

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 185

92ND GENERAL ASSEMBLY

Reported from the Committee on Pensions and General Laws, May 1, 2003, with recommendation that the Senate Committee Substitute do pass.

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TERRY L. SPIELER, Secretary.

AN ACT

To amend chapter 210, RSMo, by adding thereto two new sections relating to missing persons.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 210, RSMo, is amended by adding thereto two new sections,
2 to be known as sections 210.1012 and 210.1014, to read as follows:

**210.1012. 1. There is hereby created a statewide program called the
2 "Amber Alert System" referred to in this section as the "system", to aid in the
3 identification and location of abducted persons.**

**4 2. For the purposes of this section, "abducted person" means a person
5 whose whereabouts are unknown and who is reasonably believed to be the
6 victim of the crime of kidnapping as defined by section 565.110, RSMo, as
7 determined by local law enforcement.**

**8 3. The department of public safety shall develop regions to provide the
9 system. The department of public safety shall coordinate local law
10 enforcement agencies and public commercial television and radio
11 broadcasters to provide an effective system. In the event that a local law
12 enforcement agency opts not to set up a system and an abduction occurs
13 within the jurisdiction, it shall notify the department of public safety who
14 will notify local media in the region.**

**15 4. The amber alert system shall include all state agencies capable of
16 providing urgent and timely information to the public together with
17 broadcasters and other private entities that volunteer to participate in the**

18 **dissemination of urgent public information. At a minimum, the amber alert**
19 **system shall include the department of public safety, highway patrol,**
20 **department of transportation, department of health and senior services, and**
21 **Missouri lottery.**

22 **5. The department of public safety shall have the authority to notify**
23 **other regions upon verification that the criteria established by the oversight**
24 **committee has been met.**

25 **6. Participation in an amber alert system is entirely at the option of**
26 **local law enforcement agencies and federally-licensed radio and television**
27 **broadcasters.**

210.1014. 1. There is hereby created the "Amber Alert System Oversight
2 **Committee", whose primary duty shall be to develop criteria and procedures**
3 **for the amber alert system and shall be housed within the department of**
4 **public safety. The committee shall regularly review the function of the amber**
5 **alert system and revise its criteria and procedures in cooperation with the**
6 **department of public safety to provide for efficient and effective public**
7 **notification. As soon as practicable, the committee shall adopt criteria and**
8 **procedures to expand the amber alert system to provide urgent public alerts**
9 **related to homeland security, criminal acts, health emergencies, and other**
10 **imminent dangers to the public health and welfare.**

11 **2. The amber alert system oversight committee shall consist of seven**
12 **members appointed by the governor with the advice and consent of the**
13 **senate. Such members shall represent the following entities: two**
14 **representatives of the Missouri sheriff's association; two representatives of**
15 **the Missouri police chief's association; one representative of small market**
16 **radio broadcasters; one representative of large market radio broadcasters;**
17 **one representative of television broadcasters. The director of the department**
18 **of public safety shall also be a member of the committee and shall serve as**
19 **chair of the committee. Additional members shall include one representative**
20 **of the highway patrol and one representative of the department of health and**
21 **senior services.**

22 **3. Members of the oversight committee shall serve a term of four years,**
23 **except that members first appointed to the committee shall have staggered**
24 **terms of two, three, and four years and shall serve until their successor is**
25 **duly appointed and qualified.**

26 **4. Members of the oversight committee shall serve without**
27 **compensation, except that members shall be reimbursed for their actual and**

28 **necessary expenses required for the discharge of their duties.**

29 **5. The amber alert system oversight committee shall promulgate rules**
30 **for the implementation of the amber alert system. Any rule or portion of a**
31 **rule, as that term is defined in section 536.010, RSMo, that is created under**
32 **the authority delegated in this section shall become effective only if it**
33 **complies with and is subject to all of the provisions of chapter 536, RSMo,**
34 **and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo,**
35 **are nonseverable and if any of the powers vested with the general assembly**
36 **pursuant to chapter 536, RSMo, to review, to delay the effective date or to**
37 **disapprove and annul a rule are subsequently held unconstitutional, then the**
38 **grant of rulemaking authority and any rule proposed or adopted after August**
39 **28, 2003, shall be invalid and void.**

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