

# STATE OF NEW YORK

8943

## IN SENATE

January 20, 2026

Introduced by Sens. MARTINEZ, CLEARE -- read twice and ordered printed,  
and when printed to be committed to the Committee on Finance

AN ACT to amend the executive law, in relation to establishing a missing persons unit within the division of state police; to amend the executive law, in relation to adding women to the responsibility of the missing and exploited children clearinghouse; to amend the state finance law, in relation to the missing and exploited women and children clearinghouse fund; and to amend the tax law, in relation to the gift for missing and exploited women and children clearinghouse fund

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

1 Section 1. The executive law is amended by adding a new section 236 to  
2 read as follows:

3 § 236. Missing persons unit. There is hereby established within the  
4 division of state police the missing persons unit, which shall be a  
5 specialized unit having advanced training in responding to missing  
6 persons reports. The missing persons unit shall work in conjunction with  
7 the missing and exploited women and children clearinghouse and perform  
8 tasks related to investigating missing persons reports.

9 § 2. Section 837-f of the executive law, as added by chapter 880 of  
10 the laws of 1986, subdivision 10-a as added by chapter 600 of the laws  
11 of 1997, subdivision 12 as amended by chapter 579 of the laws of 1997,  
12 subdivision 14 as amended by chapter 381 of the laws of 2004 and para-  
13 graph (c) of subdivision 14 as amended by chapter 348 of the laws of  
14 2005, is amended to read as follows:

15 § 837-f. Missing and exploited women and children clearinghouse. There  
16 is hereby established within the division a missing and exploited women  
17 and children clearinghouse to provide a comprehensive and coordinated  
18 approach to the tragic problems of missing and exploited women and chil-  
19 dren. In addition to the activities of the statewide central register  
20 for missing women and children, the commissioner shall be authorized to:

21 1. Plan and implement programs to ensure the most effective use of  
22 federal, state and local resources in the investigation of missing and  
23 exploited women and children;

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

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1 2. Exchange information and resources with other states, and within  
2 New York state, concerning missing and exploited women and children;

3 3. Establish a case data base which will include nonidentifying infor-  
4 mation on reported women and children and facts developed in the phases  
5 of a search, and analyze such data for the purposes of: assisting law  
6 enforcement in their current investigations of missing and exploited  
7 women and children, developing prevention programs and increasing under-  
8 standing of the nature and extent of the problem; and share the data and  
9 analysis on a regular basis with the National Center for Missing and  
10 Exploited Children;

11 4. Disseminate a directory of resources to assist in the locating of  
12 missing women and children;

13 5. Cooperate with public and private schools and organizations to  
14 develop education and prevention programs concerning women and child  
15 safety for communities, parents and children;

16 6. Provide assistance in returning recovered women and children who  
17 are located out-of-state;

18 7. By January first, nineteen hundred eighty-seven arrange for the  
19 development of a curriculum for the training of law enforcement person-  
20 nel investigating cases involving missing and exploited children; and  
21 further by January first, two thousand twenty-seven include in the  
22 curriculum for the training of law enforcement concerning missing and  
23 exploited women and missing and exploited women and children of color  
24 and indigenous descent;

25 8. Assist federal, state and local agencies in the investigation of  
26 cases involving missing and exploited women and children;

27 9. Utilize available resources to duplicate photographs and posters of  
28 women and children reported as missing by police and with consent of  
29 parents, guardians or others legally responsible, disseminate this  
30 information throughout the state;

31 10. Beginning on January first, nineteen hundred eighty-seven, dissem-  
32 inate, on a regular basis, a bulletin containing information on children  
33 in the missing children's register to the state education department  
34 which shall then forward such bulletin to every public and private  
35 school where parents, guardians or others legally responsible for such  
36 children have given consent;

37 10-a. (a) By November first, nineteen hundred ninety-seven prescribe  
38 general guidelines to enable the state legislature and state agencies to  
39 assist in the location and recovery of missing women and children. The  
40 guidelines shall provide information relating to:

41 (i) the form and manner in which materials and information pertaining  
42 to missing women and children including but not limited to biographical  
43 data and pictures, sketches or other likenesses may be included in  
44 stationery, newsletters and other written or electronic printings;

45 (ii) appropriate sources from which such materials and information may  
46 be obtained;

47 (iii) the procedures by which such materials and information may be  
48 obtained; and

49 (iv) any other matter the clearinghouse considers appropriate.

50 (b) By January first, nineteen hundred ninety-eight arrange for the  
51 transmission of biographical information and pictures, sketches or other  
52 likenesses of missing women and children to state agencies, departments  
53 and the legislature to use in printings.

