

1 SB108
2 165155-4
3 By Senators Figures, Coleman, Dunn, Ross, Marsh, Waggoner,
4 Holley, Livingston, Holtzclaw, Shelnut, 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 ENROLLED, An Act,

5 Relating to missing children; to create the
6 Emergency Missing Child Alert System to expedite notice to the
7 public regarding missing and endangered children; to require
8 the Alabama Law Enforcement Agency to implement the program;
9 to require participation by local law enforcement agencies; to
10 provide rulemaking authority; to provide procedures for the
11 activation and deactivation of an alert; and to provide
12 limited immunity.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. This act shall be known and may be cited
15 as the Haiwayi Robinson Emergency Missing Child Alert System
16 Act.

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

22 (b) The agency shall implement this system in
23 conjunction with any existing missing child notification
24 system used by the agency.

1 (c) All local law enforcement agencies shall
2 participate in the alert system.

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

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

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

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

1 (b) The Alabama Law Enforcement Agency or a local
2 law enforcement agency may recruit public and commercial
3 television, radio, cable, print or electronic media, other
4 media, private commercial entities, state or local
5 governmental entities, the public, and other appropriate
6 persons to assist in developing and implementing the alert
7 system.

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

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

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

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB108

Senate 10-MAR-15

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris
Secretary

House of Representatives
Passed: 02-APR-15

By: Senator Figures