

GOVERNOR'S PROGRAM BILL

2015

MEMORANDUM

AN ACT to amend the Executive Law, in relation to counseling for grandchildren of homicide victims

Purpose:

This bill would include grandchildren among those family members eligible for reimbursement of counseling services provided by the New York State Office of Victim Services ("OVS") as relatives of a homicide victim.

Summary of Provisions:

Section one of the bill would amend paragraph b of subdivision 1 of section 624 of the Executive Law to add "grandchild" to the list of family members of a homicide victim eligible for an award of counseling services from OVS.

Section two of the bill would amend subdivision 1 of section 626 of the Executive Law to add "grandchildren" to the list of family members of a homicide victim who may receive an award for counseling expenses.

Section three of the bill would provide that it take effect immediately, and would apply to all claims filed on or after such date.

Existing Law:

Under current law, OVS is authorized only to reimburse the cost of counseling for the eligible spouse, grandparents, parents, stepparents, guardians, brothers, sisters, stepbrothers, stepsisters, children or stepchildren of a homicide victim.

Statement in Support:

Current law recognizes that certain family members of homicide victims are often victims themselves, requiring counseling after the tragic loss of a relative. The close relationship between a grandparent and his/her grandchild is reflected in statute by authorizing OVS to award reimbursement for counseling of a grandparent who has lost his/her grandchild as the result of a homicide. The converse, however, is not true – a grandchild who loses a grandparent as the result of a homicide is not eligible for counseling reimbursement under current law. This measure would ensure that grandchildren are treated equally with other family members who lose a relative as the result of a homicide.

Budget Implications:

Any fiscal impact would be addressed through existing resources.

Effective Date:

This act would take effect immediately, and apply to all claims filed on or after such date.