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 Assembly, do enact as follows:

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

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

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

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

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