

# NYSCADV

## NEW YORK STATE COALITION AGAINST DOMESTIC VIOLENCE

### 2019 DOMESTIC VIOLENCE RELATED LAWS APPROVED BY LEGISLATURE AND SIGNED BY GOVERNOR

#### NEW: NO DISCRIMINATION BASED ON REPRODUCTIVE CHOICES

##### **A584 Jaffee/S660 Metzger**

Prohibits employers from accessing an employee's personal information to discriminate or take retaliatory measures based on the employee's or employee's dependent's reproductive health decision making, including the decision to use or access a particular drug, device or medical service without first obtaining the employee's informed affirmative written consent. Allows employees to bring civil actions if employers violate this new provision. *Effective Immediately*

#### DOMESTIC VIOLENCE SURVIVORS JUSTICE ACT

##### **Chapter 31 (A3974 Aubry/S1077 Persaud)**

Allows judges to sentence survivors to alternative sentences of imprisonment including determinate sentences and, in some cases, community-based alternative-to incarceration program. Provides survivors currently in prison the opportunity to apply for resentencing, granting much-deserved relief for incarcerated individuals who pose no threat to public safety. *Effective August 12<sup>th</sup>, 2019.*

#### WORKPLACE TIME OFF FOR DV VICTIMS

##### **Chapter 176 (A5618 Weinstein/S1040 Persaud)**

Adds status as a victim of DV as a protected class under the employment provisions of the Human Rights Law. Allows employees a reasonable accommodation in taking time off to seek medical attention or counseling or appear in court on matters related to incidents of domestic violence, including child protective proceedings, unless time off would constitute an undue hardship for the employer. Employers would have the option of requiring that employees charge this time to accumulated leave credits or, where such leave credits are unavailable, take unpaid leave. *Effective November 20<sup>th</sup>, 2019.*

#### RIGHT TO CALL 911

##### **Chapter 263 (A2665A Lavine/S4657A Hoylman)**

Ensures victims are able to call for police or emergency medical assistance without fear of being evicted or that their landlord and community will take action to remove them from their home. Provides that municipalities cannot impose penalties on a property owner or tenant on the basis of a residential occupant's exercise of his or her right to seek or utilize police or emergency aid, and prohibits landlords from taking negative housing actions against individuals for this protected conduct. Ensures that when municipalities seek to enforce local nuisance ordinances, that they must provide notice and give both the landlord and tenant an opportunity to contest. *Effective Immediately and Applies to All Pending Actions and Proceedings.*

**SPECIAL MAIL-IN ELECTION BALLOT FOR DV VICTIMS****Chapter 150 (A219A Paulin/ S3232A Savino)**

Allows DV victims the right to vote by mailing in a special ballot, including those who remain in the county where they are registered. Ensures distribution of such ballots to voters is made in sufficient time for DV victims to cast their ballots prior to the close of Election Day. *Effective Immediately.*

**REPORTING DV INCIDENTS REGARDLESS OF WHERE INCIDENT OCCURRED****Chapter 152 (A4467A Zebrowski/S1243B Carlucci)**

Allows DV victims who allege that returning to the community where a DV incident occurred would be a "hardship" to make complaints to any local law enforcement agency in the State, even if the incidents did not take place in that jurisdiction. The police agency taking the report and DIR will promptly forward the information to the police agency with jurisdiction over the location where the incident occurred. *Effective October 7<sup>th</sup>, 2019.*

**ADDS ECONOMIC ABUSE TO SOCIAL SERVICES LAW****Chapter 153 (A5608 Weinstein/S2625 Lanza)**

In 2013, New York State expanded the family offense law to include certain forms of economic abuse. At the time, similar changes were not made to the Social Services Law, creating an inconsistency in the laws. This bill makes conforming changes to the definition of DV in the Social Services Law to reflect the prior changes made to the domestic relations law and the family court act. *Effective Immediately.*

