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House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Ken Kolkmeier Offered By District # 53

AMEND HCS for SB No 222, Page 1, Section A, Line 6, by inserting  
after all of said section and line, the following:

"43.401. 1. The reporting of missing persons by law enforcement agencies, private citizens, and the responsibilities of the patrol in maintaining accurate records of missing persons are as follows:

(1) A person may file a complaint of a missing person with a law enforcement agency having jurisdiction. The complaint shall include, but need not be limited to, the following information:

(a) The name of the complainant;

(b) The name, address, and phone number of the guardian, if any, of the missing person;

(c) The relationship of the complainant to the missing person;

[(c)] (d) The name, age, address, and all identifying characteristics of the missing person;

[(d)] (e) The length of time the person has been missing;

[(e)] (f) All other information deemed relevant by either the complainant or the law enforcement agency;

(2) A report of the complaint of a missing person shall be immediately entered into the Missouri uniform law enforcement system (MULES) and the National Crime Information Center (NCIC) system by the law enforcement agency receiving the complaint, and disseminated to other law enforcement agencies who may come in contact with or be involved in the investigation or location of a missing person;

(3) A law enforcement agency with which a complaint of a missing child has been filed shall prepare, as soon as practicable, a standard missing child report. The missing child report shall be maintained as a record by the reporting law enforcement agency during the course of an active investigation;

(4) Upon the location of a missing person, or the determination by the law enforcement agency of jurisdiction that the person is no longer missing, the law enforcement agency which reported the missing person shall immediately remove the record of the missing person from the MULES and NCIC files.

2. No law enforcement agency shall prevent an immediate active investigation on the basis of an agency rule which specifies an automatic time limitation for a missing person investigation.";  
and

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

JAN 10 1991

Further amend said bill, Page \_\_\_\_\_, Section \_\_\_\_\_, Line \_\_\_\_\_, by inserting after all of said section and line, the following:

"210.1012. 1. There is hereby created a statewide program called the "Amber Alert and Silver Alert System" referred to in this section as the "system" to aid in the identification and location of an abducted child or missing endangered person.

2. For the purposes of this section, the following terms shall mean:

(1) "Abducted child" [means], a child whose whereabouts are unknown and who is:

[(1)] (a) Less than eighteen years of age and reasonably believed to be the victim of the crime of kidnapping as defined by section 565.110, as determined by local law enforcement;

[(2)] (b) Reasonably believed to be the victim of the crime of child kidnapping as defined by section 565.115, as determined by local law enforcement; or

[(3)] (c) Less than eighteen years of age and at least fourteen years of age and who, if under the age of fourteen, would otherwise be reasonably believed to be a victim of child kidnapping as defined by section 565.115, as determined by local law enforcement;

(2) "Endangered person", an individual who:

(a) Does not meet the criteria for an Amber alert; and

(b) Is missing under unexplained, involuntary, or suspicious circumstances; and

(c) Is believed to be in danger because of age, guardianship, health, mental or physical disability, environment or weather conditions; or

(d) Is in the company of a potentially dangerous person or is affected by some other factor that may put the individual in peril.

Endangered person does not include any person who is considered to be a runaway and to whom paragraphs (b), (c) and (d) of this subdivision do not apply.

3. The department of public safety shall develop regions to provide the system. The department of public safety shall coordinate local law enforcement agencies and public commercial television and radio broadcasters to provide an effective system. In the event that a local law enforcement agency opts not to set up a system and an abduction or report of a missing endangered person occurs within the jurisdiction, it shall notify the department of public safety who will notify local media in the region.

4. The Amber alert and Silver alert system shall include all state agencies capable of providing urgent and timely information to the public together with broadcasters and other private entities that volunteer to participate in the dissemination of urgent public information. At a minimum, the Amber alert and Silver alert system shall include the department of public safety, highway patrol, department of transportation, department of health and senior services, and Missouri lottery.

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

6. Participation in an Amber alert and Silver alert system is entirely at the option of local law enforcement agencies and federally licensed radio and television broadcasters.



1           7. Any person who knowingly makes a false report that triggers an alert pursuant to this  
2 section is guilty of a class A misdemeanor.

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

11           2. The [Amber] alert system oversight committee shall consist of ten members of which  
12 seven members shall be appointed by the governor with the advice and consent of the senate. Such  
13 members shall represent the following entities: two representatives of the Missouri Sheriffs'  
14 Association; two representatives of the Missouri Police Chiefs Association; one representative of  
15 small market radio broadcasters; one representative of large market radio broadcasters; one  
16 representative of television broadcasters. The director of the department of public safety shall also  
17 be a member of the committee and shall serve as chair of the committee. Additional members shall  
18 include one representative of the highway patrol and one representative of the department of health  
19 and senior services.

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

23           4. Members of the oversight committee shall serve without compensation, except that  
24 members shall be reimbursed for their actual and necessary expenses required for the discharge of  
25 their duties.

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

35  
36 Further amend said bill by amending the title, enacting clause, and intersectional references  
37 accordingly.

