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

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I N A S S E M B L Y

April 17, 2009

Introduced by M. of A. P. RIVERA, N. RIVERA, ROBINSON, EDDINGTON, JAFFEE, LIFTON, HYER-SPENCER, MILLMAN, CLARK, BENEDETTO, COOK, MAYER-SOHN, HOOPER, MAISEL, REILLY, LANCMAN, WEISENBERG, PERRY, SPANO, KOON, J. RIVERA, TOWNSEND, CALHOUN, CARROZZA, FIELDS, FINCH, ESPAILLAT -- Multi-Sponsored by -- M. of A. ARROYO, CHRISTENSEN, COLTON, CROUCH, DIAZ, ERRIGO, GABRYSZAK, GALEF, GIGLIO, HIKIND, V. LOPEZ, LUPARDO, MAGEE, MARKEY, McKEVITT, ORTIZ, PERALTA, PHEFFER, POWELL, RAMOS, SALADINO, SEMINERIO, STIRPE, TOWNS -- read once and referred to the Committee on Transportation

AN ACT to amend the transportation law and the executive law, in relation to requiring airports with commercial air carrier service to identify and report on children arriving unaccompanied by an adult

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

Section 1. The transportation law is amended by adding a new section 14-n to read as follows:

S 14-N. MINORS UNACCOMPANIED BY AN ADULT AT AN AIRPORT. 1. EVERY AIRPORT IN THIS STATE HAVING COMMERCIAL AIR CARRIER SERVICE SHALL, SUBJECT TO THE RULES AND REGULATIONS OF THE ATTORNEY GENERAL, IDENTIFY AND MAINTAIN A RECORD OF EACH CHILD, UNDER THE AGE OF EIGHTEEN YEARS, ARRIVING AT SUCH AIRPORT ABOARD A COMMERCIAL AIR CARRIER AND UNACCOMPANIED BY AN ADULT WHO IS TWENTY-ONE YEARS OF AGE OR OLDER. FURTHERMORE, EACH SUCH AIRPORT SHALL DETERMINE THE NAME AND ADDRESS OF THE PERSON WHO WILL TAKE CUSTODY OF ANY SUCH MINOR WHEN HE OR SHE ARRIVES AT HIS OR HER AIRPORT OF DESTINATION.

2. EACH AIRPORT, WHICH IS SUBJECT TO THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION, SHALL REPORT ALL INFORMATION COMPILED PURSUANT TO SUCH SUBDIVISION TO THE CIVIL RIGHTS BUREAU OF THE DEPARTMENT OF LAW ON A MONTHLY BASIS, SUBJECT TO THE RULES AND REGULATIONS OF THE ATTORNEY GENERAL.

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

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S 2. The executive law is amended by adding a new section 75 to read as follows:

S 75. AIRPORTS: UNACCOMPANIED CHILDREN. 1. THE ATTORNEY-GENERAL, IN CONSULTATION AND COOPERATION WITH THE OFFICE OF CHILDREN AND FAMILY SERVICES, SHALL PROMULGATE RULES AND REGULATIONS REQUIRING EVERY AIRPORT IN THIS STATE HAVING COMMERCIAL AIR CARRIER SERVICE TO IDENTIFY, MAINTAIN A RECORD OF AND REPORT ON EACH CHILD, UNDER THE AGE OF EIGHTEEN YEARS, ARRIVING AT SUCH AIRPORT ABOARD A COMMERCIAL AIR CARRIER AND UNACCOMPANIED BY AN ADULT WHO IS TWENTY-ONE YEARS OF AGE OR OLDER. SUCH RULES AND REGULATIONS SHALL REQUIRE EACH SUCH AIRPORT TO DETERMINE THE NAME AND ADDRESS OF THE PERSON WHO WILL TAKE CUSTODY OF ANY SUCH MINOR WHEN HE OR SHE ARRIVES AT HIS OR HER AIRPORT OF DESTINATION.

2. THE ATTORNEY-GENERAL SHALL PROMULGATE SUCH RULES AND REGULATIONS, AS HE OR SHE SHALL DEEM NECESSARY, REQUIRING AIRPORTS TO REPORT ALL INFORMATION COMPILED PURSUANT TO SUBDIVISION ONE OF THIS SECTION TO THE CIVIL RIGHTS BUREAU OF THE DEPARTMENT OF LAW ON A MONTHLY BASIS. THE DEPARTMENT OF LAW AND THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL JOINTLY EXAMINE AND EVALUATE SUCH INFORMATION TO DETERMINE AND RECOMMEND ANY REGULATORY OR STATUTORY CHANGES NECESSARY TO PREVENT THE HUMAN TRAFFICKING OF CHILDREN.

3. THE ATTORNEY-GENERAL, OFFICE OF CHILDREN AND FAMILY SERVICES AND THE APPROPRIATE LOCAL CHILD PROTECTIVE SERVICES SHALL JOINTLY ESTABLISH AND IMPLEMENT ANY RULES, REGULATIONS AND PROCEDURES THEY DEEM NECESSARY TO ENSURE UNACCOMPANIED MINORS DO NOT FALL INTO THE HANDS OF HUMAN TRAFFICKERS.

S 3. This act shall take effect on the one hundred eightieth day after it shall have become a law. Provided, that any rules and regulations necessary to implement the provisions of this act on its effective date are authorized and directed to be completed on or before such date.