proceedings for petty offenses in Family Court from being securely detained, placed on probation or placed out of their homes as a disposition of the case. **Effective immediately after it becomes law.**

**2021 HUMAN TRAFFICKING RELATED BILLS
APPROVED BY LEGISLATURE AND
AWAITING GOVERNOR’S SIGNATURE OR VETO**

EXEMPT SEX TRAFFICKING VICTIMS FROM DNA SAMPLE REQUIREMENT

A118B Paulin/S6185A Lanza

Would exempt persons convicted of prostitution and victims of sex trafficking from the requirement to provide a DNA sample for inclusion in the state DNA identification database. **Effective immediately after it becomes law.**

VACATES CONVICTIONS OF TRAFFICKED INDIVIDUALS

A459 Gottfried/S674 Ramos

Would expand protections for victims of human trafficking by vacating convictions for all offenses related to the trafficking, not just prostitution-related offenses; further would provide confidentiality for motions to vacate such convictions and remove language that limits motions to vacate convictions to victims who have already sought services or are no longer victims. **Fully effective on the 60th day after it becomes law.**

EXTEND STATUTE OF LIMITATIONS FOR HUMAN TRAFFICKING CIVIL ACTIONS

A3186 Hevesi/S672 Sanders

Would lengthen the time for victims of human trafficking to file civil action cases from 10 years to 15 years after victimization to recover actual, compensatory and punitive damages, injunctive relief, and/or reasonable attorney’s fees. **Effective immediately after it becomes law.**

INFORM HUMAN TRAFFICKING VICTIMS OF RESOURCES

A3331 Hevesi/S924 Ramos

Would require law enforcement and district attorneys to inform human trafficking victims of available social and legal resources; would require local DSS to maintain a list of established providers of social and legal services to victims; would require law enforcement and district attorneys to contact an appropriate provider at the victim’s request. **Effective immediately after it becomes law.**

**2021 HOUSING RELATED BILLS
APPROVED BY LEGISLATURE AND
AWAITING GOVERNOR'S SIGNATURE OR VETO**

CULTURAL COMPETENCY TRAINING FOR REAL ESTATE BROKERS**A844A Jean-Pierre/S979A Gaughran**

Would require real estate brokers to receive at least two hours of cultural competency training as part of their licensing and licensing renewal requirements. **Effective on the 120th day after it becomes law.**

IMPLICIT BIAS TRAINING FOR REAL ESTATE BROKERS AND AGENTS**A4638A Sillitti/S538B Kaplan**

Would require real estate brokers and agents to receive two hours of implicit bias training as part of their license renewal process; implicit bias is defined in the bill as the “attitudes or stereotypes that affect an individual’s understanding, actions and decisions in an unconscious manner.” **Effective on the 180th day after it becomes law.**

HOUSING DISCRIMINATION TRAINING FOR REAL ESTATE BROKERS AND AGENTS**A5359 Cruz/S2132B Skoufis**

Would require real estate brokers and agents to receive increased training on fair housing and discrimination; directs the Secretary of State to establish the instruction content; requires testing for real estate broker and agent licenses include an understanding of fair housing and discrimination laws and regulations. **Effective on the 1st of July after it becomes law.**

FUNDING FOR STATEWIDE FAIR HOUSING TESTING EFFORTS**A5363 Jean-Pierre/S2133A Skoufis**

Would implement a surcharge on the licensing fees for real estate brokers and agents to fund statewide fair housing testing efforts. **Effective immediately after it becomes law.**

NYS AFFIRMATION TO FURTHER FAIR HOUSING**A5428A Cymbrowitz/S1353A Kavanagh**

Would require state agencies and local government offices involved in housing and community development to affirm that they will administer programs and activities that will further fair housing, and would require them to take meaningful actions to reduce housing discrimination and disparities. **Effective immediately after it becomes law.**

