

STATE OF NEW YORK

1305

2021-2022 Regular Sessions

IN ASSEMBLY

January 8, 2021

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the
Committee on Children and Families

AN ACT to amend the family court act, in relation to questioning of a
minor by peace or police officers

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

1 Section 1. Subdivision 3 of section 305.2 of the family court act, as
2 added by chapter 920 of the laws of 1982, is amended to read as follows:

3 3. If an officer takes such child into custody or if a child is deliv-
4 ered to him or her under section 305.1, he or she shall immediately
5 notify the following persons that the child has been taken into custody:
6 (a) the parent, or other person legally responsible for the child's
7 care, or if such legally responsible person is unavailable the person
8 with whom the child resides, [~~that the child has been taken into custo-~~
9 ~~dy~~] and (b) if known by the officer, the attorney for the child, if one
10 has been appointed pursuant to section two hundred forty-nine of this
11 chapter for any pending or previous court proceeding.

12 § 2. This act shall take effect on the ninetieth day after it shall
13 have become a law.

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

LBD00642-01-1