

1 SB108
2 165155-3
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

1 SB108

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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11 Relating to missing children; to create the
12 Emergency Missing Child Alert System to expedite notice to the
13 public regarding missing and endangered children; to require
14 the Alabama Law Enforcement Agency to implement the program;
15 to require participation by local law enforcement agencies; to
16 provide rulemaking authority; to provide procedures for the
17 activation and deactivation of an alert; and to provide
18 limited immunity.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. This act shall be known and may be cited
21 as the Haiwayi Robinson Emergency Missing Child Alert System
22 Act.

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

1 (b) The agency shall implement this system in
2 conjunction with any existing missing child notification
3 system used by the agency.

4 (c) All local law enforcement agencies shall
5 participate in the alert system.

6 Section 3. When a missing child report is given to a
7 local law enforcement agency and every person accountable for
8 the care of a child under 18 years of age, including, but not
9 limited to, parents, grandparents, other relatives, teachers,
10 or other caregivers, has been contacted and confirms that the
11 whereabouts of the child is unknown, the local law enforcement
12 agency shall immediately request an emergency missing child
13 alert, if the criteria adopted by the Alabama Law Enforcement
14 Agency have been met.

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

18 (1) Immediately request the Alabama Law Enforcement
19 Agency to issue an emergency missing child alert, providing
20 all pertinent information regarding the missing child to the
21 agency.

22 (2) Supplement the information by descriptions and
23 photographs of the child to the Alabama Law Enforcement Agency
24 for dissemination to the media, to the public through any
25 means available, including the Internet, and by posting the
26 missing child's photograph on the agency's website, if
27 available.

1 (b) The Alabama Law Enforcement Agency shall do both
2 of the following:

3 (1) Prepare and send via email the information and
4 description of the missing child to the media statewide.

5 (2) Post the missing child's photograph on the
6 agency's website.

7 (c) Once a missing child is found or the case is
8 closed, the originating law enforcement agency shall request
9 the Alabama Law Enforcement Agency to deactivate the emergency
10 missing child alert.

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

13 (1) Adopt rules necessary to ensure the proper
14 implementation of the emergency missing child alert system,
15 including procedures for the activation and deactivation of
16 the alert system.

17 (2) Prescribe forms for use by local law enforcement
18 agencies for activating the alert system and transmitting
19 information to the Alabama Law Enforcement Agency regarding a
20 missing child.

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

26 (b) The Alabama Law Enforcement Agency or a local
27 law enforcement agency may recruit public and commercial

1 television, radio, cable, print or electronic media, other
2 media, private commercial entities, state or local
3 governmental entities, the public, and other appropriate
4 persons to assist in developing and implementing the alert
5 system.

6 (c) The Alabama Law Enforcement Agency may enter
7 into agreements with participants in the alert system to
8 provide necessary support for the alert system.

9 Section 6. An entity or individual participating in
10 the dissemination of an alert generated through the alert
11 system under this act is not liable for any civil damages
12 arising from the dissemination of the alert absent
13 unreasonable, wanton, willful, or intentional conduct.

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

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3 Senate

4 Read for the first time and referred to the Senate
5 committee on Judiciary..... 03-MAR-15
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7 Read for the second time and placed on the calen-
8 dar with 1 substitute and..... 05-MAR-15
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10 Read for the third time and passed as amended 10-MAR-15

11 Yeas 32
12 Nays 0

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15 Patrick Harris
16 Secretary
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