HOUSING OUR NEIGHBORS WITH DIGNITY ACT**A6593B Reyes/S5257C Gianaris**

Would provide a mechanism for the state to finance the acquisition of distressed hotels and commercial office properties by appropriate nonprofit organizations for conversion to affordable housing for low-income households and those experiencing homelessness; would require occupancy of resulting units to be limited to those earning up to 80% of Area Median Income, with the average AMI of all households in the project being below 50% and at least 50% of all resulting units being set aside for those experiencing homelessness. **Effective immediately after it becomes law.**

ESTABLISH ANTI-DISCRIMINATION IN HOUSING FUND

A6866 Jean-Pierre/S945B Gaughran

Would create the Anti-Discrimination in Housing Fund for prevention of housing discrimination efforts, funded by fines collected under the real property law; funds would be available to the commissioner of the division of human rights for grants to not-for-profit agencies specializing in anti-housing discrimination. *Effective on the 60th day after it becomes law.*

EXPAND ELIGIBILITY FOR HOUSING VOUCHERS

A8009 Rosenthal/S6573 Kavanagh

Would expand eligibility for NYC housing vouchers to include families eligible under the family homelessness and eviction protection supplement program in order to move more families into permanent, stable housing. *Effective immediately after it becomes law.*

**2021 WORKPLACE RELATED BILLS
APPROVED BY LEGISLATURE AND
AWAITING GOVERNOR’S SIGNATURE OR VETO**

EMPLOYER NOTICE OF COMPUTER MONITORING

A430 Rosenthal/S2628 Sanders

Would require employers to provide written notice to employees, upon hiring and annually, regarding computer monitoring practices to protect employee privacy while supporting companies’ ability to monitor internet activity within their organization. *Effective on the 180th day after it becomes law.*

EXPAND WHISTLEBLOWER PROTECTIONS

A5144A Benedetto/S4394A Ramos

Would expand whistleblower protections to former employees and contractors; would expand the definition of retaliatory actions to include actions or threats affecting future employment or immigration status; would provide that an individual can disclose information if they have a reasonable belief that the employer is engaging in unlawful behavior. *Effective on the 90th day after it becomes law.*

EXPAND PAID FAMILY LEAVE ACT TO INCLUDE SIBLINGS

A6098A Galef/S2928A Addabbo

Would add “sibling” to the definition of family member for the purpose of obtaining Paid Family Leave. *Effective on the January 1st following the first September 1st after it becomes law.*

2021 DOMESTIC VIOLENCE RELATED BILLS PASSED BY THE ASSEMBLY

INSURANCE COVERAGE FOR PRE- AND POST-PROPHYLAXIS

A807 O'Donnell/S688 Hoylman

Would require insurance companies that provide coverage for medications to include coverage for the cost of pre- and post-prophylaxis coverage to prevent HIV infection.

UNLAWFUL DISSEMINATION OF A PERSONAL IMAGE

A1121A Buttenschon/S7211 Savino

Would create a crime of unlawful dissemination or publication of images of crimes being committed against a victim, without the victim's consent; would provide victims and their family members the right to pursue a civil action against perpetrators and to pursue court orders to require websites to remove the images.

DV TRAINING REQUIREMENT FOR CHILD CUSTODY FORENSIC EVALUATORS

A2375B Dinowitz/S6385A Hoylman

Would require court ordered child custody forensic evaluators to be a licensed psychologist, social worker or psychiatrist, and to receive biennial training on DV developed by NYSCADV.

PERMITS DV VICTIMS TO PROVIDE ALTERNATE CONTACT INFO FOR HEALTH INSURANCE

A2519 Cymbrowitz/No Same As

Would require health insurers/HMOs to provide DV victims with the option of providing alternative contact information so they can access claims information and benefits in a manner that shields them from abusers.

NEW YORK STATE COMMUNITY COMMISSION ON REPARATIONS REMEDIES

A2619A Barron/S7215 Brisport

Would establish a community commission to examine the institution of slavery and racial and economic discrimination against African-Americans, and to provide recommendations for remedies.

