

By: Sherman, Sr.

H.B. No. 3330

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a task force on the statewide alert systems for abducted children and missing persons with intellectual disabilities.

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

SECTION 1. (a) In this section:

(1) "Child" means an individual younger than 18 years of age.

(2) "Commission" means the Texas Commission on Law Enforcement.

(3) "Task force" means the task force on the statewide alert systems for abducted children and missing persons with intellectual disabilities established by this Act.

(b) The task force is composed of the following 16 members appointed by the presiding officer of the commission:

(1) a child with a physical disability;

(2) a child with a mental illness or intellectual disability;

(3) a family member of a person with a mental illness or intellectual disability;

(4) an employee of a local behavioral health authority;

(5) a member of a community resource coordination group as defined by Section [531.151](#), Government Code;

1 (6) an employee or volunteer of a nonprofit
2 organization that supports the self-advocacy of children;

3 (7) an employee or volunteer of a nonprofit
4 organization that provides services to children with disabilities;

5 (8) an employee or volunteer of a nonprofit
6 organization that provides services to children with mental health
7 needs;

8 (9) a school counselor certified under Subchapter B,
9 Chapter 21, Education Code, who has experience in offering
10 trauma-informed care to students;

11 (10) a physician with experience working with patients
12 with disabilities or a psychiatrist;

13 (11) an attorney licensed in this state whose practice
14 includes juvenile justice or family law;

15 (12) an attorney licensed in this state whose practice
16 includes probate or civil jurisprudence;

17 (13) a representative of the Texas Education Agency;

18 (14) a representative of the Health and Human Services
19 Commission;

20 (15) a representative of the Department of Family and
21 Protective Services; and

22 (16) a representative of the Department of Public
23 Safety.

24 (c) The task force shall elect a presiding officer from
25 among its membership.

26 (d) The presiding officer of the commission shall fill a
27 vacancy on the task force in the same manner as the original

1 appointment.

2 (e) The task force shall meet at least quarterly at the call
3 of the presiding officer. The task force may meet in person or by
4 electronic means.

5 (f) A task force member is not entitled to compensation for
6 service on the task force but, if authorized by the presiding
7 officer of the task force, may be reimbursed from funds available
8 for the purpose for actual and necessary expenses incurred in
9 performing task force duties.

10 (g) The task force may accept gifts, grants, and donations
11 to carry out the task force's duties under this Act.

12 (h) The commission shall establish a task force to study the
13 classification of cases for the statewide alert systems for
14 abducted children and missing persons with intellectual
15 disabilities provided under Subchapter L, Chapter 411, Government
16 Code, and the application of those systems to each case. The study
17 shall include:

18 (1) an analysis of children and persons with
19 intellectual disabilities reported missing throughout the state,
20 including:

21 (A) whether a statewide alert system was
22 activated as a result of the report;

23 (B) the following for each person reported
24 missing, if known:

25 (i) age;
26 (ii) gender;
27 (iii) ethnicity;

(iv) sexual orientation and gender identity;

(v) human or sex trafficking risk score calculated using a risk assessment regularly used by law enforcement agencies in this state;

(vi) urban or rural designation, as defined by the United States Census Bureau in the most recent census, for the person's residence; and

(vii) opportunity zone, as defined by the Internal Revenue Service, for the person's residence; and

(C) the law enforcement response to the missing persons report, including:

(i) if a 911 or 311 call was made in relation to the missing person's disappearance, the 911 or 311 classification applied to the call in the applicable computer-aided dispatch system, including missing, runaway, abducted, or kidnapped;

(ii) the classification of the missing persons case within any applicable law enforcement database, including a jail management system or offender management system;

(iii) any indication included in the report indicating the mental health condition of the missing person;

(iv) whether law enforcement agencies in adjoining municipalities or counties were notified of the missing person; and

(v) the law enforcement agency's communication with the missing person's parent, caregiver, or

1 another person who reported the person missing; and

2 (2) a description of any trends or patterns in the data
3 analyzed under Subdivision (1) that indicate that a group or subset
4 of missing persons cases are treated differently than others based
5 on a characteristic of the missing person.

6 (i) The task force shall compile information regarding each
7 law enforcement agency and agency providing 911 dispatch operations
8 in this state. The information must include:

9 (1) whether the agency has a written mental health
10 policy applicable to alleged victims or offenders, including
11 whether the policy has specific provisions relating to victims or
12 offenders who are children;

13 (2) the number of employees of the agency that have
14 received specialized training in mental health related fields;

15 (3) a description of each training course described by
16 Subdivision (2) attended by an employee of the agency; and

17 (4) the frequency with which each employee attended a
18 training course described by Subdivision (2).

19 (j) Based on the result of the study conducted under
20 Subsection (h) and the information compiled under Subsection (i),
21 the task force shall develop recommendations to increase the
22 consistent application of the statewide alert systems for abducted
23 children and missing persons with intellectual disabilities,
24 including by standardizing case classifications and other law
25 enforcement procedures for missing persons cases, including
26 missing persons cases involving a missing person with a mental
27 illness.

1 (k) Not later than September 1 of each even-numbered year,
2 the task force shall prepare and submit to each member of the
3 legislature, the Commission on Jail Standards, the Department of
4 Public Safety, the Texas Juvenile Justice Department, the Texas
5 Civil Commitment Office, and the commission a written report that
6 includes the results of the study conducted under Subsection (h),
7 the information compiled under Subsection (i), and the
8 recommendations developed under Subsection (j) and any other
9 legislative or regulatory recommendations.

10 (1) Chapter [2110](#), Government Code, does not apply to the
11 task force.

12 (m) The task force is abolished and this Act expires
13 September 1, 2030.

14 SECTION 2. Not later than November 1, 2023, the presiding
15 officer of the Texas Commission on Law Enforcement shall appoint
16 the members of the task force on statewide alert systems for
17 abducted children and missing persons with intellectual
18 disabilities as required by Section 1 of this Act.

19 SECTION 3. This Act takes effect September 1, 2023.