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

7354

I N S E N A T E

April 20, 2016

Introduced by Sen. CROCI -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the executive law, in relation to establishing a daily terror threat briefing to the governor

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

Section 1. The executive law is amended by adding a new section 711-b to read as follows:

S 711-B. DAILY THREAT BRIEFING. 1. THE COMMISSIONER OF THE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES, TOGETHER WITH THE SUPERINTENDENT OF STATE POLICE, SHALL DELIVER A DAILY TERROR THREAT BRIEFING TO THE GOVERNOR. THE DAILY TERROR THREAT BRIEFING SHALL PROVIDE INFORMATION INCLUDING, BUT NOT LIMITED TO:

(A) THE STATE'S CURRENT THREAT LEVEL;

(B) IMMINENT THREATS TO NEW YORK STATE;

(C) IDENTIFICATION OF POTENTIAL INADEQUACIES IN THE STATE'S POLICIES, PROTOCOLS, AND STRATEGIES TO DETECT, RESPOND TO AND RECOVER FROM TERRORIST ACTS OR THREATS AND OTHER NATURAL AND MAN-MADE DISASTERS;

(D) THE RESULTS OF ANY AND ALL DRILLS AND SIMULATIONS DESIGNED TO ASSESS AND PREPARE RESPONSES TO TERRORIST ACTS;

(E) ANY AND ALL INFORMATION SHARING AMONG LOCAL, STATE AND FEDERAL LAW ENFORCEMENT AGENCIES WHICH HAS ASSISTED IN THE EARLY IDENTIFICATION OF AND RESPONSE TO POTENTIAL TERRORIST ACTIVITIES;

(F) ANY INADEQUACIES OF STATE AND LOCAL PUBLIC HEALTH SYSTEMS TO RESPOND TO TERRORIST ACTS INCLUDING THE AVAILABILITY OF EARLY WARNING SYSTEMS DESIGNED TO DETECT POTENTIAL THREATS AND DETERMINING ADEQUACY AND AVAILABILITY OF NECESSARY VACCINES AND PHARMACEUTICALS AND HOSPITAL CAPACITY;

(G) ANY INADEQUACIES IN THE TRAINING OF FIRST RESPONDERS OR THE EQUIPMENT UTILIZED BY FIRST RESPONDERS THAT MAY BE USED TO MONITOR, DETECT, RESPOND TO AND MITIGATE THE CONSEQUENCES OF A POTENTIAL BIOLOGICAL, CHEMICAL OR RADIOLOGICAL TERRORIST ACT OR THREAT;

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

LBD14879-01-6

(H) ANY ASSESSMENTS ON THE VULNERABILITY OF CRITICAL INFRASTRUCTURE TO TERRORIST ATTACKS OR BIOTERRORISM;

(I) THE STATUS OF ANY AND ALL COORDINATION OF STATE RESOURCES FOR THE COLLECTION AND ANALYSIS OF INFORMATION RELATING TO TERRORIST THREATS AND TERRORIST ACTIVITIES;

(J) THE STATE'S CURRENT THREAT POSTURE AND COLLABORATIVE EFFORTS AMONG LOCALITIES, REGIONS AND WITH OTHER STATES TO PREPARE FOR AND DEFEND AGAINST ACTS OF TERRORISM;

(K) ANY CHANGES TO PLANS THAT HAVE BEEN DEVELOPED TO PROMOTE RAPID RECOVERY FROM TERRORIST ATTACKS;

(L) ANY CHANGES TO PLANS DEVELOPED FOR PURPOSES OF CONTAINING AND REMOVING HAZARDOUS MATERIALS USED IN A TERRORIST ATTACK;

(M) ANY CHANGES TO PLANS DEVELOPED FOR PURPOSES OF PROTECTING CRITICAL INFRASTRUCTURE; AND

(N) THE STATUS OF ANY CYBER THREATS OR ATTACKS BEING INVESTIGATED BY THE DIVISION.

2. IN THE EVENT THAT THE GOVERNOR IS UNABLE TO RECEIVE HIS/HER DAILY TERROR THREAT BRIEFING BY NINE A.M., THE COMMISSIONER OF THE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES, TOGETHER WITH THE SUPERINTENDENT OF STATE POLICE, SHALL DELIVER THE BRIEFING TO THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY.