LICENSED PROFESSIONALS TO REPORT CONDUCT TO STATE ED DEPT

A5495 Glick/S4780 Stavisky

Would require licensed professionals to report any conviction of a crime, professional misconduct, or employment termination to the NYS Department of Education within 30 days and allow the Agency to temporarily suspend a professional license if found to be necessary for the public's health, safety or welfare.

BAN VIRGINITY EXAMS

A5517B Solages/S104B Persaud

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

CHILD-SENSITIVE ARREST POLICIES AND PROCEDURES

A6283 Vanel/S4053 Bailey

Would direct the State Police to develop and institute child-sensitive arrest policies and procedures for instances where police are arresting individuals who are parents/guardians of a child to ensure the child's well-being.

REMOVE PENETRATION REQUIREMENT FROM RAPE STATUTE

A6319 Cruz/S1075 Hoylman

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

WEBSITES PROVIDING INMATE INFORMATION

A7247 Abinanti/S4812 Reichlin-Melnick

Would require websites that provide inmate information be searchable by the inmate's name, former name or alias.

EXPAND EVIDENCE TO SHOW IDENTITY THEFT

A7487 Fall/No Same As

Would remove requirement for victims of identity theft to report such crime to law enforcement in order for collection activities against them to be suspended; a signed federal trade commission identity theft victim's report, a self-attestation that the victim was coerced to authorize the use of their name or personal information for incurring the debt, or criminal or family court documents supporting the statement of identity theft would be permitted.

VICTIM COMPENSATION FOR UNLAWFUL SURVEILLANCE CRIMES

A7489 Wallace/No Same As

Would permit victims of the crime of unlawful dissemination or publication of an intimate image crimes to obtain victim compensation.

PERMIT ADJOURNMENTS IN CONTEMPLATION OF DISMISSAL IN FAMILY COURT

A7683 Lavine/No Same As

Would permit family courts to authorize adjournments in contemplation of dismissal both before or upon a finding that a family offense has occurred; would require the consent of both the respondent and petitioner, as well as the approval of family court and an attorney for the child, if one is appointed.

FIREARMS SEARCH AND SEIZURE WITH ORDER OF PROTECTION

A7957 Richardson/No Same As

Would align the Domestic Relations Law with recent changes to the Criminal Procedures Law and Family Court Act which authorize courts to issue firearms search and seizure orders in connection with Orders of Protection.

COMPREHENSIVE DISCHARGE PLAN FOR SUCCESSFUL RE-ENTRY

A8022 Davila/S7229 Bailey

Would require DOCCS to prepare a comprehensive discharge plan for individuals upon release or discharge from state correctional facilities to ensure successful re-entry into communities.

**2021 DOMESTIC VIOLENCE RELATED BILLS
PASSED BY THE SENATE**

EXTEND STATUTE OF LIMITATIONS FOR EMPLOYMENT DISCRIMINATION

A233A Rosenthal/S849A Gounardes

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

PREVENT ABUSERS FROM USING TECH TO HARASS VICTIMS

A544A Braunstein/S1477A 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.

INDIVIDUALS ON PROBATION INCAPABLE OF CONSENT

A607 Rosenthal/S403 Biaggi

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

REIMBURSEMENT FOR TELEHEALTH SERVICES

A645A Rosenthal/S2998A Harckham

Would allow certified peer recovery advocates and credentialed family peer advocates to be eligible for reimbursement by insurance, including services available via telehealth.

ADULT SURVIVORS ACT

A648 Rosenthal/S66 Hoylman

Would create a one-year window to allow adult survivors of sexual assault to pursue civil actions against their abusers.

HUMAN TRAFFICKING TRAINING FOR HOTEL STAFF

A887A Paulin/S244A Mayer

Would require lodging facilities such as hotels and motels to require all employees who are likely to come into contact with guests to undergo training on human trafficking; the training program would be established or approved by DCJS and OTDA with assistance from the NYS interagency task force on human trafficking.

