

S. 1197

A. 989

2011-2012 Regular Sessions

S E N A T E - A S S E M B L Y

January 5, 2011

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

IN ASSEMBLY -- Introduced by M. of A. McENENY, BARRON -- read once and referred 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:

1 Section 1. Subdivision 3 of section 305.2 of the family court act, as
2 added by chapter 920 of the laws of 1982, is amended to read as follows:
3 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
4 notify THE FOLLOWING PERSONS THAT THE CHILD HAS BEEN TAKEN INTO CUSTODY:
5 6 (A) the parent, or other person legally responsible for the child's
6 7 care, or if such legally responsible person is unavailable the person
7 8 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
8 9 ONE HAS PREVIOUSLY BEEN APPOINTED PURSUANT TO SECTION TWO HUNDRED
9 10 FORTY-NINE OF THIS CHAPTER.
10 11 S 2. This act shall take effect on the ninetieth day after it shall
11 12 have become a law.
12 13

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

LBD00463-01-1