S 2. The executive law is amended by adding a new section 223-a to read as follows:

S 223-A. DAILY THREAT BRIEFING. 1. THE SUPERINTENDENT TOGETHER WITH THE COMMISSIONER OF THE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES, SHALL DELIVER A DAILY TERROR THREAT BRIEFING TO THE GOVERNOR. THE DAILY BRIEFING SHALL PROVIDE INFORMATION INCLUDING, BUT NOT LIMITED TO:

(A) THE STATE'S CURRENT THREAT LEVEL;

(B) IMMINENT THREATS TO NEW YORK STATE;

(C) IDENTIFICATION OF POTENTIAL INADEQUACIES IN THE STATE'S POLICIES, PROTOCOLS, AND STRATEGIES TO DETECT, RESPOND TO AND RECOVER FROM TERRORIST ACTS OR THREATS AND OTHER NATURAL AND MAN-MADE DISASTERS;

(D) THE RESULTS OF ANY AND ALL DRILLS AND SIMULATIONS DESIGNED TO ASSESS AND PREPARE RESPONSES TO TERRORIST ACTS;

(E) ANY AND ALL INFORMATION SHARING AMONG LOCAL, STATE AND FEDERAL LAW ENFORCEMENT AGENCIES WHICH HAS ASSISTED IN THE EARLY IDENTIFICATION OF AND RESPONSE TO POTENTIAL TERRORIST ACTIVITIES;

(F) ANY INADEQUACIES OF STATE AND LOCAL PUBLIC HEALTH SYSTEMS TO RESPOND TO TERRORIST ACTS INCLUDING THE AVAILABILITY OF EARLY WARNING SYSTEMS DESIGNED TO DETECT POTENTIAL THREATS AND DETERMINING ADEQUACY AND AVAILABILITY OF NECESSARY VACCINES AND PHARMACEUTICALS AND HOSPITAL CAPACITY;

(G) ANY INADEQUACIES IN THE TRAINING OF FIRST RESPONDERS OR THE EQUIPMENT UTILIZED BY FIRST RESPONDERS THAT MAY BE USED TO MONITOR, DETECT, RESPOND TO AND MITIGATE THE CONSEQUENCES OF A POTENTIAL BIOLOGICAL, CHEMICAL OR RADIOLOGICAL TERRORIST ACT OR THREAT;

(H) ANY ASSESSMENTS ON THE VULNERABILITY OF CRITICAL INFRASTRUCTURE TO TERRORIST ATTACKS OR BIOTERRORISM;

(I) THE STATUS OF ANY AND ALL COORDINATION OF STATE RESOURCES FOR THE COLLECTION AND ANALYSIS OF INFORMATION RELATING TO TERRORIST THREATS AND TERRORIST ACTIVITIES;

(J) THE STATE'S CURRENT THREAT POSTURE AND COLLABORATIVE EFFORTS AMONG LOCALITIES, REGIONS AND WITH OTHER STATES TO PREPARE FOR AND DEFEND AGAINST ACTS OF TERRORISM;

(K) ANY CHANGES TO PLANS THAT HAVE BEEN DEVELOPED TO PROMOTE RAPID RECOVERY FROM TERRORIST ATTACKS;

(L) ANY CHANGES TO PLANS DEVELOPED FOR PURPOSES OF CONTAINING AND REMOVING HAZARDOUS MATERIALS USED IN A TERRORIST ATTACK;

(M) ANY CHANGES TO PLANS DEVELOPED FOR PURPOSES OF PROTECTING CRITICAL INFRASTRUCTURE; AND

(N) THE STATUS ON ANY CYBER THREATS OR ATTACKS BEING INVESTIGATED BY THE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES.

2. IN THE EVENT THAT THE GOVERNOR IS UNABLE TO RECEIVE HIS/HER DAILY TERROR THREAT BRIEFING BY NINE A.M., THE SUPERINTENDENT, TOGETHER WITH THE COMMISSIONER OF THE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES, SHALL DELIVER THE BRIEFING TO THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY.

S 3. This act shall take effect one day after it shall have become a law.