ANTI-BIAS TRAINING FOR MEDICAL STUDENTS

A1401 Reyes/S3077 Salazar

Would require medical students, residents and physician assistants in NYS to receive NYSDOH-approved training on anti-bias awareness and elimination practices for both implicit and explicit practices.

LGBT YOUTH AND YOUNG ADULT SUICIDE PREVENTION TASK FORCE

A1548 Reyes/S3083 Salazar

Would establish an LGBT youth and young adult suicide prevention task force to study how to improve mental health and suicide prevention for New York's LGBT youth up to age 24.

BLACK YOUTH SUICIDE PREVENTION TASK FORCE

A1716 Jean-Pierre/S3408 Brouk

Would establish a Black youth suicide prevention task force to study how to improve mental health and suicide prevention for Black New York residents aged 5-18.

ELDER ABUSE SHELTER AFTERCARE DEMONSTRATION PROGRAM

A1872 Dinowitz/S1065 Biaggi

Would create the nation’s first temporary elder abuse shelter in New York City to provide individuals that have experienced elder abuse a safe, comfortable space to regain their dignity, re-assert control, and develop the resilience they need to return to the community.

NEW YORK STATE PHOENIX ACT

A1966A Cruz/S3020A 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 State 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.

WORKPLACE SEXUAL HARASSMENT HOTLINE

A2035A Niou/S812A Biaggi

Would establish a toll-free, confidential hotline for reporting workplace sexual harassment to be staffed by pro bono attorneys.

BAN "NO-REHIRE" CLAUSES IN SETTLEMENT CONTRACTS

A2079 Cruz/S766 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.

RAISES AGE FOR YOUTH TO BE ELIGIBLE FOR HOMELESS SHELTER

A2263 Fernandez/S813 Biaggi

Would increase the age at which homeless youth can continue to receive shelter services at an independent living program from 21 to 24, which is already permitted in NYC shelters.

ESTABLISH PEEPING TOM CRIME WITHOUT USE OF IMAGING DEVICE

A2386 Fahy/S1053 Mayer

Would create the crime of voyeurism when an individual intentionally views a person dressing or undressing or view a person’s sexual or other intimate parts, without the use of an imaging device; currently, an individual can only be charged with a crime if an imaging device was used.

ENSURES STATE EMPLOYEES CAN BE SUED FOR HARASSMENT

A2483B Niou/S3395A Gounardes

Would clarify that the State’s 2019 anti-harassment regulations apply to both public and private employees.

EXPAND RIGHT TO COUNSEL TO INDIGENT KINSHIP CAREGIVERS

A2581 Hevesi/S6074 Salazar

Would expand the right to assistance of counsel to indigent kinship caregivers in custody and guardianship proceedings.

NEW YORK STATE TRANSPARENCY IN SUPPLY CHAINS ACT

A3328 Hevesi/S748 Biaggi

Would require large businesses in NYS to disclose their efforts to eradicate human trafficking by requiring them to conduct an audit of human trafficking within their supply chains and to ensure that information is available to the public.

PROSECUTOR ACCESS TO ORDERS OF PROTECTION

A3422 Rosenthal/S404 Biaggi

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 they can be charged with criminal contempt if they violated a past order of protection.

ASSIST DV SURVIVORS WITH GETTING HOUSING

A3534 Stirpe/S1681 Bailey

Would require statewide housing authorities, when reviewing applicants, to grant DV survivors the same preference as is granted to other prioritized populations.

ESTABLISH VISITING PROGRAM IN STATE, LOCAL CORRECTIONAL FACILITIES

A4250A Weprin/S2841A Sepulveda

Would require state and local correctional facilities to create visiting programs to give incarcerated individuals the opportunity to meet with relatives, children, friends, clergy, etc.; also would require such programs to have reasonable visiting hours durations, as well as allow for video conference to supplement in-person visits.