54 11. Operate a toll-free twenty-four hour hotline for the public to use  
55 to relay information concerning missing women and children;

1 12. Submit an annual report to the governor and legislature regarding  
2 the activities of the clearinghouse including statistical information  
3 involving reported cases of missing women and children pursuant to  
4 section eight hundred thirty-seven-m of this article and a summary of  
5 the division's efforts with respect to the use of monies from the miss-  
6 ing and exploited women and children clearinghouse fund created pursuant  
7 to section ninety-two-w of the state finance law; and

8 13. Take such other steps as necessary to assist in education,  
9 prevention, service provision and investigation of cases involving miss-  
10 ing and exploited women and children.

11 14. (a) In consultation with the division of state police and other  
12 appropriate agencies, develop, and regularly update and distribute,  
13 model missing woman or child prompt response and notification plans,  
14 which shall be available for use, in their discretion, as appropriate,  
15 by local communities and law enforcement personnel. Such plans shall  
16 involve a pro-active, coordinated response, planned in advance, that may  
17 be promptly triggered by law enforcement personnel upon confirmation by  
18 a police officer, peace officer or police agency of a report of a miss-  
19 ing woman or child, as defined in subdivision one of section eight  
20 hundred thirty-seven-e of this article.

21 (b) Such plans shall, at a minimum, provide that:

22 (i) the name of such missing woman or child, a description of the  
23 woman or child and other pertinent information may be promptly  
24 dispatched over the police communication system, pursuant to subdivision  
25 three of section two hundred twenty-one of this chapter;

26 (ii) such information may be immediately provided orally, electron-  
27 ically or by facsimile transmission to one or more radio stations and  
28 other broadcast media outlets serving the community including, but not  
29 limited to, those which have voluntarily agreed, in advance, to promptly  
30 notify other such radio stations and other broadcast media outlets in  
31 like manner;

32 (iii) such information may be immediately provided by electronic mail  
33 message to one or more internet service providers and commercial mobile  
34 service providers serving the community including, but not limited to,  
35 those which have voluntarily agreed, in advance, to promptly notify  
36 other such internet service providers in like manner;

37 (iv) participating radio stations and other participating broadcast  
38 media outlets serving the community may voluntarily agree to promptly  
39 broadcast a missing woman or child alert providing pertinent details  
40 concerning the woman or child's disappearance, breaking into regular  
41 programming where appropriate;

42 (v) participating internet service providers and commercial mobile  
43 service providers serving the community may voluntarily agree to prompt-  
44 ly provide by electronic mail message a missing woman or child alert  
45 providing pertinent details concerning the woman or child's disappear-  
46 ance;

47 (vi) police agencies not connected with the basic police communication  
48 system in use in such jurisdiction may transmit such information to the  
49 nearest or most convenient electronic entry point, from which point it  
50 may be promptly dispatched, in conformity with the orders, rules or  
51 regulations governing the system; and

52 (vii) no dispatch or transmission of a report concerning a missing  
53 woman or child shall be required by such plan if the investigating  
54 police department advises, in its discretion, that the release of such  
55 information may jeopardize the investigation or the safety of the woman  
56 or child, or requests forbearance for any reason.

1 (c) The commissioner shall also designate a unit within the division  
2 that shall assist law enforcement agencies and representatives of radio  
3 stations, broadcast media outlets, internet service providers and  
4 commercial mobile service providers in the design, implementation and  
5 improvement of missing women or child prompt response and notification  
6 plans. Such unit shall make ongoing outreach efforts to local govern-  
7 ment entities and local law enforcement agencies to assist such entities  
8 and agencies in the implementation and operation of such plans with the  
9 goal of implementing and operating such plans in every jurisdiction in  
10 New York state.

11 (d) The commissioner shall also maintain and make available to appro-  
12 priate state and local law enforcement agencies up-to-date information  
13 concerning technological advances that may assist in facilitating the  
14 recovery of missing women or children. Such information shall include,  
15 but not be limited to, technology using computer assisted imaging to  
16 "age enhance" photographs of missing women or children, and technology  
17 that may be used to enter such photographs and other pertinent informa-  
18 tion concerning missing women or children into a database accessible to  
19 appropriate officials and persons.

20 § 3. Section 837-m of the executive law, as amended by chapter 255 of  
21 the laws of 2014, is amended to read as follows:

22 § 837-m. Reporting duties of law enforcement departments with respect  
23 to missing women and children and vulnerable adults. The chief of every  
24 police department, each county sheriff and the superintendent of state  
25 police shall report, at least semi-annually, to the division with  
26 respect to specified cases of missing women and children that are  
27 closed. Such reports shall be in the form and manner prescribed by the  
28 division and shall contain such information as the division deems neces-  
29 sary including, but not limited to, information regarding recovered  
30 women and children who were arrested, women and children who were the  
31 victims of criminal activity or exploitation and women and children who  
32 were found deceased and information regarding the alleged abductor or  
33 killer of such women and children. Any law enforcement department  
34 referred to in this section may, in its discretion, include in such  
35 semi-annual reports information relating to missing vulnerable adults as  
36 such term is defined in section eight hundred thirty-seven-f-one of this  
37 article.

