STATE OF NEW YORK

6648

2017-2018 Regular Sessions

IN ASSEMBLY

March 10, 2017

Introduced by M. of A. TITONE, CRESPO, GALEF, ENGLEBRIGHT, BENEDETTO, ORTIZ, MOYA, M. G. MILLER, JAFFEE, HOOPER -- Multi-Sponsored by -- M. of A. ARROYO, BARCLAY, GIGLIO, MAGEE, McDONOUGH, PALMESANO, RA, RAIA, SCHIMMINGER, THIELE -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the failure to report the death or disappearance of a child

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

Section 1. Short title. This act shall be known and may be cited as "Caylee's law".

§ 2. The penal law is amended by adding two new sections 260.40 and 260.45 to read as follows:

§ 260.40 Failure to report the disappearance of a child.

A person is guilty of failure to report the disappearance of a child when being the parent, guardian or other person legally charged with the care or custody of a child less than eighteen years of age and he or she has reason to believe such child is missing, such person fails to provide notice thereof to a police officer or a law enforcement agency within twenty-four hours such person has reason to believe the child is missing.

Failure to report the disappearance of a child is a class E felony.

§ 260.45 Failure to report the death of a child.

A person is guilty of failure to report the death of a child when being the parent, guardian or other person legally charged with the care or custody of a child less than eighteen years of age and he or she has reason to believe such child is dead while not under the care of a health care professional or emergency medical personnel, such person fails to provide notice thereof as soon as reasonably possible, to a police officer or a law enforcement agency.

Failure to report the death of a child is a class D felony.

§ 3. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

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

LBD09170-01-7