

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