**TEMPORARY SPOUSAL SUPPORT WITH ORDERS OF PROTECTION****Chapter 335 (A7529 Wallace/S6423 Montgomery)**

Current law authorizes Family Courts, when issuing orders of protection in family offense cases, to issue temporary orders of child support. However, there is no analogous safety net provided to married petitioners in family offense proceedings who do not have minor, dependent children. This bill permits issuance of temporary orders of spousal support in such cases to provide temporary resources to DV victims as they seek a more long-term order in a Supreme or Family Court proceeding. *Effective January 3, 2020.*

**CANCELLATION OF TELEPHONE AND CABLE CONTRACTS FOR DV VICTIMS****Chapter 186 (A5318 Rozic/ S2356 Parker)**

Requires telephone, cable TV or satellite TV companies to allow victims of DV to cancel contracts without charge when a DV incident report, a police report, an order of protection, or a signed affidavit from a medical or mental health care provider, court employee, social worker, rape crisis counselor, or DV advocate is provided. *Effective Immediately.*

**TRAINING FOR DV DIRECT CARE STAFF ABOUT ADVERSE CHILDHOOD EXPERIENCES (ACES)****Chapter 391 (A4268 Hevesi/S2659 Savino)**

Requires development, adoption and implementation of an approved training in Adverse Childhood Experiences. Builds on the work already being performed in many DV agencies throughout the state by piloting a consistent program across all DV shelters, safe dwellings and DV programs. The Office of Temporary and Disability Assistance and OCFS will approve a non-profit, or group of non-profits, experienced in DV, child abuse and ACEs policy and practice to provide the curriculum and training. NYSCADV will certify completion of the program. *Effective April 20, 2020.*

**EXTENDS STATUTE OF LIMITATIONS FOR DV-RELATED CIVIL SUITS****Chapter 245 (A1945 Zebrowski/ S2416 Kaplan)**

Extends the length of time DV victims may file a civil claim against an abuser for DV-related injuries from one year to two years. **Effective Immediately.**

**PERMITS DV VICTIMS TO OBTAIN COMPENSATION FOR FAILURE TO ENFORCE ORDERS OF PROTECTION****Chapter 180 (A5614 Weinstein/ S1868 Bailey)**

Currently, a procedural rule in the civil practice law and rules limits a party's liability to its proportionate share of the damages in cases where it has been found liable. This has made it extremely difficult for courts to find law enforcement and municipalities liable for failing to obey or enforce orders of protection. This bill modifies current law to ensure, in a situation where a court or jury finds defendants liable, DV victims can recover non-economic and economic damages from such defendants. **Effective Oct. 21, 2019.**

**COMPENSATION FOR UNLAWFUL SURVEILLANCE****Chapter 179 (A7079 McMahon/S6167 Persaud)**

Permits victims of dissemination of an unlawful surveillance image in the first and second degree to be eligible to receive compensation. **Effective February 17<sup>th</sup>, 2020.**

**COMPENSATION FOR CHILD VICTIMS WHO WITNESS CRIMES****Chapter 178 (A7051 Burke/S6353 Montgomery)**

Expands definition of child victim, for purposes of receiving compensation to include a non-injured person less than 18 years of age who witnessed a crime. **Effective February 17<sup>th</sup>, 2020.**

**EXTREME RISK PROTECTION ORDERS (ERPO)****Chapter 19 (A2689 Simon/S2451 Kavanagh)**

Enables family or household member, police officer, district attorney, or school administrator or designee to petition court to issue court-ordered ERPO. Creates grounds for issuance, which include threats or acts of violence or use of physical force directed toward self, the petitioner or another person. If temporary ERPO is issued, individual is prohibited from purchasing, attempting to purchase or possessing firearms and must surrender any firearms, rifles or shotguns to law enforcement. A court hearing will be held within three to six days after the issuance of a temporary order. If a final ERPO is ordered, law enforcement will retain the individual's firearms and the individual will be prohibited from possessing or purchasing firearms for up to one year, subject to renewal. Any firearm license also will be suspended for the duration of time the ERPO is in effect. **Effective August 25<sup>th</sup>, 2019.**