EXPAND INFORMATION PROVIDED TO PROSPECTIVE MATERNITY PATIENTS

A4598A Sillitti/S534A Kaplan

Would expand the information hospitals and birth centers are required to provide to prospective maternity patients to include information on safety drills, quality improvement initiatives, emergency transfer policies, whether a facility has a written community needs assessment plan to reduce racial disparities and address community needs, whether an autopsy is available upon request for stillbirth, and if bereavement services are offered.

ANNUAL FAIR HOUSING TESTING

A4665 Sillitti/S112 Kaplan

Would require the NYS Attorney General to conduct an annual covert housing investigation to compare practices with the requirements of fair housing laws and an analysis of any publicly available data to identify discriminatory fair housing practices.

IDENTIFICATION CARD PROGRAM

A4905 Weprin/S1149 Benjamin

Would require DOCCS to provide an ID card to incarcerated individuals upon release from custody at no charge.

24-HOUR DETENTION AND DETAINED PERSONS REGISTRY

A5264C Richardson/S1184A Gianaris

Would ensure an individual's pre-arraignment detention does not exceed 24 hours without individualized explanations for why such a delay in release was unavoidable and actually necessary; would require NYC to create a detained persons registry for authorized users (i.e. defender organizations contracted with NYC to represent criminal defendants) to be able to locate individuals.

PROHIBIT CONSIDERATION OF DV STATUS IN CIVIL DAMAGE AWARDS

A5376A Quart/S1068A Biaggi

When assessing damages in civil cases, would prohibit the court from basing determinations on race, creed, color, national origin, religion, sexual orientation, gender identity or expression, military status, sex, familial status, marital status or status as a victim of DV.

ENFORCEMENT OF FAIR HOUSING

A5480 Solages/S715 Thomas

Would authorize DHR to award damages to aggrieved parties in cases of housing discrimination and increase penalties for violations of fair housing; would allow courts, in actions filed by the Attorney General, to impose penalties on individuals who violate fair housing laws.

PROHIBIT SEXUAL HARASSMENT VICTIMS FROM PAYING DAMAGES FOR DISCLOSURE

A5580 Rozic/S738 Biaggi

Would prohibit settlement agreements involving sexual harassment from including requirements 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.

PROVIDE NOTICE OF BASIC RIGHTS

A5817 Hunter/S3178 Sanders

Would require local DSS to post a notice of public assistance recipients' basic rights, including rights to a fair hearing, emergency assistance, child care, free language services, etc.

STATEWIDE CAMPAIGN ON DIVERSITY

A5913 Lavine/S123 Kaplan

Would direct DHR to develop and implement a statewide campaign to increase acceptance, inclusion, tolerance and understanding of diversity to respond to the recent increase in crimes of hate.

MAKE IT EASIER FOR DOMESTIC VIOLENCE VICTIMS TO CANCEL PHONE, CABLE CONTRACTS

A6207A Rosenthal/S7157 Parker

Would simplify the process for DV victims to cancel telephone and cable contracts by allowing DV victims to provide a self-attestation in writing of their eligibility as a victim of domestic violence.

DV GOOD CAUSE EXEMPTION FOR KINSHIP CAREGIVER FINANCIAL ASSISTANCE

A6266 Hevesi/S2586 Brisport

Would encourage more kinship caregivers to receive TANF non-parent grants by prohibiting local DSS from enforcing child support collection enforcement actions when good cause exemptions are claimed; good cause exemptions include domestic violence and/or the emotional harm to children and caregivers that could occur if support is pursued.

TASK FORCE TO STUDY NEEDS OF MOTHERS

A6567A Niou/S5488A Biaggi

Would establish an inter-agency task force to study how to provide payments to mothers and other caregivers and address the intersecting policy areas that disproportionately impact women, including childcare, paid family leave, family supportive policies, etc.

EXEMPT DIRECT CASH ASSISTANCE FOR HOMELESS YOUTH TO BE CONSIDERED AS INCOME

A6709B Rosenthal/S5759B Brisport

Would exempt direct cash assistance provided to run-away and homeless youth from being considered as income for the purposes of determining eligibility for public assistance benefits.

