



## Legislation Details (With Text)

<b>File #:</b>	Int 0120-2002	<b>Version:</b>	A	<b>Name:</b>	Protecting survivors of domestic violence.
<b>Type:</b>	Introduction	<b>Status:</b>	Enacted	<b>In control:</b>	Committee on General Welfare
<b>On agenda:</b>	4/10/2002				
<b>Enactment date:</b>	12/19/2002	<b>Enactment #:</b>	2002/043		
<b>Title:</b>	A Local Law to amend the administrative code of the city of New York, in relation to securing access for emergency domestic violence shelter.				
<b>Sponsors:</b>	Bill De Blasio, Maria Baez, Tracy L. Boyland, Gale A. Brewer, Yvette D. Clarke, Ruben Diaz, Alan J. Gerson, Hiram Monserrate, Diana Reyna, John C. Liu, Jose M. Serrano, Kendall Stewart, James F. Gennaro, Robert Jackson, G. Oliver Koppell, Margarita Lopez, Miguel Martinez, Christine C. Quinn, Joel Rivera, Albert Vann, James Sanders, Jr., Leroy G. Comrie, Jr.				
<b>Indexes:</b>					
<b>Attachments:</b>	1. Committee Report 7/25, 2. Hearing Transcript 7/25, 3. Committee Report 12/4, 4. Hearing Transcript 12/4, 5. Hearing Transcript - Stated Meeting - 12/4/02, 6. Fiscal Impact Statement, 7. Local Law				

Date	Ver.	Action By	Action	Result
4/10/2002	*	City Council	Introduced by Council	
4/10/2002	*	City Council	Referred to Comm by Council	
7/25/2002	*	Committee on General Welfare	Hearing Held by Committee	
7/25/2002	*	Committee on General Welfare	Laid Over by Committee	
12/4/2002	A	City Council	Sent to Mayor by Council	
12/4/2002	*	Committee on General Welfare	Hearing Held by Committee	
12/4/2002	*	Committee on General Welfare	Amendment Proposed by Comm	
12/4/2002	A	Committee on General Welfare	Approved by Committee	Pass
12/4/2002	*	Committee on General Welfare	Amended by Committee	
12/4/2002	A	City Council	Approved by Council	Pass
12/19/2002	A	Mayor	Hearing Held by Mayor	
12/19/2002	A	Mayor	Signed Into Law by Mayor	
12/20/2002	A	City Council	Recved from Mayor by Council	

Int. No. 120-A

By Council Members DeBlasio, Baez, Boyland, Brewer, Clarke, Diaz, Gerson, Monserrate, Reyna, Liu, Serrano and Stewart; also Council Members Gennaro, Jackson, Koppell, Lopez, Martinez, Quinn, Rivera, Vann, Sanders and Comrie

A Local Law to amend the administrative code of the city of New York, in relation to securing access for emergency domestic violence shelter.

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is hereby amended by adding a new section 21-130 to read as follows:

**§ 21-130 Shelter and related services for victims of domestic violence.** a. The city shall provide emergency shelter and/or related services to victims of domestic violence to the extent required by sections 131-u and 459-a of the social services law. A victim of domestic violence shall include any person over the age of 16, any married person, or any parent accompanied by his or her minor child or children, in situations in which such person, parent or person's child is a victim of an act which would constitute a violation of the Penal Law, including, but not limited to acts constituting disorderly conduct, harassment, menacing, reckless endangerment, kidnapping, assault, attempted assault, or attempted murder; and

(1) such act or acts have resulted in actual physical or emotional injury  
or have created a substantial risk of physical or emotional harm to  
such person or such person's child; and

(2) such act or acts are or are alleged to have been committed by a  
family or household member.

Notwithstanding any other provision of this section, "Family or household members" shall mean the following individuals:

(i) persons related by blood or marriage;

(ii) persons legally married to one another;

(iii) persons formerly married to one another regardless of whether they still reside in the  
same household;

(iv) persons who have a child in common regardless of whether such persons are married or have lived  
together at any time;

(v) unrelated persons who are continually or at regular intervals living in the same household or who

have in the past continually or at regular intervals lived in the same household; or

(vi) unrelated persons who have had intimate or continuous social contact with one

another and who have access to one another's household.

b. Victims of domestic violence who apply for emergency shelter and/or related services pursuant to section 131-u of the social services law may not be denied emergency shelter or related services solely based on lack of documentary evidence of the incidence of domestic violence, such as a police report or order of protection.

§ 2. This local law shall take effect thirty days from its date of enactment.

RN  
LS# 224  
4/02/02