**REVENGE PORN****Chapter 109 (A5981 Braunstein/S1719C Martinez)**

Criminalizes intentional, non-consensual disclosures of sexually explicit images that were obtained under reasonable expectations of privacy as a Class A misdemeanor. Allows victims to seek civil remedy against offenders. Allows victims to obtain a court order to permanently remove an intimate image from the Internet while preventing an Internet company from being held liable for the activities of its users. **Effective September 21<sup>st</sup>, 2019.**

**EXPANDS ADDRESS CONFIDENTIALITY PROGRAM****Chapter 141 (A7515 Cruz/S5444 Salazar)**

Enables victims of sexual offenses, stalking and human trafficking to be eligible to participate in the address confidentiality program, which allows victims to shield their actual address from abusers and offenders. Under the program, the Department of State forwards legal process and mail to a confidential mailing address provided by the participant. **Effective November 1<sup>st</sup>, 2019.**

**EXTENDS LIFE OF INTERAGENCY TASK FORCE ON HUMAN TRAFFICKING****Chapter 228 (A7591 Reyes/S5858 Persaud)**

Extends the Interagency Task Force on Human Trafficking to 2021. **Effective Immediately.**

**K-8 CURRICULUM ABOUT CHILD SEX EXPLOITATION (ERIN'S LAW)****Chapter 187 (A2577B Dinowitz/S4070B Biaggi)**

Requires all public schools to provide instruction to students in grades K-8 designed to prevent child sexual exploitation and child sexual abuse. Curriculum to be developed by the Department of Education in consultation with the Department of Health. Curriculum will be age appropriate and developed to provide awareness, skills, information, self-confidence and support to aid in prevention. **Effective July 1, 2020.**

**A STUDY OF TRAUMA ON CHILD DEVELOPMENT****Chapter 196 (A1913 Joyner/S1195 Bailey)**

Prior law authorized the Department of Education (DOE) to study the effects of trauma on child development and learning, including the types of trauma experienced, impacts, screening and assessment of trauma in schools, programs and services related to trauma available in schools, and best practices. This bill amends that law to require OCFS, rather than DOE, to conduct the study. **Effective Immediately.**

**CHILD VICTIMS ACT****Chapter 11 (A2683 Rosenthal/S2440 Hoylman)**

Allows victims who are under the age of 18 when abuse occurs to have the option of filing a criminal lawsuit to age 28, and a civil lawsuit to age 55. Creates a one-year look-back window for anyone to bring a lawsuit, regardless of whether the statute of limitations in their case has expired. Eliminates requirement that child victims file a notice of claim within 90 days of when the abuse occurred, if it occurred at a public institution. Requires Office of Court Administration (OCA) to provide training for judges concerning crimes involving the sexual abuse of minors. **Most Provisions Effective Immediately; Judicial Training Relative to Cases Brought as a Result of the Look-Back Window Effective May 14<sup>th</sup>, 2020; Provision Requiring OCA to Promulgate Rules for Timely Adjudication of Claims Brought as a Result of the Look-Back Window Effective May 14<sup>th</sup>, 2020; All Other Judicial Training Effective August 14<sup>th</sup>, 2020.**

**BUS DRIVERS TO REPORT POTENTIAL CHILD ABUSE****Chapter 164 (A5842 Nolan/S273A Gallivan)**

Requires all bus drivers, including those employed by private schools, to report suspected child abuse to law enforcement and to be trained accordingly. **Effective June 5<sup>th</sup>, 2019**

## **RESTRICTS SEX OFFENDERS FROM GAINING CUSTODY OF A CHILD**

### **Chapter 182 (A4784C Fall/S2836C Savino)**

Establishes rebuttable presumption that it is not in the best interests of a child to be placed in the custody of or to have unsupervised visits with a person who has been convicted of one or more delineated felony sex offenses where the victim of such offense(s) is the child who is the subject of the proceeding seeking custody or unsupervised visitation. **Effective September 21<sup>st</sup>, 2019.**

