

**DEPARTMENT OF FAMILY ASSISTANCE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
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ALBANY, NEW YORK 12243**

**DIGEST OF LAWS OF 2016
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 2016 and to direct interested persons to the appropriate provisions of the law. This Digest is neither designed nor intended to be exhaustive or 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 407 — Relates to Inquiring as to Whether Applicants for Financial Assistance Have Engaged in Military Service [S.7983-B/A.8641-B]

Requires that application/recertification forms used relative to financial assistance include a check-off question inquiring whether the applicant/recipient or a member of his/her family has served in the military, and if the applicant/recipient answers affirmatively, he or she will receive contact information for the Division of Veterans Affairs.

Statutes involved:

Social Services Law § 20(3)(j), added

Not-for-Profit Corporation Law § 202(g), added

Effective date: January 3, 2017

Chapter 456 — Relates to Notification of Local Law Enforcement Agencies of a Sex Offender's Change of Address or Residence Information [S.7252/A.9239]

Requires the Division of Criminal Justice Services to notify local law enforcement agencies within 48 hours of the receipt of a change of address, or of enrollment, attendance, employment or residence at an institution of higher education by a sex offender.

Statutes involved:

Correction Law § 168-j(1),(3)-(4), amended

Effective date: January 27, 2017

CHILD SUPPORT

Chapter 365 — Relates to Providing Additional Enforcement Mechanisms for Collection of Spousal or Child Support [S.5189/A.7253]

Amends the Domestic Relations Law to provide additional enforcement mechanisms for collection of spousal or child support. Specifically, the law amends Domestic Relations

Law § 245 to eliminate the requirement that other enforcement remedies be exhausted before contempt can be sought against a person who fails to pay child support, spousal support, or combined child and spousal support pursuant to a court order in a matrimonial proceeding.

Statutes involved:

Domestic Relations Law § 245, amended

Effective date: September 29, 2016

ADMINISTRATION

Chapter 487 — Relates to Appeals Taken from FOIL Decisions Issued by Courts

[S.6865-A/A.9711-A]

Amends Public Officers Law § 89, in part, to limit the amount of time State and municipal agencies have to appeal adverse judgments relative to alleged FOIL violations.

Statutes involved:

Public Officers Law § 89(4)(d), added

Civil Practice Law and Rules § 5521(b), amended

Effective date: May 27, 2017

SHELTER

Chapter 7 — Relates to Statutory Definitions of
“Service Animal” and “Therapy Dog”
Relative to Residential Programs

[S.6386-A/A.9167]

Amends Chapter 584 of the Laws of 2015, which authorizes service animals or therapy dogs to accompany victims of domestic violence at residential programs. Among other things, Chapter 7 of the Laws of 2016: revises the previous amendments to Social Services Law § 459-b by specifically adopting the definitions of “service animal” and “therapy dog” as set forth in the State Agriculture and Markets Law §§ 123-b and 108, respectively; clarifies that a service animal or therapy dog be allowed to accompany a victim at a residential program “so long as such accompaniment would not create an undue burden as defined by ... the [E]xecutive [L]aw” upon the residential program; provides that, “[w]here such accompaniment would constitute an undue burden, the residential program shall make reasonable efforts to facilitate placement of such animal at

an off-site animal care facility or if reasonable efforts fail, provide referral to one or more off-site animal care facilities”; and changes the effective date of Chapter 584 of the Laws of 2015.

Statutes involved:

Social Services Law § 459-b (as amended by Chapter 584 of the Laws of 2015), amended

Sections 2-3 of Chapter 584 of the Laws of 2015, amended

Effective date: Varies based upon the section

HUMAN TRAFFICKING VICTIMS

**Chapter 311 — Relates to the Display of Posters with
Information Regarding the NHTRC Hotline**

[S.4732-A/A.4967-A]

Amends the Social Services Law in relation to requiring the Commissioner of OTDA to post an electronic version of the NHTRC Hotline poster (or a variation thereof) on the agency website. The law also requires the OTDA Commissioner to encourage certain locations where victims of human trafficking may be present to display, in a conspicuous place, a poster with information regarding the NHTRC Hotline.

Statutes involved:

Social Services Law § 483-ff, added

Effective date: November 8, 2016

**Chapter 408 — Relates to Identification and Assessment
of Human Trafficking Victims**

[S.6835-B/A.8650-B]

Requires subject facilities, such as hospitals, public health centers, diagnostic centers, treatment centers and outpatient departments, to establish and implement written policies and procedures for the identification, assessment, and treatment or referral of persons suspected as human trafficking victims, and requires facility personnel to complete training regarding such written policies and procedures.

Statutes involved:

Public Health Law § 2805-y, added

Effective date: November 4, 2017

**Chapter 413 — Relates to Increasing the Number of Members
of the ITF on Human Trafficking**
[S.7278/A.9317]

Relates to meetings of the ITF and provides for the Governor to appoint seven new members to the ITF, joining the ten State agency commissioners and directors originally appointed under the Social Services Law § 483-ee. Four new members, two upon recommendation from the Temporary President of the Senate and two upon recommendation from the Speaker of the Assembly, are appointed. Two members are appointed based upon recommendations from the not-for-profit organization in New York that received the largest share of funds for providing services to human trafficking victims. One member is appointed based upon recommendation of the president of the New York State Bar Association.

Statutes involved:

Social Services Law § 483-ee, amended

Effective date: November 4, 2016