



ARIZONA STATE SENATE
Fifty-Sixth Legislature, Second Regular Session

FACT SHEET FOR H.B. 2479

missing; abducted; runaway children

Purpose

Requires the Department of Child Safety (DCS) to fulfill additional procedures and modified notification and reporting requirements for cases involving missing, abducted or runaway children.

Background

Within 24 hours of receiving a report that a child who is a ward of the court or in DCS care (dependent child) is missing, abducted or runaway and the child's location is unknown, DCS must: 1) notify the appropriate law enforcement agency (LEA) to make the record entry in the Arizona Criminal Justice Commission for an abducted child and the National Crime Information Center (NCIC) missing person database for an abducted, missing or runaway child; 2) report information on the missing, abducted or runaway child to the National Center for Missing and Exploited Children (NCMEC); and 3) unless determined a hinderance to the investigation or location effort, contact persons to obtain information about the child's disappearance, including the child's parents, known relatives, guardian or guardian ad-litem, out-of-home caregivers, attorney, court-appointed special advocate and any other persons who may have relevant information regarding the child's location, and provide a notice of disappearance in writing or telephonically to all contacted persons as well as the Duty Assistant Attorney General (AG) representing DCS to initiate a motion for pickup, a judicial officer in any judicial matter involving the child and the child's Indian tribe, if applicable. DCS must notify the appropriate LEA of a missing, abducted or runaway child to determine if the situation meets amber or silver alert criteria.

Within 48 hours of receiving a report of a missing, abducted or runaway child, the local LEA, must provide all local media outlets and social media platforms with outlined information regarding the child and, if known, the child's abductor.

Until the missing, abducted or runaway child is located or the child reaches the age of majority, DCS must make ongoing efforts that include: 1) continued contact with LEA, the child's parents, guardian, custodian and other known relatives, current and former foster families, the child's school and known acquaintances; 2) continued in-person searching of locations and places where the child may be found and review of any associated social media accounts; 3) continued search efforts with DCS field staff and LEAs; and 4) referral to DCS's Office of Child Welfare Investigations for assistance, if exigent circumstances exist.

When a child is located, DCS must: 1) inform LEAs involved in the child's case, the AG's office, and the NCMEC; 2) have in-person contact with the child within 24 hours of the child being located; 3) obtain a medical exam for the child; and 4) assess the child's experiences while absent, including screening to determine if the child is a sex trafficking victim, the appropriateness of the child returning to the child's current placement and factors that contributed to the child's absence ([A.R.S. § 8-810](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires DCS to immediately, or within 24 hours, of receiving a report that a dependent child is missing, abducted or runaway and the child's location is unknown:
 - a) notify the appropriate LEA;
 - b) report prescribed information to the NCMEC;
 - c) contact prescribed persons; and
 - d) provide a notice of disappearance in writing and telephonically, rather than writing or telephonically, to all contacted persons, the Duty Assistant AG and any applicable judicial officers or tribes.
2. Requires DCS to additionally speak to the child's school, friends or household members or other persons who may have relevant information about the circumstances surrounding the child's abduction or disappearance.
3. Requires DCS to immediately or within 24 hours notify the appropriate LEA of a missing, abducted or runaway child, so that the LEA can determine if the situation meets amber alert or silver alert criteria.
4. Requires the LEA to document its response regarding the amber alert or silver alert criteria.
5. Requires DCS, within 24 hours rather than 48 hours after receiving a report, to provide the local LEA with prescribed information for the local LEA to provide to local media outlets and post on social media platforms.
6. Requires the local LEA to update social media platforms every 14 calendar days with updated information regarding the missing, abducted or runaway child.
7. Requires, if the child has been missing, abducted or a runaway for two or more years, the appropriate LEA to work with a specialized artist to create an age-appropriate progression image of the child.
8. Requires DCS to contact law enforcement every seven days, rather than frequently, and document the information provided and received on an ongoing basis until the child is located or reaches the age of majority.
9. Requires DCS to immediately develop, refine, implement and provide immediate training to newly hired and current DCS employees who have direct oversight of children and their direct supervisors.
10. Specifies that the outlined ongoing efforts made by DCS are monthly ongoing efforts.
11. Requires the monthly ongoing efforts to include:
 - a) continued search efforts with DCS field staff who have access to databases that may help in the search for information or leads regarding the missing, abducted or runaway child; and

- b) requesting that the appropriate LEA conduct welfare checks at any location where the child may be.
12. Requires DCS, within 24 hours after the missing, abducted or runaway child is located, to comply with the prescribed requirements and in addition:
- a) contact any individuals who were initially notified of the child's disappearance;
 - b) report to the appropriate LEA if it is determined that the child is a sex trafficking victim;
 - c) determine the need for additional behavioral health services and support; and
 - d) review the case to assess the primary factors that contributed to the child being missing, abducted or a runaway and, to the extent possible and appropriate, respond to those factors in current and subsequent case decisions.
13. Instructs DCS, within 60 days after the general effective date, to enter into a contract with a provider to develop a checklist for DCS specialists and requires the checklist to:
- a) be uploaded to DCS software;
 - b) assist DCS specialists in fulfilling DCS duties, as prescribed; and
 - c) have a mechanism to mark DCS duties as completed within the specified timelines.
14. Instructs DCS, beginning 90 days after the general effective date, to provide a monthly report to the President of the Senate and the Speaker of the House of Representatives that includes:
- a) the names of all current missing, abducted and runaway children;
 - b) an acknowledgement that DCS made the prescribed notifications within the prescribed time frames;
 - c) a detailed explanation of the reason why the prescribed notifications were not made within the prescribed time frames, if those notifications were not made;
 - d) DCS's compliance with ongoing search efforts made to locate missing, abducted and runaway children; and
 - e) DCS's compliance with the prescribed requirements when a child is located.
15. Instructs, within 150 days of the general effective date and on a quarterly basis after that, DCS to submit to the Joint Legislative Budget Committee and the Senate and House of Representatives Health and Human Services Committees, or their successor committees, a report that includes:
- a) DCS's compliance with the prescribed requirements; and
 - b) the number of missing, abducted and runaway children.
16. Allows the Legislature to convene an Oversight Committee to address problems and deviations from policy and procedure and recommend corrective action plans.
17. Requires the Legislature to request an audit of DCS's compliance with the prescribed requirements.
18. Requires DCS to contract with a third party to oversee efforts to locate missing, abducted and runaway children if:
- a) the audit determines DCS is not in compliance; or
 - b) the Joint Legislative Oversight Committee on DCS determines that DCS has continually failed to follow the law.

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19. Makes conforming changes.

20. Becomes effective on the general effective date.

House Action

MAPS	2/12/24	DP	11-0-4-0
3 rd Read	2/22/24		37-20-2-0-1

Prepared by Senate Research

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KJA/EB/slp