## **CHILD CUSTODY SUPPORT OBLIGATIONS FOR INCARCERATED INDIVIDUALS**

### **Chapter 313 (A8344 Wright/S6560 Persaud)**

Clarifies that incarceration may not be considered “voluntary unemployment” for the purposes of establishing child support obligations, except in certain situations; ensures the right of all parents to seek a review of their child support order when circumstances change. **Effective Immediately.**

## **CRIMINAL JUSTICE REFORM**

### **Chapter 59 (A2009C/S1509C)**

Eliminates monetary bail and pretrial detention for nearly all misdemeanor (except sex offense misdemeanors and misdemeanor criminal contempt where there is an underlying allegation of domestic violence) and nonviolent felony defendants (except for certain charges including felony criminal contempt with an underlying allegation of domestic violence). Requires prosecutors to disclose evidence to the defense earlier in case proceedings.

Promotes speedy trial rights. Reduces maximum length of a jail sentence for people convicted of a misdemeanor from one year to 364 days to avoid deportation exposure for immigrants convicted of minor crimes. **Effective January 1<sup>st</sup>, 2020.**

## **EXTENDS STATUTE OF LIMITATIONS FOR SEXUAL OFFENSES**

### **Chapter 315 (A8412 Simotas/S6574 Biaggi)**

Extends statute of limitations for a victim to bring a civil suit to 20 years for rape in the second degree, criminal sexual act in the second degree, or incest in the second degree; and to 10 years for rape in the third degree and criminal sexual act in the third degree. **Effective Immediately.**

## **CRIMINAL POSSESSION OF UNDETECTABLE FIREARMS**

### **Chapter 134 (A763A Abinanti/S1414A Parker)**

Establishes crimes for the manufacture, sale, transport and possession of firearms, rifles, shotguns and the major components of such weapons which are not detectable by a metal detector or the types of detection devices commonly used at airports for security screening. **Effective January 30<sup>th</sup>, 2020.**

## **ENABLES LOCAL, STATE POLICE TO OBTAIN INFO RE: GUN LICENSE APPLICATIONS**

### **Chapter 244 (A7739 Paulin/S6160 Biaggi)**

Previously, handgun license-holders and applicants could request that their application information be exempt for disclosure. This placed police in danger, particularly in domestic violence incidents where they must enter homes without any knowledge of whether guns are present. This bill amends the law to permit law enforcement to access gun application information at all hours of the day. Having this information will allow law enforcement to take extra precautions to provide for their safety and the safety of others in the home. **Effective Immediately.**

**STATEWIDE REGULATIONS FOR GUN BUY-BACK PROGRAMS****Chapter 139 (A2685 Rosenthal/S2449 Mayer)**

Creates sound guidelines and establishes statewide regulations to strengthen existing gun buy-back programs and to create new programs to ensure easy accessibility for the public. Ensures best practices for such programs are implemented by all localities. **Effective January 27<sup>th</sup>, 2020.**

**REPRODUCTIVE HEALTH ACT****Chapter 1 (A21 Glick/S240 Krueger)**

Updates New York's abortion statutes to address constitutional flaws in our laws and recognize a woman's fundamental right to access safe, legal abortion. **Effective Immediately.**

**COMPREHENSIVE CONTRACEPTION COVERAGE ACT****Chapter 25 (A585A Cahill/S659A Salazar)**

Requires health insurance policies to include coverage of all FDA-approved contraceptive drugs, devices and products, as well as voluntary sterilization procedures, contraceptive education and counseling, and related follow-up services. Prohibits a health insurance policy from imposing any cost-sharing requirements or other restrictions or delays with respect to coverage. **Effective January 1<sup>st</sup>, 2020.**

