STATE OF NEW YORK

8208

2023-2024 Regular Sessions

IN ASSEMBLY

October 27, 2023

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

AN ACT to amend the executive law, in relation to providing for a formal process for a parent or legal guardian to request the issuance of an AMBER alert

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

Section 1. Subparagraphs (vi) and (vii) of paragraph (b) of subdivision 14 of section 837-f of the executive law, as amended by chapter 381 of the laws of 2004, are amended to read as follows:

(vi) police agencies not connected with the basic police communication system in use in such jurisdiction may transmit such information to the nearest or most convenient electronic entry point, from which point it may be promptly dispatched, in conformity with the orders, rules or regulations governing the system; [~~and~~]

(vii) **a formal process is established by which a parent or legal guardian may request that a missing child alert be issued if such parent or legal guardian disagrees with the investigating police department's judgment regarding the timeliness of such alert request. Such request shall be made to the division of state police for review; and**

(viii) no dispatch or transmission of a report concerning a missing child shall be required by such plan**, except as provided in subparagraph (vii) of this paragraph,** if the investigating police department advises, in its discretion, that the release of such information may jeopardize the investigation or the safety of the child, or requests forbearance for any reason.

§ 2. This act shall take effect immediately.

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

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