38 § 4. Section 221 of the executive law is amended by adding a new  
39 subdivision 4 to read as follows:

40 4. When any police officer, peace officer or police agency in the  
41 state shall receive a complaint of a missing woman, such police officer,  
42 peace officer or police agency may, in such police officer's, peace  
43 officer's or police agency's discretion, as appropriate, cause informa-  
44 tion concerning such missing woman to be promptly dispatched over the  
45 police communication system. Police agencies not connected with the  
46 basic system may transmit such information to the nearest or most  
47 convenient electronic entry point, from which point it may be promptly  
48 dispatched, in conformity with the orders, rules or regulations govern-  
49 ing the system. No dispatch or transmission of a report concerning a  
50 missing woman shall be required by this subdivision if the investigating  
51 police department advises, in its discretion, that the release of such  
52 information may jeopardize the investigation or the safety of the woman,  
53 or requests forbearance for any reason.

54 § 5. Section 92-w of the state finance law, as added by chapter 530 of  
55 the laws of 1994, subdivision 2 as amended by chapter 579 of the laws of  
56 1997, subdivision 2-a as added by chapter 453 of the laws of 2015, and

1 the opening paragraph of subdivision 2-a as amended by section 27-e of  
2 part UU of chapter 54 of the laws of 2016, is amended to read as  
3 follows:

4 § 92-w. Missing and exploited women and children clearinghouse fund.  
5 1. A special fund to be known as the "missing and exploited women and  
6 children clearinghouse fund" is hereby established in the custody of the  
7 state comptroller and the commissioner of taxation and finance.

8 2. The fund shall consist of all monies transferred to such fund  
9 pursuant to law, all monies required by any provision of law to be paid  
10 into or credited to the fund, all moneys from gifts pursuant to section  
11 six hundred twenty-eight of the tax law and any interest earnings which  
12 may accrue from the investment of monies in the fund. Nothing contained  
13 herein shall prevent the state from receiving grants, gifts or bequests  
14 for the purposes of the fund as defined in this section and depositing  
15 them into the fund according to law.

16 2-a. On or before the first day of February each year, the director of  
17 the division of criminal justice services shall provide a written report  
18 to the temporary president of the senate, speaker of the assembly, chair  
19 of the senate finance committee, chair of the assembly ways and means  
20 committee, chair of the senate committee on codes, chair of the assembly  
21 codes committee, the state comptroller and the public. Such report shall  
22 include how the monies of the fund were utilized during the preceding  
23 calendar year, and shall include:

24 (i) the amount of money dispersed from the fund and the award process  
25 used for such disbursements;

26 (ii) recipients of awards from the fund;

27 (iii) the amount awarded to each;

28 (iv) the purposes for which such awards were granted; and

29 (v) a summary financial plan for such monies which shall include esti-  
30 mates of all receipts and all disbursements for the current and succeed-  
31 ing fiscal years, along with the actual results from the prior fiscal  
32 year.

33 3. Monies of the fund, when allocated, shall be available to the divi-  
34 sion of criminal justice services for the enhancement of public informa-  
35 tion and prevention education efforts including production of print,  
36 video and radio advertising materials, brochures, pamphlets and outdoor  
37 advertising, or for any other activity or purpose that will aid in the  
38 prevention of the exploitation of women and children or in the recovery  
39 of missing and exploited women and children, as deemed necessary by the  
40 missing and exploited women and children clearinghouse created pursuant  
41 to section eight hundred thirty-seven-f of the executive law.

42 4. Monies shall be payable from the fund on the audit and warrant of  
43 the comptroller on vouchers approved and certified by the director of  
44 the division of criminal justice services.

45 § 6. Section 628 of the tax law, as added by chapter 579 of the laws  
46 of 1997, is amended to read as follows:

47 § 628. Gift for missing and exploited women and children clearinghouse  
48 fund. Effective for any tax year commencing on or after January first,  
49 nineteen hundred ninety-seven, an individual in any taxable year may  
50 elect to contribute to the missing and exploited women and children  
51 clearinghouse fund. Such contribution shall be in any whole dollar  
52 amount and shall not reduce the amount of state tax owed by such indi-  
53 vidual. The commissioner shall include space on the personal income tax  
54 return form to enable a taxpayer to make such contribution. Notwith-  
55 standing any other provision of law, all revenues collected pursuant to  
56 this section shall be paid to the missing and exploited women and chil-

1 dren clearinghouse fund established pursuant to and used only for those  
2 purposes enumerated in section ninety-two-w of the state finance law.  
3 § 7. This act shall take effect on the one hundred twentieth day after  
4 it shall have become a law. Effective immediately, the addition, amend-  
5 ment and/or repeal of any rule or regulation necessary for the implemen-  
6 tation of this act on its effective date are authorized to be made and  
7 completed on or before such effective date.