

By: Oliverson

H.B. No. 2660

A BILL TO BE ENTITLED

AN ACT

relating to the duties of a law enforcement agency regarding  
missing children and missing persons.

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

SECTION 1. Article 63.009(a), Code of Criminal Procedure,  
is amended to read as follows:

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

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

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

(3) immediately, but not later than two hours after  
receiving the report, enter the name of the child or person into the  
clearinghouse and the national crime information center missing  
person file if the child or person meets the center's criteria, and  
report that name to the Alzheimer's Association Safe Return

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

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

15           (5) electronically submit to each municipal or county  
16 law enforcement agency within 200 miles the report and any  
17 information that may help determine the present location of the  
18 child or person within 48 hours; and

19           (6) inform the person who filed the report of the  
20 missing child or missing person that the information will be:

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

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

26           (C) submitted to each municipal or county law  
27 enforcement agency within 200 miles.

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

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