

STATE OF NEW YORK

8942

IN ASSEMBLY

January 8, 2018

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. Subdivision 1-b of section 837-e of the executive law, as
2 added by a chapter of the laws of 2017 amending the executive law,
3 relating to the transmission of reports of missing persons to the
4 National Missing and Unidentified Persons System, as proposed in legis-
5 lative bills numbers S. 6739 and A. 8286-B, is amended to read as
6 follows:

7 1-b. The division shall transmit the report of the missing child to
8 the National Missing and Unidentified Persons System (NamUs) no later
9 than thirty days after entry of a report of a missing child into the
10 register whenever circumstances indicate that the missing child may be
11 at immediate risk of death or injury, or may be a match to a record
12 maintained in the NamUs unidentified person database and within one
13 hundred eighty days in any other case.

14 § 2. Paragraph (g) of subdivision 4 of section 837-e of the executive
15 law as added by a chapter of the laws of 2017 amending the executive
16 law, relating to the transmission of reports of missing persons to the
17 National Missing and Unidentified Persons System, as proposed in legis-
18 lative bills numbers S. 6739 and A. 8286-B, are amended to read as
19 follows:

20 (g) establishing procedures for transmitting [~~a report~~] reports of [~~a~~]
21 missing [~~child~~] children and adults to the National Missing and Uniden-
22 tified Persons System (NamUs) pursuant to subdivision one-b of this
23 section and section eight hundred thirty-seven-f-two of this article.

24 § 3. Section 837-f-2 of the executive law, as added by a chapter of
25 the laws of 2017 amending the executive law, relating to the trans-
26 mission of reports of missing persons to the National Missing and

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

LBD11876-05-8

1 Unidentified Persons System, as proposed in legislative bills numbers S.
2 6739 and A. 8286-B, is amended to read as follows:

3 § 837-f-2. Missing adults. In the event that a police agency receives
4 a report that an adult person is missing from his or her normal and
5 ordinary place of residence and whose whereabouts cannot be determined
6 by an individual whose relationship with such adult person would place
7 such individual in a position to have knowledge of his or her where-
8 abouts, and that such missing adult person has a proven disability, or
9 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 ~~[No later than thirty days after a police agency receives a report~~
20 ~~that an adult person is missing under this section, the agency shall~~
21 ~~submit an electronic report to the National Missing and Unidentified~~
22 ~~Persons System (NamUs).]~~ The division shall transmit the report of the
23 missing adult to the National Missing and Unidentified Persons System
24 (NamUs) within thirty days after entry of a report of a missing adult
25 into the register whenever circumstances indicate that the missing adult
26 may be at immediate risk of death or injury, or may be a match to a
27 record maintained in the NamUs unidentified person database and within
28 one hundred eighty days in any other case.

29 § 4. This act shall take effect on the same date and in the same
30 manner as a chapter of the laws of 2017 amending the executive law,
31 relating to the transmission of reports of missing persons to the
32 National Missing and Unidentified Persons System, as proposed in legis-
33 lative bills numbers S. 6739 and A. 8286-B.