

HB 1716 -- MISSING PERSONS

SPONSOR: Byrnes

This bill requires a law enforcement agency that receives a missing child complaint from any agency or placement provider, parent, or guardian with the care and custody of a missing child to generate a report of the missing person with the National Missing and Unidentified Persons System (NamUs) within 30 days, and the law enforcement agency may attempt to obtain additional information and materials that have not been received. The Peace Officer Standards and Training (POST) Commission must establish appropriate training resources focused on investigations of unidentified and missing persons and all licensed peace officers will be required to complete such training on a regular basis.

The bill also requires every coroner or medical examiner to promptly furnish to any law enforcement agency with jurisdiction copies of fingerprints, personal descriptions, and other identifying data for unidentified deceased persons. The bill requires a responding law enforcement agency that receives notice of the discovery of human remains to immediately notify the medical examiner or coroner of the county in which the remains were found, and the medical examiner or coroner must go to the scene and take charge of the remains. The medical examiner, coroner, or assisting law enforcement agency must make reasonable attempts to immediately identify the remains, unless the remains are historic or prehistoric skeletal remains, including by seeking support from appropriate state and federal agencies.

Fingerprints from unidentified remains must be submitted to the State Highway Patrol or other law enforcement agency with jurisdiction, and a forensic odontologist must perform a dental examination on the remains for the purpose of dental charting. Tissue samples collected for DNA analysis must be submitted within 30 days to a NamUs partner laboratory. The medical examiner or coroner must report the remains and the location they were found to the State Highway Patrol within 24 hours of discovery and to the FBI within 72 hours of discovery if the remains are not identified. The medical examiner, coroner, or assisting law enforcement agency must contact the Highway Patrol to request the creation of a National Crime Information Center Unidentified Person record within five days of discovering the remains. The medical examiner, coroner, or assisting law enforcement agency will create an unidentified person record in the NamUs prior to the submission of samples or within 30 days of the discovery of the unidentified remains.