

**DV-Related Legislation Approved by the Assembly and Senate
as of June 4, 2019**

Right to Call 911 Bill

A2665A Lavine/S4657A Hoylman

- Focus of NYSCADV Day of Action for many years
- Protects victim's right to call for police or EMS without direct or indirect penalty or reprisal for doing so
- Prevents municipalities from imposing penalties on landlords whose tenants call police or EMS
- Prohibits landlords from taking negative housing actions against people for calling for help

Reasonable Time Off Accommodation from Work for DV Survivors

A5618 Weinstein/S1040 Persaud

- Focus of NYSCADV Day of Action for many years
- Permits DV victims reasonable accommodation for taking time away from the workplace to obtain services, counseling or to attend court
 - Employer must provide accommodation unless employee's absence would constitute an "undue hardship" based on overall size of business, # employees, # and type of facilities, and size of budget
- Stable employment is one of the most important resources a DV victim needs in order to stay safe
- Prohibits employers from asking prospective employees about their potential status as a DV victim
- Requires employers to maintain confidentiality of information

Mail Ballots for Victims of Domestic Violence

A219A Paulin/S3232A Savino

- DV victims can currently vote at county Board of Elections where they are registered, but this may not be safe for victims
- This bill allows DV victims who remain in the county where they are registered on Election Day to vote via special mail ballot (vs. an absentee ballot which can only be used if the individual plans to be outside the county where they are registered on Election Day)

Expanded Compensation for DV Victims

A5614 Weinstein/S1868 Bailey

- Permits a DV victim to recover non-economic as well as economic damages from any defendants found liable by a court or jury, after a trial on the merits of the action
- Gives DV victims the same access to any liable defendant for full compensation for serious psychological and social harm that the law now allows for medical expenses and lost wages
- The bill does not change tort laws, nor does it change the proof required to establish liability for personal injuries

Statute of Limitation Reform

A1945 Zebrowski/S2416 Kaplan

- Increases the statute of limitation for civil suits related to injury caused by domestic violence from one year to two years
- Affords victims an extra year to bring a civil suit

Expands crimes included in DV to include identity theft, grand larceny and coercion

A5608 Weinstein/S2625 Lanza

- Protects DV victims by recognizing, as family offenses, some pervasive and insidious forms of economic abuse
- Conforms Social Services Law with changes made previously to the Domestic Relations Law and the Family Court Act

Allows Domestic Violence Victims to Cancel Phone/Cable Contracts

A5318 Rozic/S2356 Parker

- Allows DV victims to cancel phone and TV contracts, without charge, in order to break away from abusers
- Victims need to make request in writing and provide service provider with DIR, police report, order of protection, or signed affidavit from medical/mental health provider, employee of the court, social worker, rape crisis counselor or DV advocate

Improves Hospital Policies for Screening of DV Victims

A2850A Lavine/S3962A Salazar

- Requires general hospitals to establish policies and procedures regarding DV
- Establishes training programs for medical staff
- Requires hospitals to designate staff to coordinate services for DV victims

Creates Crime of Unlawful Dissemination or Publication of Intimate Image

A5981 Braunstein/S1719 Martinez

- A person is guilty of this crime when, with intent to cause harm to the emotional, financial or physical welfare of another person, the person intentionally disseminates or publishes an intimate still or video image without the person's consent
- Creates a private right of action for an individual to pursue damages and injunctive relief against someone who unlawfully disseminates or publishes an intimate image
- Permits a victim to commence a special proceeding to obtain a court order to have an intimate image permanently removed from the Internet

Problem Solving Courts

S3889 Carlucci/A5937 Galef

- Allows any county outside of New York City the ability to move an action pending in a local criminal court to a court of special concern based upon the special needs of the defendant or the victim
- Provides additional support and assistance to victims
- Allows counties to centralize similar cases to concentrate both law enforcement and therapeutic services to specific populations

Training in Adverse Childhood Experiences (ACEs)

A4268 Hevesi/S2659 Savino

- Requires the development, adoption and implementation of an approved training program for staff of domestic violence shelters, safe dwellings and programs
- Builds upon work already being performed by local domestic violence agencies, with goal of expanding training program to other direct care workers throughout the state
- NYSCADV will certify completion of the program