

1 SB108  
2 163306-3  
3 By Senators Figures, Coleman, Dunn, Ross, Marsh, Waggoner,  
4 Holley, Livingston, Holtzclaw, Shelnutt, Scofield, Brewbaker,  
5 Albritton, Bussman, Williams, Hightower, Reed, Orr, Stutts,  
6 Melson, Allen, Glover, Ward, Whatley, Beasley, Smitherman,  
7 Singleton, Sanders, Dial, McClendon, Smith, Blackwell and  
8 Sanford  
9 RFD: Judiciary  
10 First Read: 03-MAR-15

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8 SYNOPSIS: Under existing law, when a local law  
9 enforcement agency receives a report that a child  
10 is missing, the law enforcement agency is required  
11 to conduct a preliminary investigation to determine  
12 whether the child has been abducted. If the agency  
13 determines the child has been abducted, the agency  
14 then reports information to the Alabama Center for  
15 Missing and Exploited Children (ACMEC) within the  
16 Alabama Law Enforcement Agency, the National Crime  
17 Information Center (NCIC), and the Alabama Criminal  
18 Justice Information Center (ACJIC).

19 This bill would create the Hiawayi Robinson  
20 Emergency Missing Child Alert System to expedite  
21 notice to the public regarding a missing and  
22 endangered child.

23 This bill would require the Alabama Law  
24 Enforcement Agency to implement the alert system  
25 and would require all local law enforcement  
26 agencies to participate in the system.

1                   This bill would provide parameters for when  
2                   an alert for a missing child is activated or  
3                   deactivated by a local law enforcement agency.

4                   This bill would require the Alabama Law  
5                   Enforcement Agency to research enhanced  
6                   technological methods for the expeditious public  
7                   notification of a missing child, including  
8                   electronic and web-based technologies and rapid  
9                   telephone systems that alert residents in a  
10                  targeted area, and implement those technological  
11                  methods if feasible.

12                  This bill would also provide limited  
13                  immunity for those persons participating in the  
14                  dissemination of an alert under the system.

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16                                   A BILL  
17                                   TO BE ENTITLED  
18                                   AN ACT

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20                   Relating to missing children; to create the  
21                   Emergency Missing Child Alert System to expedite notice to the  
22                   public regarding missing and endangered children; to require  
23                   the Alabama Law Enforcement Agency to implement the program;  
24                   to require participation by local law enforcement agencies; to  
25                   provide rulemaking authority; to provide procedures for the  
26                   activation and deactivation of an alert; and to provide  
27                   limited immunity.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. This act shall be known and may be cited  
3 as the Haiwayi Robinson Emergency Missing Child Alert System  
4 Act.

5 Section 2. (a) There is established a statewide  
6 Emergency Missing Child Alert System to be developed and  
7 implemented by the Secretary of the Alabama Law Enforcement  
8 Agency, or his or her designee, who shall serve as the state  
9 coordinator of the alert system.

10 (b) The agency shall implement this system in  
11 conjunction with any existing missing child notification  
12 system used by the agency, including the Alabama AMBER Plan.

13 (c) All local law enforcement agencies shall  
14 participate in the alert system.

15 Section 3. When a missing child report is given to a  
16 local law enforcement agency and every person accountable for  
17 the care of a child under 18 years of age, including, but not  
18 limited to, parents, grandparents, other relatives, teachers,  
19 or other caregivers, has been contacted and confirms that the  
20 whereabouts of the child is unknown, the local law enforcement  
21 agency shall immediately activate an emergency missing child  
22 alert.

23 Section 4. (a) Once a determination has been made to  
24 activate an emergency missing child alert, the local law  
25 enforcement agency shall do the following:

26 (1) Immediately notify the Alabama Law Enforcement  
27 Agency that an emergency missing child alert has been issued,

1 providing all pertinent information regarding the missing  
2 child to the agency.

3 (2) Issue a local media alert via email and fax  
4 indicating that a child is missing.

5 (3) Supplement the information by descriptions or  
6 photographs of the child to the media and the public through  
7 any means available, including the Internet, and by posting  
8 the missing child's photograph on the agency's website.

9 (b) The Alabama Law Enforcement Agency shall do both  
10 of the following:

11 (1) Prepare and send via email and fax the  
12 information and description of the missing child to the media  
13 statewide.

14 (2) Post the missing child's photograph on the  
15 agency's website.

16 (c) Once a missing child is found or the case is  
17 closed, the originating law enforcement agency shall  
18 deactivate the emergency missing child alert and shall notify  
19 the agency.

20 Section 5. (a) The Alabama Law Enforcement Agency  
21 shall do all of the following:

22 (1) Adopt rules necessary to ensure the proper  
23 implementation of the emergency missing child alert system,  
24 including procedures for the activation and deactivation of  
25 the alert system.

26 (2) Prescribe forms for use by local law enforcement  
27 agencies for activating the alert system and transmitting

1 information to the Alabama Law Enforcement Agency regarding a  
2 missing child.

3 (3) Research enhanced technological methods for the  
4 expeditious public notification of a missing child, including  
5 electronic and web-based technologies and rapid telephone  
6 systems that alert residents in a targeted area, and implement  
7 those technological methods if feasible.

8 (b) The agency or a local law enforcement agency may  
9 recruit public and commercial television, radio, cable, print  
10 or electronic media, other media, private commercial entities,  
11 state or local governmental entities, the public, and other  
12 appropriate persons to assist in developing and implementing  
13 the alert system.

14 (c) The agency may enter into agreements with  
15 participants in the alert system to provide necessary support  
16 for the alert system.

17 Section 6. An entity or individual participating in  
18 the dissemination of an alert generated through the alert  
19 system under this act is not liable for any civil damages  
20 arising from the dissemination of the alert absent  
21 unreasonable, wanton, willful, or intentional conduct.

22 Section 7. This act shall become effective on the  
23 first day of the third month following its passage and  
24 approval by the Governor, or its otherwise becoming law.