

By: Rose

H.B. No. 3619

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a countywide alert system for missing adults.

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

SECTION 1. Chapter 411, Government Code, is amended by adding Subchapter P to read as follows:

SUBCHAPTER P. ALERT FOR MISSING ADULTS

Sec. 411.441. DEFINITIONS. In this subchapter:

(1) "Adult" means a person who is 18 years of age or older.

(2) "Alert" means the countywide alert for missing adults that is developed and implemented under this subchapter.

(3) "Local law enforcement agency" means a local law enforcement agency with jurisdiction over the investigation of a missing adult.

(4) "Serious bodily injury" has the meaning assigned by Section 1.07, Penal Code.

Sec. 411.442. ALERT FOR MISSING ADULTS. With the cooperation of the office of the governor and other appropriate law enforcement agencies in this state, the department shall develop and implement an alert to be activated in a county in which an adult is missing.

Sec. 411.443. ADMINISTRATION. (a) The director is the statewide coordinator of the alert.

1 (b) The director shall adopt rules and issue directives as
2 necessary to ensure proper implementation of the alert. The rules
3 and directives must include:

4 (1) the procedures to be used by a local law
5 enforcement agency to verify whether an adult is:

6 (A) missing; and

7 (B) in imminent danger of serious bodily injury
8 or death;

9 (2) a description of the circumstances under which a
10 local law enforcement agency is required to report a missing adult
11 to the department; and

12 (3) the procedures to be used by an individual or
13 entity to report information about a missing adult to designated
14 media outlets in Texas.

15 (c) The director shall prescribe forms for use by local law
16 enforcement agencies in requesting activation of the alert system
17 in a county.

18 Sec. 411.444. DEPARTMENT TO RECRUIT PARTICIPANTS. The
19 department shall recruit local television and radio broadcasters,
20 private commercial entities, state or local governmental entities,
21 the public, and other appropriate persons to assist in developing
22 and implementing the alert system.

23 Sec. 411.445. STATE AGENCIES. A state agency participating
24 in the alert system shall:

25 (1) cooperate with the department and assist in
26 developing and implementing the alert system; and

27 (2) establish a plan for providing relevant

1 information to applicable state officers, investigators, or
2 employees once the alert system has been activated.

3 Sec. 411.446. NOTIFICATION TO DEPARTMENT OF MISSING ADULT.

4 (a) A local law enforcement agency shall notify the department if
5 the agency:

6 (1) receives notice of a missing adult;

7 (2) verifies that at the time the adult is reported
8 missing:

9 (A) the person reported missing is 18 years of
10 age or older;

11 (B) the adult's location is unknown; and

12 (C) the adult has been missing for less than 72
13 hours;

14 (3) confirms that a preliminary investigation has
15 taken place with respect to the disappearance and that, as a result
16 of that investigation, the agency believes that the missing adult
17 is in imminent danger of serious bodily injury or death; and

18 (4) believes sufficient information is available to
19 disseminate to the public that could assist in locating the adult, a
20 person suspected of abducting the adult, or a vehicle suspected of
21 being used by the adult or in any abduction of the adult.

22 (b) The department may modify the criteria described by
23 Subsection (a) as necessary for the proper implementation of the
24 alert system.

25 Sec. 411.447. ACTIVATION OF ALERT. (a) When a local law
26 enforcement agency notifies the department under Section 411.446,
27 the department shall confirm the accuracy of the information and,

1 if confirmed, immediately issue an alert under this subchapter in
2 accordance with department rules.

3 (b) In issuing the alert, the department shall send the
4 alert to designated media outlets in the county in which the adult
5 is missing. Following receipt of the alert, participating radio
6 stations and television stations and other participating media
7 outlets may issue the alert at designated intervals to assist in
8 locating the missing adult.

9 (c) The department shall also send the alert to:

10 (1) any appropriate local law enforcement agency; and

11 (2) a state agency described by Section 411.445.

12 Sec. 411.448. CONTENT OF ALERT. The alert must include:

13 (1) all appropriate information that is provided by
14 the local law enforcement agency under Section 411.446 and that may
15 lead to the safe recovery of the missing adult; and

16 (2) a statement instructing any person with
17 information related to the missing adult to contact a local law
18 enforcement agency.

19 Sec. 411.449. TERMINATION OF ALERT. (a) The director shall
20 terminate any activation of the alert with respect to a particular
21 missing adult not later than the earlier of the date on which:

22 (1) the missing adult is located or the situation is
23 otherwise resolved; or

24 (2) the notification period ends, as determined by
25 department rule.

26 (b) A local law enforcement agency that locates a missing
27 adult who is the subject of an alert under this subchapter shall

1 notify the department as soon as possible that the missing adult has
2 been located.

3 SECTION 2. This Act takes effect September 1, 2017.