

3616

2015-2016 Regular Sessions

I N   A S S E M B L Y

January 27, 2015

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Introduced by M. of A. SCARBOROUGH, PAULIN, CLARK, ROBINSON, COOK,  
TITUS, JAFFEE -- Multi-Sponsored by -- M. of A. GLICK, KOLB, LAVINE,  
MAGEE, SCHIMEL -- read once and referred to the Committee on Children  
and Families

AN ACT to amend the social services law, in relation to mandating the  
recording of calls made to the statewide central register of child  
abuse and maltreatment

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

1     Section 1. Subdivision 2 of section 422 of the social services law is  
2     amended by adding a new paragraph (d) to read as follows:  
3     (D) (I) ALL TELEPHONE CALLS MADE TO THE STATEWIDE CENTRAL REGISTER BY  
4     PERSONS REQUIRED TO REPORT CASES OF SUSPECTED CHILD ABUSE AND MALTREAT-  
5     MENT AS DEFINED IN SECTION FOUR HUNDRED THIRTEEN OF THIS TITLE SHALL BE  
6     RECORDED. ALL PERSONS REQUIRED TO REPORT CASES OF SUSPECTED CHILD ABUSE  
7     AND MALTREATMENT AS DEFINED IN THIS SECTION SHALL BE INFORMED BY THE  
8     STATEWIDE CENTRAL REGISTRY THAT SUCH CALL IS BEING RECORDED. FOR ANY  
9     TELEPHONE CALL THAT CONSTITUTES A REPORT, SUCH RECORDING SHALL BE MAIN-  
10    TAINED FOR THE LENGTH OF TIME OTHERWISE REQUIRED BY THIS SECTION FOR  
11    MAINTENANCE OF ALL RECORDS THAT RELATE TO SUCH REPORT. FOR ANY TELEPHONE  
12    CALL THAT DOES NOT CONSTITUTE A REPORT, SUCH RECORDING SHALL BE MAIN-  
13    TAINED FOR FIVE YEARS.  
14    (II) ALL SUCH RECORDINGS SHALL BE CONFIDENTIAL AND SHALL NOT BE  
15    CONSIDERED AS PART OF THE RECORD UNDER PARAGRAPH (A) OF SUBDIVISION FOUR  
16    OF THIS SECTION AND SHALL ONLY BE AVAILABLE TO THE STATEWIDE CENTRAL  
17    REGISTER OF CHILD ABUSE AND MALTREATMENT FOR THE PURPOSES OF QUALITY  
18    ASSURANCE AND ENHANCED CHILD SAFETY.  
19    (III) A COURT MAY DIRECT DISCLOSURE OF A RECORDING OR RECORDINGS UNDER  
20    THIS SUBDIVISION UPON A FINDING THAT SUCH RECORDING OR RECORDINGS ARE  
21    NECESSARY TO A DETERMINATION BEFORE THE COURT DURING A CRIMINAL PROCEED-

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

LBD08089-01-5

1   ING CONCERNING A VIOLATION OF SUBDIVISION FOUR OF SECTION 240.50 OF   THE  
2   PENAL LAW.  
3       S   2. This act shall take effect on the first of April next succeeding  
4   the date on which it shall have become a law.