PROHIBIT PUBLIC SERVANTS FROM DISSEMINATING CRIME VICTIM IMAGES

A6783 Cusick/S7180 Savino

Would create the crime of dissemination of an image of a crime victim when a public servant intentionally broadcasts or publishes images of a crime victim that were obtained in their official duties; the crime would be a class A misdemeanor.

ELDER ABUSE AWARENESS AND PREVENTION TRAINING

A7312A Frontus/S5196B Sanders

Would direct the NYS Office for the Aging, in collaboration with OCFS, to develop an elder abuse awareness and prevention training program for senior services providers in the detection and reporting of elder abuse; supplemental refresher training would be required at least once every three years; senior centers also would be required to hold at least two educational sessions each year for guests and members of the senior center to receive counseling regarding elder abuse prevention and awareness.

EXPAND RESOURCE EXEMPTIONS FOR PUBLIC ASSISTANCE ELIGIBILITY

A7672 Hevesi/S5574 Persaud

Exempts certain resources (e.g., savings accounts, primary residence, one automobile, burial plots and funder agreements, retirement accounts and 529 college savings plans) when determining eligibility to receive public assistance.

CONFIDENTIALITY OF SEXUAL VIOLENCE VICTIMS' VOTER REGISTRATION RECORDS

A7748 Thiele/S3855 Kennedy

Would permit sexual violence victims to petition the Supreme Court to keep their voter registration records confidential; accommodation is already available for victims of domestic violence.

ABILITY TO FILE OBJECTIONS ELECTRONICALLY IN CHILD SUPPORT CASES

A7795 Wallace/S6824 Persaud

Would permit parties in civil child support proceedings to file objections to determinations by support magistrates electronically, where orders are transmitted electronically to the parties; parties would have up to 35 days from when the order was transmitted to file an objection.

INCREASE AWARENESS OF NATIONAL HUMAN TRAFFICKING HOTLINE

A7818A Cruz/S3374A Bailey

Would require establishments that provide adult entertainment or sell alcoholic beverages to post signs about human trafficking with information about the toll-free national human trafficking hotline.

VICTIMS OF REVENGE PORN TO BE INCLUDED IN ADDRESS CONFIDENTIALITY PROGRAM

A7845 Walker/S2789 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

MODERNIZE NYS LAWS ON COMPUTER CRIMES

A7983 Abbate/S5186 Sanders

Would expand and strengthen NYS laws regarding computer tampering; would create a crime of unlawful computer access assistance, and unauthorized use of internet domain name or profile, unlawful introduction of a computer contaminant; would provide an avenue for victims to seek civil remedies.

EXTEND STATUTE OF LIMITATIONS FOR DISCRIMINATION CLAIMS

A8053 Rozic/S566A Hoylman

Would extend the statute of limitations for filing discrimination claims to DHR from one year to three years.

COURT-ORDERED WEAPONS SEARCH AND SEIZURE WHEN ORDER OF PROTECTION IS ISSUED

A8102 Clark/S6363 Mayer

Upon the issuance of an order of protection, would require the court to order the search and seizure of firearms, rifles, and shotguns when a defendant willfully refuses to surrender them; currently, the court has the discretion to order a search and seizure, but is not required to do so.

ASK PARTIES TO ORDER OF PROTECTION ABOUT EXISTENCE, LOCATION OF WEAPONS

A8105 Clark/S6443 Mayer

Would require the court to ask the petitioner and respondent about the existence and location of any firearm owned or possessed by the respondent whenever an order of protection is issued.

PROHIBITS VICTIM INTOXICATION AS A DEFENSE IN SEX CRIMES

S452A Biaggi/No Same As

Would prohibit the use of intoxication of a victim as a defense to a criminal charge for sex crimes; would create an affirmative defense for such criminal charges.