**PELVIC EXAMS ON ANESTHETIZED OR UNCONSCIOUS WOMEN****Chapter 360 (A6325C Solages/S1092E Persaud)**

Bans the performance of pelvic exams on unconscious or anesthetized women unless they have given prior consent, the pelvic exam is within the scope of care for the surgical procedure, or the person receiving the exam is unconscious and the exam is required for diagnostic purposes. Disregarding these rules would be considered an act of professional misconduct. **Effective April 7, 2020.**

**STATEWIDE MATERNAL MORTALITY REVIEW BOARD****Chapter 140 (A3276 Joyner/S1819 Rivera)**

Establishes the Maternal Mortality Review Board to review maternal mortality and morbidity. The board will assess the cause of death and factors leading to death, and the possible prevention of each, to develop strategies for reducing the risk of maternal mortality. Members will include multi-disciplinary experts in the field of maternal mortality, women's health and public health, and shall include members who are representative of the racial, ethnic and socioeconomic diversity of women and mothers in the State. **Effective Immediately.**

**MATERNAL MORTALITY REVIEW BOARDS****Chapter 142 (A8338 Joyner/S6529 Rivera)**

Clarifies the roles of the statewide Maternal Mortality Review Board and the existing New York City Maternal Mortality Review Board. Also outlines the collaborative relationship between the two boards. **Effective Immediately.**

**REQUIRES INSURANCE COMPANIES TO COVER ANNUAL MAMMOGRAMS FOR WOMEN AGED 35+****Chapter 143 (A5502A Jean-Pierre/S3852A Martinez)**

Previously, insurance companies were only required to cover annual mammograms for women aged 40 and older. This new law expands coverage for women aged 35-39, upon the recommendation of a physician.

**Effective September 1<sup>st</sup>, 2019.**

**GENDER EXPRESSION NON-DISCRIMINATION ACT (GENDA)****Chapter 8 (A747 Gottfried/S1047 Hoylman)**

Prohibits discrimination based on gender identity or expression and includes offenses regarding gender identity or expression under the hate crimes statute. **Discriminatory Provisions Effective Immediately; Hate Crime Provisions Effective November 1<sup>st</sup>, 2019.**

**SEXUAL ORIENTATION CHANGE EFFORTS****Chapter 7 (A576 Glick/S1046 Hoylman)**

Designates engaging in sexual orientation change efforts by mental health professionals upon patients under 18 years of age as professional misconduct. Subjects providers who engage in these efforts to discipline by the provider's licensing entity. **Effective Immediately.**

**BANS PANIC DEFENSE****Chapter 45 (A8375 O'Donnell/S6543 Hoylman)**

Clarifies that, for the purpose of the "extreme emotional disturbance" affirmative defense that may, in some instances, reduce a homicide charge from murder to manslaughter, a defendant cannot justify such conduct by stating it was the result of the discovery of the victim's sexual orientation, sex, gender, gender identity, gender expression or sex assigned at birth. **Effective Immediately.**

**LGBTQ+ TRAINING FOR HOMELESS SHELTER STAFF****Chapter 361 (A3619A Ortiz/S3619A Hoylman)**

Requires all employees of approved programs providing care to runaway and/or homeless youth to complete training with instruction on the needs and issues of the LGBTQ+ community, with particular emphasis on the correct terminology to use when talking about gender and sexual identity; addressing homophobia and transphobia from other youth in shelters; and how to deal with the families of LGBTQ+ youth. Requires OCFS to promulgate regulations regarding such training. **Effective January 1, 2020.**

**HOUSING STABILITY AND TENANT PROTECTION ACT****Chapter 36 (A8281 Heastie/S6458 Stewart-Cousins)**

Extends current New York City and downstate suburban rent regulations to upstate communities, ensuring tenants can live without the threat of eviction, the fear of rapid and unaffordable rent increases, or rent burden.

