

By: Flores

H.B. No. 4534

A BILL TO BE ENTITLED

AN ACT

relating to the criteria for determining whether a person is a missing child or a missing person.

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

SECTION 1. Article 63.001(4), Code of Criminal Procedure, is amended to read as follows:

(4) "Missing child" or "missing person" also includes a person of any age who is missing and:

(A) is under proven physical or mental disability or is senile, and because of one or more of these conditions is subject to immediate danger or is a danger to others;

(B) is in the company of another person or is in a situation the circumstances of which indicate that the missing child's or missing person's safety is in doubt; ~~or~~

(C) is unemancipated as defined by the law of this state; or

(D) whose whereabouts or safety cannot be confirmed or ascertained by the reporter or by a law enforcement agency after reasonable inquiries or investigation.

SECTION 2. The change in law made by this Act applies only to the report of a missing child or a missing person made under Chapter 63, Code of Criminal Procedure, as amended by this Act, on or after the effective date of this Act. The report of a missing child or a missing person made before the effective date of this Act

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1 is governed by the law in effect when the report was made, and the  
2 former law is continued in effect for that purpose.

3 SECTION 3. This Act takes effect September 1, 2009.