

BILL ANALYSIS

H.B. 3556
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Homeland Security & Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In 1996, the AMBER alert system was created as a means to notify the general public about a missing child. Since then, there have been subtle changes to the system as states across the nation have adopted the program. Unfortunately, as society has changed, this program has had a reduced ability to act swiftly for children who are endangered or missing due to the statutory requirements for activation.

For instance, in November 2022, a seven-year-old girl from Wise County named Athena Strand was struck outside her home by a vehicle driven by a contracted delivery driver. According to law enforcement, the driver kidnapped and murdered her to avoid getting in trouble or being reported by her parents. In the hours following Athena's kidnapping, her parents tried to get an AMBER alert issued but were unable to do so under the current statutory requirements.

H.B. 3556 seeks to create a framework for activation of a regional alert through the AMBER alert system in order to notify the general public more quickly when a child goes missing.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Department of Public Safety in SECTION 1 of this bill.

ANALYSIS

H.B. 3556 amends the Government Code to require the Department of Public Safety (DPS), on request of a local law enforcement agency that knows a child is missing but has not verified the criteria for activating the AMBER alert system, to do the following if the chief law enforcement officer of the local law enforcement agency believes that activation of the alert system is warranted:

- activate the alert system in the following areas:
 - within a 100-mile radius of the location from which the child was last seen or is believed to have gone missing, as applicable; and
 - in all counties adjacent to the county of that location; and
- notify appropriate participants in the alert system, as established by rule.

The bill requires a local law enforcement agency to verify that the criteria for activation of this alert have been satisfied before requesting activation and, on such verification, to immediately contact DPS to request activation and supply the necessary information on the forms prescribed by the public safety director of DPS.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.