NEW YORK'S DRIVER'S LICENSE SUSPENSION PROGRAM HARDSHIP EXEMPTION

S936 Krueger/No Same As

Would provide for a hardship exemption from the NYS Driver's license suspension program for those who receive public assistance or whose income does not exceed 250% of the poverty level.

NO CONSIDERATION OF SEXUAL ORIENTATION, GENDER IDENTITY IN CUSTODY DECISIONS

S996 Hoylman/No Same As

Would prevent courts from considering a party's sex, sexual orientation, gender identity or gender expression when determining the best interests of a child in child custody proceedings; would prohibit the court from preventing a parent's gender reassignment surgery during custody proceedings.

ENSURE STATE CONTRACT BIDDERS ARE NOT ENGAGING IN HUMAN TRAFFICKING

S1216 Benjamin/No Same As

Would require bidders for state procurement contracts to affirm under penalty of perjury that the goods, work or services will be supplied or performed without doing business with entities engaging in human trafficking.

ASSESS FAIR HOUSING OBLIGATIONS OF REAL ESTATE AGENTS

S2525A Kavanagh/No Same As

Would require the Secretary of State to collect demographic information from real estate brokers and agents regarding services provided to clients, in order to ensure they are meeting their fair housing obligations.

LATINA SUICIDE PREVENTION TASK FORCE

S2877 Ramos/No Same As

Would establish a Latina suicide prevention task force to study and provide recommendations on how to improve mental health and suicide prevention for Latina New Yorkers.

REMOVE REFERENCE TO ILLEGAL CONDUCT FROM STATUTORY DEFINITION OF SEXUAL ORIENTATION

S4609 Hoylman/No Same As

Would amend the definition of sexual orientation in Executive Law by removing the unnecessary disclaimer that the definition does not include illegal conduct; this conflation of homosexuality with criminality is rooted in antiquated laws that criminalized consensual sexual acts between adults.

RACIAL EQUITY, SOCIAL JUSTICE, AND IMPLICIT BIAS TRAINING IN THE WORKPLACE

S5055A Kennedy/No Same As

Would direct the NYS Department of Labor and DHR to create a model racial equity, social justice, and implicit bias training program that will be made available to employers upon request.

TRANSGENDER AND NON-BINARY PEER SUPPORT PROGRAM

S5938 Parker/No Same As

Would direct the NYS Office of Mental Health to establish a regional or county-based peer support services program to provide peer counseling and services for transgender and non-binary individuals; services would include alcohol and substance abuse counseling, family support services, domestic violence, mental health and physical health.

OPDV STUDY ON DOMESTIC VIOLENCE IN TRANSGENDER COMMUNITY

S5940 Parker/No Same As

Would direct OPDV to conduct a study on domestic violence in the transgender community with a focus on DV against Black transgender women; the study is intended to examine, evaluate and make recommendations concerning the prevalence, causes, effects, risks and costs of DV on the transgender community and find ways to reduce DV in the transgender community.

ELIMINATE COLLECTION OF INCARCERATION FEES

S5981 Myrie/No Same As

Would repeal provisions in NYS law that allow DOCCS to collect incarceration fees from compensation paid to incarcerated people for work performed while incarcerated to offset the cost of incarceration.

PROVIDE UNPAID SICK LEAVE FOR DOMESTIC VIOLENCE

S6708 Parker/No Same As

Would require employers to provide up to 10 additional days of unpaid sick leave for absences due to domestic violence, family offenses, sexual offenses, stalking or human trafficking, at the request of the employee.

LAW ENFORCEMENT COOPERATION WITH OVS ON COMPENSATION CLAIMS

S7011 Sepulveda/No Same As

Would clarify that law enforcement agencies must work with the NYS Office of Victim Services (OVS) to investigate whether a crime has been committed, for the purposes of approving compensation claims; would also clarify that if two or more agencies provide conflicting information, OVS will consider the totality of the circumstances in determining eligibility for compensation.