

House Bill 726

By: Representatives Taylor of the 173<sup>rd</sup>, Hitchens of the 161<sup>st</sup>, Jasperse of the 11<sup>th</sup>, Lumsden of the 12<sup>th</sup>, Greene of the 151<sup>st</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 1 of Title 35 of the Official Code of Georgia Annotated, relating to  
2 general provisions regarding law enforcement officers and agencies, so as to require law  
3 enforcement agencies to enter the report of missing persons into a certain data base  
4 maintained by the National Institute of Justice of the United States Department of Justice;  
5 to provide for a definition; to provide for related matters; to repeal conflicting laws; and for  
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 1 of Title 35 of the Official Code of Georgia Annotated, relating to general  
10 provisions regarding law enforcement officers and agencies, is amended by revising Code  
11 Section 35-1-18, relating to prohibition on minimum waiting periods for initiating missing  
12 person report, as follows:

13 "35-1-18.

14 (a) No law enforcement agency shall implement a policy or practice which mandates a  
15 minimum waiting period before initiating a missing person report with such agency;  
16 provided, however, that it shall remain within the discretion of the law enforcement agency  
17 to determine what action, if any, is required in response to such a report.

18 (b)(1) As used in this subsection, 'missing person' means a person whose whereabouts  
19 are unknown and who is believed to be in danger because of age, physical or mental  
20 health condition, or physical or mental disability, in combination with environmental or  
21 weather conditions, or is believed to be unable to return to safety without assistance.

22 (2) Whenever a law enforcement agency determines that a person is a missing person,  
23 such law enforcement agency shall enter the report of such missing person into the data  
24 base of missing persons maintained by the National Institute of Justice of the United  
25 States Department of Justice and may enter or make such report in any other data base  
26 deemed beneficial by such law enforcement agency."

27

**SECTION 2.**

28 All laws and parts of laws in conflict with this Act are repealed.