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

4839

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

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

AN ACT to amend the social services law, in relation to requiring local social services districts to maintain data on reports of child abuse or maltreatment

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

Section 1. The social services law is amended by adding a new section 424-e to read as follows:

S 424-E. REPORTING REQUIREMENTS. 1. EACH LOCAL SOCIAL SERVICES DISTRICT SHALL MAINTAIN DATA ON REPORTS OF CHILD ABUSE OR MALTREATMENT REFERRED BY THE DISTRICT TO LAW ENFORCEMENT IN ACCORDANCE WITH SUBDIVISIONS FOUR, FIVE-A AND FIVE-B OF SECTION FOUR HUNDRED TWENTY-FOUR OF THIS TITLE. SUCH DATA SHALL INCLUDE, BUT NOT BE LIMITED TO, THE NUMBER OF REFERRALS MADE, THE NATURE OF THE ALLEGATION OR CIRCUMSTANCE WHICH PROMPTED THE REFERRAL, AND THE RESPONSE OF LAW ENFORCEMENT. FOR THE PURPOSES OF THIS SECTION, LAW ENFORCEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, A STATE, CITY, COUNTY, TOWN OR VILLAGE POLICE AGENCY OR OFFICER, DISTRICT ATTORNEY OR EMPLOYEE OF THE OFFICE OF THE DISTRICT ATTORNEY, PEACE OFFICER OR MULTI-DISCIPLINARY TEAM.

2. EACH LOCAL SOCIAL SERVICES DISTRICT SHALL SUBMIT ALL DATA REQUIRED TO BE MAINTAINED PURSUANT TO SUBDIVISION ONE OF THIS SECTION TO THE OFFICE OF CHILDREN AND FAMILY SERVICES BY NOVEMBER FIRST OF EACH YEAR IN SUCH FORM AS SPECIFIED BY THE OFFICE OF CHILDREN AND FAMILY SERVICES. THE OFFICE OF CHILDREN AND FAMILY SERVICES SHALL COMPILE SUCH DATA INTO ONE REPORT ON A COUNTY-BY-COUNTY BASIS, WHICH SHALL BE SUBMITTED TO THE GOVERNOR, THE SPEAKER OF THE ASSEMBLY AND THE TEMPORARY PRESIDENT OF THE SENATE, NO LATER THAN JANUARY FIRST OF EACH YEAR. SUCH REPORT SHALL EXCLUDE ANY INFORMATION WHICH MAY IDENTIFY SUCH CHILD OR CHILDREN ALLEGED TO BE ABUSED OR MALTREATED, THE SUBJECT OF THE REPORT, OTHER PERSONS NAMED IN THE REPORT OR THE PERSON WHO MADE THE REPORT.

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

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S 2. This act shall take effect on the sixtieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.