

PROGRAM BILL # 5

Legislative Bill Drafting Commission
12021-01-5

S. -----
Senate

IN SENATE--Introduced by Sen

--read twice and ordered printed,
and when printed to be committed
to the Committee on

----- A.
Assembly

IN ASSEMBLY--Introduced by M. of A.

with M. of A. as co-sponsors

--read once and referred to the
Committee on

EXECLA
(Relates to counseling for grand-
children of homicide victims)

Exec. counsel for grandchild of homicide victim

AN ACT

to amend the executive law in
relation to counseling for grand-
children of homicide victims

The People of the State of New
York, represented in Senate and
Assembly, do enact as follows:

IN SENATE

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship
of this proposal:

| | | | | |
|-----------------|--------------|----------------|------------------|--------------|
| s15 Addabbo | s49 Farley | s63 Kennedy | s40 Murphy | s10 Sanders |
| s46 Amedore | s17 Felder | s34 Klein | s54 Nozzolio | s23 Savino |
| s11 Avella | s02 Flanagan | s28 Krueger | s58 O'Mara | s41 Serino |
| s42 Bonacic | s55 Funke | s24 Lanza | s62 Ort | s29 Serrano |
| s04 Boyle | s59 Gallivan | s39 Larkin | s60 Panepinto | s51 Seward |
| s44 Breslin | s12 Gianaris | s37 Latimer | s21 Parker | s09 Skelos |
| s38 Carlucci | s22 Golden | s01 LaValle | s13 Peralta | s26 Squadron |
| s14 Comrie | s47 Griffo | s52 Libous | s30 Perkins | s16 Stavisky |
| s03 Croci | s20 Hamilton | s45 Little | s61 Ranzenhofner | s35 Stewart- |
| s50 DeFrancisco | s06 Hannon | s05 Marcellino | s48 Ritchie | Cousins |
| s32 Diaz | s36 Hassell- | s43 Marchione | s33 Rivera | s53 Valesky |
| s18 Dilan | Thompson | s07 Martins | s56 Robach | s08 Venditto |
| s31 Espaillat | s27 Hoylman | s25 Montgomery | s19 Sampson | s57 Young |

IN ASSEMBLY

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the
multi-sponsorship of this proposal:

| | | | | |
|-------------------|------------------|------------------|-------------------|------------------|
| a049 Abbate | a053 Davila | a077 Joyner | a133 Nojay | a140 Schimminger |
| a092 Abinanti | a034 DenDekker | a020 Kaminsky | a037 Nolan | a076 Seawright |
| a084 Arroyo | a054 Dilan | a094 Katz | a130 Oaks | a087 Sepulveda |
| a035 Aubry | a081 Dinowitz | a074 Kavanagh | a069 O'Donnell | a065 Silver |
| a120 Barclay | a147 DiPietro | a142 Kearns | a051 Ortiz | a027 Simanowitz |
| a106 Barrett | a115 Duprey | a040 Kim | a091 Otis | a052 Simon |
| a060 Barron | a004 Englebright | a131 Kolb | a132 Palmesano | a036 Simotas |
| a082 Benedetto | a109 Fahy | a105 Lalor | a002 Palumbo | a104 Skartados |
| a042 Bichotte | a071 Farrell | a013 Lavine | a088 Paulin | a099 Skouffis |
| a079 Blake | a126 Finch | a134 Lawrence | a141 Peoples- | a022 Solages |
| a117 Blankenbush | a008 Fitzpatrick | a050 Lentol | Stokes | a114 Stec |
| a062 Borelli | a124 Friend | a125 Lifton | a058 Perry | a110 Steck |
| a098 Brabenec | a095 Galef | a072 Linares | a059 Persaud | a127 Stirpe |
| a026 Braunstein | a137 Gantt | a102 Lopez | a086 Pichardo | a112 Tedisco |
| a044 Brennan | a007 Garbarino | a123 Lupardo | a089 Pretlow | a101 Tenney |
| a119 Brindisi | a148 Giglio | a010 Lupinacci | a073 Quart | a001 Thiele |
| a138 Bronson | a080 Gjonaj | a121 Magee | a019 Ra | a061 Titone |
| a046 Brook-Krasny | a066 Glick | a129 Magnarelli | a012 Raia | a031 Titus |
| a093 Buchwald | a023 Goldfeder | a064 Malliotakis | a006 Ramos | a055 Walker |
| a118 Butler | a150 Goodell | a030 Markey | a043 Richardson | a146 Walter |
| a103 Cahill | a075 Gottfried | a090 Mayer | a078 Rivera | a041 Weinstein |
| a145 Ceretto | a005 Graf | a108 McDouald | a128 Roberts | a024 Weprin |
| a033 Clark | a100 Gunther | a014 McDonough | a056 Robinson | a113 Woerner |
| a047 Colton | a139 Hawley | a017 McKeivitt | a068 Rodriguez | a143 Wozniak |
| a032 Cook | a083 Heastie | a107 McLaughlin | a067 Rosenthal | a070 Wright |
| a144 Corwin | a028 Hevesi | a038 Miller | a025 Rozic | a096 Zebrowski |
| a085 Crespo | a048 Hikind | a015 Montesano | a116 Russell | a029 |
| a122 Crouch | a018 Hooper | a136 Morelle | a149 Ryan | |
| a021 Curran | a097 Jaffee | a057 Mosley | a009 Saladino | |
| a063 Cusick | a011 Jean-Pierre | a039 Moya | a111 Santabarbara | |
| a045 Cymbrowitz | a135 Johns | a003 Murray | a016 Schimel | |

