

By: Oliverson, Hull, Jones of Harris, et al.

H.B. No. 2660

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the duties of a law enforcement agency regarding
3 missing children and missing persons.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. This Act may be cited as Tim's Law.

6 SECTION 2. Article 63.009(a), Code of Criminal Procedure,
7 is amended to read as follows:

8 (a) A law enforcement agency, on receiving a report of a
9 missing child or missing person, shall:

10 (1) if the subject of the report is a child and the
11 child is at a high risk of harm or is otherwise in danger or if the
12 subject of the report is a person who is known by the agency to have
13 or is reported to have chronic dementia, including Alzheimer's
14 dementia, whether caused by illness, brain defect, or brain injury,
15 immediately start an investigation in order to determine the
16 present location of the child or person;

17 (2) if the subject of the report is a child or person
18 other than a child or person described by Subdivision (1), start an
19 investigation with due diligence in order to determine the present
20 location of the child or person;

21 (3) immediately, but not later than two hours after
22 receiving the report, enter the name of the child or person into the
23 clearinghouse and the national crime information center missing
24 person file if the child or person meets the center's criteria, and

1 report that name to the Alzheimer's Association Safe Return
2 emergency response center if applicable, with all available
3 identifying features such as dental records, fingerprints, other
4 physical characteristics, and a description of the clothing worn
5 when last seen, and all available information describing any person
6 reasonably believed to have taken or retained the missing child or
7 missing person;

8 (4) not later than 48 hours after receiving the
9 report, electronically submit to each municipal or county law
10 enforcement agency within 200 miles the report and any information
11 that may help determine the present location of the child or person;

12 (5) not later than the 60th day after the date the
13 agency receives the report, enter the name of the child or person
14 into the National Missing and Unidentified Persons System, with all
15 available identifying features such as dental records,
16 fingerprints, other physical characteristics, and a description of
17 the clothing worn when last seen, and all available information
18 describing any person reasonably believed to have taken or retained
19 the missing child or missing person; and

20 (6) [~~5~~] inform the person who filed the report of
21 the missing child or missing person that the information will be:

22 (A) entered into the clearinghouse, the national
23 crime information center missing person file, and the National
24 Missing and Unidentified Persons System; [~~and~~]

25 (B) reported to the Alzheimer's Association Safe
26 Return emergency response center if applicable; and

27 (C) submitted to each municipal or county law

1 enforcement agency within 200 miles.

2 SECTION 3. The change in law made by this Act applies only
3 to a report of a missing child or missing person that is made to a
4 law enforcement agency on or after the effective date of this Act. A
5 report of a missing child or missing person that is made to a law
6 enforcement agency before the effective date of this Act is
7 governed by the law in effect on the date the report was made, and
8 the former law is continued in effect for that purpose.

9 SECTION 4. This Act takes effect September 1, 2023.