

LOCAL LAW NO. "H" FOR 2011

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK REQUIRING THAT THE IDENTITY OF MISSING CHILDREN BE REPORTED TO LAW ENFORCEMENT

Introduced: 8/8/11

By Messrs. Morse, Aylward, Beston, Bullock, Ms. Chapman, Messrs. Clay, Clenahan, Commisso, Ms. Connolly, Messrs. Cotrofeld, Dawson, Domalewicz, Ethier, Gordon, Higgins, Horstmyer, Houghtaling, Infante, Joyce, Ms. Maffia-Tobler, Messrs. Mayo, McCoy, Ms. McKnight, Messrs. Nichols, Rahm, Reilly, Scavo, Steck, Timmins, Ward and Ms. Willingham:

BE IT ENACTED by the Albany County Legislature as follows:

SECTION 1. This law shall be known as the "Albany County Missing Child Reporting Law" and shall be deemed an exercise of the police power of the County of Albany for the protection of the public health and welfare of the people of Albany County.

SECTION 2. Any parent, guardian, or other caretaker having care, custody and/or control of a child not having attained the age of twelve years shall report to law enforcement the identity of any such child in their care, custody, and/or control who they know to be missing or who has disappeared or the circumstances are such that they would lead a reasonable person to believe that such child was missing or had disappeared for a period in excess of twelve hours.

SECTION 3. Any parent, guardian, or other caretaker having care, custody and/or control of a child having attained the age of twelve years and not yet having attained the age of sixteen years, shall report to law enforcement the identity of any such child in their care, custody, and/or control who they know to be missing or who has disappeared or the circumstances are such that they would lead a reasonable person to believe that such child was missing or had disappeared for a period in excess of twenty-four hours.

SECTION 4. If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 5. Any violation of Section 2 or 3 of this local law shall be a Class A Misdemeanor.

SECTION 6. This law shall take effect immediately.

Referred to Public Safety Committee. 8/8/11

Favorable Recommendation – Public Safety Committee. 8/24/11

On roll call vote the following voted in favor: Mr. Aylward, Ms. Benedict, Messrs. Beston, Bullock, Carman, Ms. Chapman, Messrs. Clay, Clenahan, Clouse, Commisso, Dawson, Domalewicz, Ethier, Gordon, Higgins, Hoblock, Houghtaling, Joyce, Mss. Lockart, Maffia-Tobler, Messrs. Mayo, McCoy, Ms. McKnight, Messrs. Mendick, Morse, Nichols, Rahm, Reilly, Timmins, Tunny and Ward – 31.

Those opposed: 0.

Local Law was adopted. 9/12/11