Requires more notice to tenants if a landlord wants to bring a court proceeding against them. Allows for more leniency throughout an eviction proceeding, including stays of eviction and execution of warrants. **Effective Immediately.**

**JOSE PERALTA NEW YORK STATE DREAM ACT****Chapter 26 (A782 De La Rosa/S1250 Sepulveda)**

Creates DREAM Fund commission and a DREAM fund to advance the educational opportunities of children of immigrants by providing scholarships to college bound students. Eliminates potential financial obstacles to obtaining state financial aid and extends opportunities for undocumented students to attend higher education institutions. Allows immigrant aliens to open a New York State 529 family tuition account to save for their families' higher education expenses. **Commission Effective January 1<sup>st</sup>, 2020; College Savings Plan Effective July 12<sup>th</sup>, 2019.**

**DRIVER'S LICENSES FOR UNDOCUMENTED INDIVIDUALS****Chapter 37 (A3675B Crespo/S1747B Sepulveda)**

Enables undocumented immigrants to obtain driver's licenses and protects the data of those applying for such privilege from unwarranted release. *Effective December 17<sup>th</sup>, 2019.*

**ESTABLISHES PENALTIES FOR THREATENING TO REPORT AN EMPLOYEE'S IMMIGRATION STATUS****Chapter 126 (A5501 Crespo/S5791 Ramos)**

Prohibits an employer from making threats to contact immigration authorities about an employee or an employee's family member. Such threats are typically made to dissuade employees from making complaints or participating in investigations or litigation against an employer. *Effective October 25<sup>th</sup>, 2019.*

**PRESERVES PARENTAL RIGHTS WHEN PARENT IN IMMIGRATION PROCEEDING****Chapter 125 (A2106A Kim/S5024A Parker)**

Permits local social services districts to delay filing a petition to terminate parental rights if the parent is involved in an immigration proceeding and therefore temporarily unable to resume custody. *Effective October 25<sup>th</sup>, 2019.*

**BANS DISCRIMINATION BASED ON NATURAL HAIRSTYLES****Chapter 95 (A7797A Wright/S6209A Bailey)**

Prohibits race discrimination based on natural hair or hairstyles, including but not limited to hair texture and protective hairstyles such as braids, locks and twists. *Effective July 12<sup>th</sup>, 2019.*

**BANS PAY DIFFERENTIALS BASED ON PROTECTED CLASS STATUS****Chapter 93 (A8093A McMahon/S5248B Biaggi)**

Amends the Labor Law to require equal pay for "substantially similar work, when viewed as a composite of skill, effort, responsibility, and performed under similar working conditions." Previously, the law required equal pay for equal work. In addition, the new law amends the Labor Law to extend protections against compensation discrimination to all of the same protected classes already covered under the Human Rights law (e.g., age, race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, family status, marital status or DV victim status). *Effective October 10<sup>th</sup>, 2019.*

**PROHIBITS SALARY HISTORY DISCLOSURE****Chapter 94 (A5308A Crespo/S6549 Carlucci)**

Enacts prohibitions on the use and solicitation of salary history information and prohibits employers from soliciting or requiring an applicant's or current employee's salary history information as a condition to be interviewed or to be considered for an offer of employment. The new law also prohibits retaliation in connection with an applicant's or employee's refusal to disclose salary history information, or in response to a complaint regarding an employer's violation of the law. A similar law was enacted in New York City in 2017. *Effective January 10<sup>th</sup>, 2019.*

**ELIMINATES SEVERE OR PERVERSIVE STANDARD FOR SEXUAL HARASSMENT****Chapter 160 (A8421 Simotas/S6577 Biaggi)**

Expands protections for victims of sexual harassment by eliminating the "clear and pervasive" standard applied to sexual harassment cases. Includes significant additional reforms to help employees and victims understand their rights in the workplace. Expands the powers of the Attorney General to prosecute cases of discrimination

based on all protected classes. Extends the timeframe for victims of sexual harassment in the workplace to file administrative complaints with the Division of Human Rights from one year to three years. Requires the Commissioner of Labor to review the State's model sexual harassment prevention guidance document and sexual harassment policy and update as necessary. **Effective August 12<sup>th</sup>, 2019.**

