S T A T E O F N E W Y O R K

1137

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sen. BRESLIN -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families

AN ACT to amend the family court act, in relation to questioning of a minor by peace or police officers

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 3 of section 305.2 of the family court act, as added by chapter 920 of the laws of 1982, is amended to read as follows:

3. If an officer takes such child into custody or if a child is delivered to him OR HER under section 305.1, he OR SHE shall immediately notify THE FOLLOWING PERSONS THAT THE CHILD HAS BEEN TAKEN INTO CUSTODY: (A) the parent, or other person legally responsible for the child's care, or if such legally responsible person is unavailable the person with whom the child resides, [that the child has been taken into custody] AND (B) IF KNOWN BY THE OFFICER, THE LAW GUARDIAN FOR THE CHILD, IF ONE HAS PREVIOUSLY BEEN APPOINTED PURSUANT TO SECTION TWO HUNDRED FORTY-NINE OF THIS CHAPTER.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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