

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2227

6 By: Dorman

7 COMMITTEE SUBSTITUTE

8 An Act relating to children; creating the Runaway
9 Child Alert System Act; defining terms; directing the
10 Department of Public Safety to implement a statewide
11 Runaway Child Alert System; directing cooperation
12 with certain state and local agencies; naming
13 Commissioner of the Department as the statewide
14 coordinator of the System; assigning Commissioner
15 certain duties to implement the System; prohibiting
16 liability of Department under the act; describing how
17 an alert is activated; directing local law
18 enforcement agency to complete certain steps to
19 implement the alert; providing information to be
20 included in the alert; providing for termination of
21 an alert; directing law enforcement agency to
22 immediately notify Department when child is located;
23 providing for codification; and providing an
24 effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 1-1991.1 of Title 63, unless
there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Runaway Child
Alert System Act".

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1-1991.2 of Title 63, unless
3 there is created a duplication in numbering, reads as follows:

4 As used in the Runaway Child Alert System Act:

5 1. "Alert" means the statewide runaway child alert for missing
6 or runaway children;

7 2. "Local law enforcement agency" includes, but is not limited
8 to, a county sheriff's office, a police department of a municipality
9 or city, or the Oklahoma Highway Patrol;

10 3. "Media outlet" includes, but is not limited to, radio
11 stations, television stations, newspapers and local support
12 organizations; and

13 4. "Missing child" or "runaway child" means a person:

14 a. whose whereabouts are unknown,

15 b. whose age at the time the person is first reported
16 missing is seventeen (17) years of age or younger,

17 c. who is a resident of the state or who is a resident of
18 another state who is believed to be currently in the
19 state, and

20 d. whose disappearance poses a credible threat to the
21 safety and health of the child, as determined by a
22 local law enforcement agency.

23

24

1 SECTION 3. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1-1991.3 of Title 63, unless
3 there is created a duplication in numbering, reads as follows:

4 The Department of Public Safety shall develop and implement a
5 statewide Runaway Child Alert System to be activated on behalf of a
6 missing child or runaway child in cooperation with the Department of
7 Transportation, the Department of Human Services, any local law
8 enforcement agency, the Oklahoma Association of Broadcasters and any
9 other appropriate state or local agencies.

10 SECTION 4. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 1-1991.4 of Title 63, unless
12 there is created a duplication in numbering, reads as follows:

13 A. The Commissioner of the Department of Public Safety is the
14 statewide coordinator of the Runaway Child Alert System and shall:

15 1. Adopt rules and issue directives as necessary to ensure
16 proper implementation of the alert. The rules and directives shall
17 include:

18 a. the procedures to be used by a local law enforcement
19 agency to verify whether a child is a missing child or
20 runaway child as defined by paragraph 4 of Section 2
21 of this act,

22 b. the procedures for local law enforcement agencies to
23 follow in initiating a statewide runaway child alert,
24

- c. the method whereby information is distributed to statewide media outlets,
- d. the procedures for the receipt and evaluation of information received from the public about the missing child, and
- e. the procedure for the termination of a runaway child alert;

2. Develop procedures to determine if announcement of a runaway child alert for local and statewide media outlets is warranted; and

3. Solicit and accept funding sources to implement and maintain the Runaway Child Alert System through private and public monies.

B. The Department of Public Safety shall not be held liable for any act or omission pursuant to its duties in carrying out the Runaway Child Alert System Act.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-1991.5 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. A runaway child alert may be activated if a local law enforcement agency:

- 1. Receives notice of a missing child or runaway child;
- 2. Verifies that at the time the child is reported missing or

as a runaway:

- a. the child is seventeen (17) years of age or younger, and

1 b. the location of the child is unknown;

2 3. Determines that the disappearance of the child poses a
3 credible threat to the health and safety of the child; and

4 4. Determines that information which may assist in the safe
5 recovery of the child is available.

6 B. The local law enforcement agency shall:

7 1. Require the family or legal guardian of the child to provide
8 photographs of the child;

9 2. Determine identifying information about the child and any
10 other information which might be useful to the general public in the
11 safe recovery of the child; and

12 3. Report the individual through the national crime information
13 center immediately upon the issuance of a runaway child alert.

14 SECTION 6. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 1-1991.6 of Title 63, unless
16 there is created a duplication in numbering, reads as follows:

17 The runaway child alert shall include:

18 1. All appropriate information that is provided by the local
19 law enforcement agency that may lead to the safe recovery of the
20 child; and

21 2. A statement instructing any person with information related
22 to the missing or runaway child to contact a local law enforcement
23 agency.

1 SECTION 7. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1-1991.7 of Title 63, unless
3 there is created a duplication in numbering, reads as follows:

4 A. The local law enforcement agency responsible for the
5 issuance of a runaway child alert shall terminate any runaway child
6 alert with respect to a particular missing or runaway child not
7 later than the earlier of the date on which:

8 1. The child is located or the situation is otherwise resolved;
9 or

10 2. The notification period ends, as determined by Department of
11 Public Safety rule.

12 B. A local law enforcement agency that locates a child who is
13 the subject of a runaway child alert shall immediately notify the
14 Department of Public Safety.

15 SECTION 8. This act shall become effective November 1, 2013.

16
17 54-1-7181 AM 02/20/13
18
19
20
21
22
23
24