

# STATE OF NEW YORK

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709

2019-2020 Regular Sessions

## IN SENATE

(Prefiled)

January 9, 2019

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Introduced by Sens. BOYLE, ADDABBO, BROOKS, GALLIVAN, RITCHIE, SEPULVEDA  
-- read twice and ordered printed, and when printed to be committed to  
the Committee on Finance

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 Assem-  
bly, do enact as follows:

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

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

19 (b) The members of the commission shall receive no compensation for  
20 their services, but shall be allowed their actual and necessary expenses  
21 incurred in the performance of their duties under this act. The commis-

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

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1 sion may employ and at pleasure remove such personnel as it may deem  
2 necessary for the performance of its functions and fix their compen-  
3 sation within the amounts made available by appropriation therefor.

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

8 § 3. Specifically the commission shall evaluate at least the follow-  
9 ing:

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

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

12 (c) the partners used to disseminate information and interstate coop-  
13 eration;

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

16 (e) the effectiveness of the AMBER Alert system.

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

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

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

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

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

53 § 7. This act shall take effect immediately; provided that the  
54 provisions of this act shall expire and be deemed repealed on the first  
55 day next succeeding the date of the submission of the report as required  
56 in section five of this act; and provided further, however, that the

1 chairperson of the temporary commission on AMBER Alert effectiveness  
2 shall notify the legislative bill drafting commission upon the  
3 submission of its report as provided for in section five of this act in  
4 order that the commission may maintain an accurate and timely effective  
5 data base of the official text of the laws of the state of New York in  
6 furtherance of effecting the provisions of section 44 of the legislative  
7 law and section 70-b of the public officers law.