

STATE OF NEW YORK

8286

2017-2018 Regular Sessions

IN ASSEMBLY

June 6, 2017

Introduced by M. of A. OTIS -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to the transmission of reports of missing persons to the National Missing and Unidentified Persons System

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 837-e of the executive law is amended by adding a
2 new subdivision 1-b to read as follows:

3 1-b. In the event that a child reported as missing remains missing
4 thirty days after entry of a report of a missing child into the regis-
5 ter, the commissioner shall transmit the report of the missing child to
6 the National Missing and Unidentified Persons System created by the
7 United States Office of Justice Program's National Institute of Justice;
8 provided, however, that nothing within this subdivision shall be
9 construed to prohibit transmitting a report of a missing child to the
10 National Missing and Unidentified Persons System sooner than thirty days
11 after such child is reported as missing.

12 § 2. Paragraphs (e) and (f) of subdivision 4 of section 837-e of the
13 executive law, as amended by chapter 652 of the laws of 1987, are
14 amended to read as follows:

15 (e) insuring the proper disposition of all obsolete register data,
16 provided however that such data for a person who has reached the age of
17 eighteen and remains missing shall be preserved; [~~and~~]

18 (f) linking the register with the national crime information center
19 register.; and

20 (g) establishing procedures for transmitting a report of a missing
21 child to the National Missing and Unidentified Persons System created by
22 the United States Office of Justice Program's National Institute of
23 Justice pursuant to subdivision one-b of this section.

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

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1 § 3. Section 837-f-2 of the executive law, as added by chapter 316 of
2 the laws of 2016, is amended to read as follows:

3 § 837-f-2. Missing adults. 1. In the event that a police agency
4 receives a report that an adult person is missing from his or her normal
5 and ordinary place of residence and whose whereabouts cannot be deter-
6 mined by an individual whose relationship with such adult person would
7 place such individual in a position to have knowledge of his or her
8 whereabouts, and that such missing adult person has a proven disability,
9 or may be in physical danger, or is missing after a catastrophe, or may
10 have disappeared involuntarily, or is missing under circumstances where
11 there is a reasonable concern for his or her safety; and such missing
12 adult person does not qualify as either a missing child pursuant to
13 section eight hundred thirty-seven-e of this article or a vulnerable
14 adult pursuant to section eight hundred thirty-seven-f-1 of this arti-
15 cle, the police agency shall collect information necessary to file an
16 electronic report regarding the missing adult person with the national
17 crime information center register and submit such electronic report to
18 the national crime information center register.

19 2. In the event that a police agency receives a report that an adult
20 person is missing from his or her normal and ordinary place of residence
21 and whose whereabouts cannot be determined by an individual whose
22 relationship with such adult person would place such individual in a
23 position to have knowledge of his or her whereabouts, and that such
24 missing adult person has a proven disability, or may be in physical
25 danger, or is missing after a catastrophe, or may have disappeared
26 involuntarily, or is missing under circumstances where there is a
27 reasonable concern for his or her safety; and such missing adult person
28 does not qualify as either a missing child pursuant to section eight
29 hundred thirty-seven-e of this article or a vulnerable adult pursuant to
30 section eight hundred thirty-seven-f-1 of this article; and such missing
31 adult person remains missing thirty days after the police agency
32 received the report that an adult person is missing, the police agency
33 shall transmit a report to the National Missing and Unidentified Persons
34 System created by the United States Office of Justice Program's National
35 Institute of Justice; provided, however, that nothing within this
36 section shall be construed to prohibit transmitting a report of a miss-
37 ing adult person to the National Missing and Unidentified Persons System
38 sooner than thirty days after such adult person is reported as missing.

39 § 4. This act shall take effect immediately.