

**DEPARTMENT OF FAMILY ASSISTANCE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
40 NORTH PEARL STREET
ALBANY, NEW YORK 12243**

**DIGEST OF LAWS OF 2012
RELATING TO PROGRAMS OF THE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE**

NOTICE

The purpose of this digest is to highlight provisions of the Laws of 2012 and to direct interested persons to the appropriate provisions of the law. This Digest is neither designed nor intended to be used as a substitute for the law itself nor is it intended to be considered as the Office's interpretation of these laws for the purposes of implementation.

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PUBLIC ASSISTANCE

Chapter 41 – Food Stamp Program Renamed to be the Supplemental Nutrition Assistance Program (SNAP)

[A. 8005]

Amends the Social Services Law to change the name of the Food Stamp Program to the Supplemental Nutrition Assistance Program (SNAP).

Statutes involved:

Social Services Law
Section 95, amended

Effective date: August 29, 2012.

Chapter 459 – Length of Stay at Domestic Violence Shelters

[A. 2651-B]

Extends the maximum length of stay at certain domestic violence shelters from 135 days to 180 days.

Statutes involved:

Social Services Law
Section 459-b, amended

Effective date: April 1, 2013.

Chapter 491 – Domestic Violence Fatality Review Team and Confidentiality

[A. 10624]

Enacts various provisions of law deemed necessary by the State, including establishing a domestic violence fatality review team; and addressing issues related to confidentiality. Specifically, the bill amends the Executive Law, in relation to establishing a domestic violence fatality review team, adding members to the advisory council, and repealing subdivision 10 of section 575 of such law relating to the New York State address confidentiality program (Part A); amends the Public Health Law, in relation to the disposition of remains (Part B); amends the Executive Law, in relation to the address confidentiality program of the Department of State; and amends Chapter 502 of the Laws of 2011, amending the Executive Law relating to authorizing the Secretary of State to accept service of process and receipt of mail on behalf of victims of domestic violence for the purpose of maintaining the confidentiality of the location of such victims, in relation to the effectiveness thereof (Part C); amends the Criminal Procedure Law, in

relation to the consideration of certain factors when determining the issuance of an order of recognizance or bail; and amends the Penal Law and the Criminal Procedure Law, in relation to the creation of the crime of aggravated family offense (Part D); and amends the Insurance Law, in relation to a reasonable request to receive communications of health information by alternative means or at alternative locations when disclosure of the information could endanger the person (Part E).

Statutes involved:

Chapter 502 of the Laws of 2011, section 2, amended

Criminal Procedure Law

Section 200.63, added

Section 510.30 (2) (a), amended

Executive Law

Section 108 (1) (g) & (h), added

Section 108 (2) (a), amended

Section 108 (4), amended

Section 108 (6), amended

Section 575 (4), amended

Section 575 (10), repealed and added

Insurance Law

Section 2612 (c) (2), amended

Section 2612 (h), added

Penal Law

Section 240.30, amended

Section 240.75, added

Public Health Law

Section 4201 (e), added

Effective date: October 25, 2012; provided, however, that the applicable effective date of Parts A through E of this act shall be as specifically set forth in the last section of such Parts. Part A takes effect on April 23, 2013; Part B takes effect on November 24, 2012; Part C takes effect on October 25, 2012; provided, however, that §§ 1, 2, 3 and 4 shall take effect on July 15, 2012, the same date and in the same manner as chapter 502 of the Laws of 2011, as amended takes effect; Part D takes effect on December 24, 2012; provided that §§ 2 and 3 shall take effect on January 23, 2013; Part E takes effect on January 1, 2013; provided, however, that effective October 25, 2012, the addition, amendment or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized.

CHILD SUPPORT

Chapter 468 – Authority of Support Magistrates in Family Court to Adjudicate Child Support Driver’s License Suspension Proceedings

[A. 10345]

Authorizes Support Magistrates in Family Court to resolve challenges to administrative suspensions of driver's licenses after the support obligors have exhausted administrative remedies through the support agency's fair hearing process.

Statutes involved:

Family Court Act
Section 439 (a), amended
Section 454 (5), amended

Effective date: January 1, 2013; provided, however, that: (a) the amendments to subdivision (a) of section 439 of the Family Court Act made by § 1 shall be subject to the expiration and reversion of such subdivision pursuant to subdivision 19 of section 246 of Chapter 81 of the Laws of 1995, as amended, when upon such date the provisions of § 2 shall take effect; and (b) the amendments to subdivision 5 of section 454 of the Family Court Act made by § 3 shall be subject to the repeal of such subdivision pursuant to subdivision 19 of section 246 of Chapter 81 of the Laws of 1995, as amended.

ADMINISTRATION

Chapter 434 – Enhanced Criminal Penalties for Assaulting Certain Social Services District

Employees

[S. 7720]

Enhances the criminal penalties for assaulting certain employees of social services districts while in the performance of their duties.

Statutes involved:

Penal Law

Section 120.05 (3-a) & (11-a), added

Effective date: November 1, 2012.

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