1) Single House Bill (introduced and printed separately in either or
both houses). Uni-Bill (introduced simultaneously in both houses and printed
as one bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 2
signed copies of bill and 4 copies of memorandum in support (single house);
or 4 signed copies of bill and 8 copies of memorandum
in support (uni-bill).

1 Section 1. Paragraph b of subdivision 1 of section 624 of the execu-
2 tive law, as amended by chapter 233 of the laws of 2012, is amended to
3 read as follows:

4 (b) a surviving spouse, grandparent, parent, stepparent, guardian,
5 brother, sister, stepbrother, stepsister, child, [or] stepchild or
6 grandchild of a victim of a crime who died as a direct result of such
7 crime;

8 § 2. Subdivision 1 of section 626 of the executive law, as amended by
9 section 17 of part A-1 of chapter 56 of the laws of 2010, is amended to
10 read as follows:

11 1. Out-of-pocket loss shall mean unreimbursed and unreimbursable
12 expenses or indebtedness reasonably incurred for medical care or other
13 services necessary as a result of the injury upon which such claim is
14 based, including such expenses incurred as a result of the exacerbation
15 of a pre-existing disability or condition directly resulting from the
16 crime or causally related to the crime. Such expenses or indebtedness
17 shall include the cost of counseling for the eligible spouse, grandpar-
18 ents, parents, stepparents, guardians, brothers, sisters, stepbrothers,
19 stepsisters, children, [or] stepchildren or grandchildren of a homicide
20 victim, and crime victims who have sustained a personal physical injury
21 as the direct result of a crime and the spouse, children or stepchildren
22 of such physically injured victim. For the purposes of this subdivision,
23 the victim of a sex offense as defined in article one hundred thirty of
24 the penal law is presumed to have suffered physical injury. Such coun-
25 seling may be provided by local victim service programs, where avail-
26 able. It shall also include the cost of residing at or utilizing
27 services provided by shelters for battered spouses and children who are
28 eligible pursuant to subdivision two of section six hundred twenty-four

1 of this article, and the cost of reasonable attorneys' fees for repre-
2 sentation before the office and/or before the appellate division upon
3 judicial review not to exceed one thousand dollars.

4 § 2. This act shall take effect immediately, and apply to all claims
5 filed on or after the date it shall have become a law.