### **BUDGET LAW: ELIMINATES REQUIREMENTS FOR DV SURVIVORS TO APPLY FOR TEMPORARY ASSISTANCE OR BE CHARGED FEES FOR SERVICES**

#### **Chapter 56 (A2006C/S1506C)**

Among other things, aligns state law with federal regulations that prohibit conditions placed on domestic violence survivors in order for them to receive emergency shelter and services; eliminates requirements that DV survivors apply for temporary assistance and/or be charged fees for shelter and services. **Effective April 1<sup>st</sup>, 2019.**

### **BUDGET LAW: EXTENDS SUNSET PROVISIONS ON MANDATORY ARREST, USE OF CLOSED-CIRCUIT TV FOR CHILD WITNESSES AND DURATION OF CRIMINAL ORDERS OF PROTECTION**

#### **Chapter 55 (A2005C/S1505C)**

Among other things, extends sunset provisions of the Criminal Procedure Law relating to mandatory arrest, the use of closed-circuit TV for vulnerable child witnesses, and the duration of final orders of protection in family and non-family offense cases. Each are extended for an additional year until September 1, 2020. **Effective April 12<sup>th</sup>, 2019.**

### **BUDGET LAW: RESTRICTS USE OF SEX TRAFFICKING VICTIM'S PRIOR SEXUAL HISTORY**

#### **Chapter 55 (A2005C/S1505C)**

Among other things, extends rape shield law to sex trafficking victims; adds sex trafficking to the enumerated list of offenses in the Criminal Procedure Law where a victim's prior sexual history cannot be used, unless certain criteria are met. **Effective April 12<sup>th</sup>, 2019.**

## **2019 DOMESTIC VIOLENCE RELATED BILLS PASSED BOTH HOUSES - AWAITING ACTION BY GOVERNOR**

### **DV VICTIM RIGHTS NOTIFICATION**

#### **A7395 Weinstein/S6158 Liu**

Simplifies the language in the victim rights notice and expands the information provided. Ensures notice is available in plain English, Spanish, Russian, and Chinese.

### **BREAKING RESIDENTIAL LEASES BY DV VICTIMS**

#### **A4267A Hevesi/S4281A Biaggi**

Streamlines the process for tenants who are victims of DV to terminate residential leases or rental agreements. Enables victims to provide, as documentation, a temporary or final order of protection; a record, complaint or report from a federal, state or local law enforcement agency of an act of DV or certifying that the tenant or member of the tenant's household has been subjected to DV; a record from a health care provider for treatment related to DV; or a written verification from a qualified third party, including court employee, attorney, medical professional or DV advocate. Removes requirement that tenant victim of DV be current on their rent before terminating lease. Eliminates current requirement that abusers who are co-tenants be notified.

**UNIVERSAL HOSPITAL POLICIES, PROCEDURES IN TREATING DV VICTIMS****A2850 Lavine/S3962A Salazar**

Requires hospitals to develop, maintain and disseminate written policies and procedures for the identification, assessment, treatment and referral of confirmed or suspected cases of DV. Requires hospitals to advise DV victims of availability of local services and to contact local DV agency if requested. Hospitals are required to contact local DV agencies to establish coordination of services. Also requires hospitals to train, on an ongoing basis, all current and new employees and designation of a staff member to coordinate services to DV victims. Curriculum will be developed by the Department of Health in consultation with OPDV.

**EXPAND THE USE OF PROBLEM SOLVING COURTS TO CERTAIN COUNTIES****A5937 Galef/S3889 Carlucci**

Allows courts outside of New York City to move cases from one town or village justice court to a court designated by the Office of Court Administration as a “problem solving” court. This will allow counties to centralize similar cases to concentrate both law enforcement and therapeutic services to specific populations, such as DV victims who are better served when their cases are heard in Integrated DV Courts.

