STATE OF NEW YORK

11234

IN ASSEMBLY

June 15, 2018

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Stern) -- read once and referred to the Committee on Governmental Operations

AN ACT establishing a temporary state commission to study and make recommendations on the effectiveness of the AMBER Alert; making an appropriation therefor; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. A temporary state commission, to be known as the commission on AMBER Alert effectiveness, hereafter referred to as the commission, is hereby created to evaluate and make recommendations concerning the effectiveness of the AMBER Alert system.

§ 2. (a) The commission shall consist of thirteen members, to be appointed as follows: three members to be appointed by the temporary president of the senate; three members to be appointed by the speaker of the assembly; two members to be appointed by the governor; one member to be appointed by the minority leader of the senate; one member to be appointed by the minority leader of the assembly; two members shall be from the New York State Police and one member shall be from the Department of Criminal Justice Services. The appointees shall have demonstrated expertise in the AMBER Alert system and shall include but not be limited to members from district attorney's offices and local law enforcement. The governor shall designate the chairperson and vice-chairperson of the commission. Vacancies in the membership of the commission and among its officers shall be filled in the manner provided for original appointments or designations.

(b) The members of the commission shall receive no compensation for their services, but shall be allowed their actual and necessary expenses incurred in the performance of their duties under this act. The commission may employ and at pleasure remove such personnel as it may deem necessary for the performance of its functions and fix their compensation within the amounts made available by appropriation therefor.

(c) All departments or agencies of the state or subdivisions thereof shall, at the request of the chairperson, provide the commission such facilities, assistance, and data as will enable the commission to carry out its powers and duties.

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

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§ 3. Specifically the commission shall evaluate at least the following:

(a) the current activation criteria of the AMBER Alert;

(b) the notification procedures once the AMBER Alert is activated;

(c) the partners used to disseminate information and interstate cooperation;

(d) methods of disseminating information to the public including the technology and any current limitations of the system; and

(e) the effectiveness of the AMBER Alert system.

§ 4. (a) For the accomplishment of its purposes, the commission may meet and hold public and/or private hearings within or without the state, and shall have all the powers of a legislative committee pursuant to the legislative law. The commission is authorized and empowered to undertake any studies, inquiries, surveys or analyses it may deem relevant through its own personnel or in cooperation with or by agreement with any other public or private agency.

(b) To the maximum extent feasible, the commission may request and shall be entitled to receive and shall utilize and be provided with such facilities, resources and data from any court in the state and from any subdivision, department, board, bureau, commission, office, agency or other instrumentality of the state or of any political subdivision thereof as it deems necessary or desirable for the proper execution of its powers and duties and to effectuate the purposes set forth in this act.

(c) The commission is hereby authorized and empowered to enter into any agreements and to do and perform any acts that may be necessary, desirable or proper to carry out the purposes and objectives of this act.

§ 5. The commission shall make recommendations and submit a report of its findings. The commission shall submit such recommendations and report developed by it relating to the effectiveness of the AMBER Alert system and any improvements that may be taken towards the activation and dissemination of the alert, including any recommendations for legislative action as it may deem necessary and appropriate, to the governor, the temporary president of the senate and the speaker of the assembly no later than the three months after this act shall have become a law. The commission shall issue a binding recommendation which shall be presented to the legislature to completely accept or reject such recommendation.

§ 6. The sum of fifty thousand dollars ($50,000), or so much thereof as may be necessary, is hereby appropriated to pay the expenses incurred, including personal service, in carrying out the provisions of this act. Such moneys shall be payable out of the state treasury in the general fund to the credit of the state purposes account after audit by and on the warrant of the comptroller upon vouchers certified or approved by the chairperson or vice-chairperson of the commission as prescribed by law.

§ 7. This act shall take effect immediately; provided that the provisions of this act shall expire and be deemed repealed on the first day next succeeding the date of the submission of the report as required in section five of this act; and provided further, however, that the chairperson of the temporary commission on AMBER Alert effectiveness shall notify the legislative bill drafting commission upon the submission of its report as provided for in section five of this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effecting the provisions of section 44 of the legislative law and section 70-b of the public officers law.