**DV AND SEXUAL ASSAULT EDUCATION FOR ESTHETICIANS AND HAIR PROFESSIONALS****A57 Rosenthal/S6307 Benjamin**

Requires appearance enhancement professionals, including nail specialty, waxing, natural hair styling, estheticians and cosmetologists, to complete a one-hour training course in DV and sexual assault, when obtaining their license, and voluntarily upon license renewal. Training would be developed by the Department of State, OPDV and NYSCADV and available on the Department of State’s website.

**STANDARDS OF PROOF FOR UNFOUNDED REPORTS OF ABUSE OR CHILD MISTREATMENT****A8060A Jaffee/S6427A Montgomery**

Under current law, individuals report potential abuse or neglect to the Statewide Central Registry (SCR), which result in records that could deny an individual employment opportunities, despite a court finding no abuse or neglect. Bill changes the investigative standard of review from “some credible evidence” to “fair preponderance of evidence” to determine a finding of abuse or neglect; streamlines the administrative process by allowing individuals to request their record be amended after a substantial change in circumstances.

**ACCESS TO HIV POST-EXPOSURE MEDICATION****A1204A Peoples-Stokes/S2279A Hoylman**

Permits victims of sexual assault to receive a full regimen, not merely a 7-day starter pack, of HIV post-exposure prophylaxis. Requires pharmaceutical and follow-up costs to be billed directly to the Office of Victim Services (OVS) and reimbursement to be paid directly to a health care provider. Authorizes OVS and Department of Health to annually review reimbursement rate for charges exceeding \$800 and, if feasible, adjust the rate accordingly.

**DOMESTIC PARTNERS TO RECEIVE OVS COMPENSATION****A2566 Glick/S4958 Parker**

Permits domestic partners of homicide victims to be eligible for compensation from the Crime Victim Board for actual out-of-pocket losses and counseling expenses.

**TIMELY REPORTS TO FAMILY COURT AND CHILD ATTORNEYS****A7974 Richardson/S6215 Montgomery**

Ensures Family Courts and children's attorneys are informed promptly of any changes in placement and of any indicated reports of maltreatment that may warrant court intervention. Requires an agency with which a child has been placed, either voluntarily or as a result of a finding of abuse or neglect, or to whom guardianship and custody has been transferred as a result of the child being freed for adoption, to report to the attorney for the child at least 10 days before such child is moved, or one day after an emergency placement change has been made.

**ALLOWING PERSON WITH CUSTODY OF CHILD TO MAKE MEDICAL DECISIONS****A1239 Jaffee/S3248 Salazar**

Amends Family Court Act to include non-parents with lawful orders of custody as persons who may make medical decisions for minors in their care. Amends Public Health Law to include non-parents with lawful orders of custody along with parents and guardians as persons whose consent is not needed for the provision of medical, dental, health and hospital services when, in the judgment of a physician, emergency medical care is needed.

**SAFE WAY HOME ACT FOR SEXUAL ASSAULT VICTIMS****A5775A Lentol/S3966A Salazar**

Provides free transportation home or to safe shelter for any sexual assault victim and their advocate from any medical facility where the victim received care. Medical facilities will use funds from victim service programs to provide the service.

**LANGUAGE ACCESS****A754 Joyner/S1950 Bailey**

Requires the Office of Court Administration to collect and maintain data on limited English proficiency (LEP) litigants, to lay the groundwork for a more comprehensive approach to the translation needs of all LEP New Yorkers. The goal of the bill is to ensure equitable access to courts regardless of the language spoken by the parties.

**EQUAL PAY FOR SIMILAR WORK****A7748 Rosenthal/S6436 Montgomery**

Ensures equal pay for individuals within a protected class who are conducting substantially similar work, when viewed as a composite of skill, effort and responsibility and performed under similar working conditions for the same employer at workplaces located in the same geographical location.

**EQUAL PAY RIGHT OF ACTION FOR PUBLIC EMPLOYEES****A1047B Simotas/S456B Benjamin**

Clarifies that public employees have the same rights as private employees and may bring a private right of action to enforce their right to equal pay for equal and equivalent work.