

HOUSE BILL No. 1104

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-2-17; IC 10-13-5; IC 12-7-2-197.3; IC 12-10-18; IC 12-17.2; IC 16-37-1-8; IC 20-26-13-10; IC 20-33-2-10; IC 31-34; IC 31-36; IC 34-30-2.1; IC 35-44.1-2-3.

Synopsis: Green alert for missing at risk veterans. Defines "veteran at risk". Creates the green alert program to provide for public notification regarding missing veterans at risk. Changes the name of the Indiana clearinghouse for information on missing children and missing endangered adults to the Indiana clearinghouse for information on missing children, missing veterans at risk, and missing endangered adults (clearinghouse). Makes conforming changes to the duties of the clearinghouse. Creates certain duties and reporting requirements for law enforcement agencies concerning missing veterans at risk. Provides immunity for a broadcaster who broadcasts, or an electronic billboard operator who displays, a green alert notification and a person who establishes or maintains a green alert website under an agreement with the state police department. Makes technical corrections.

Effective: July 1, 2023.

Gore

January 10, 2023, read first time and referred to Committee on Veterans Affairs and Public Safety.



First Regular Session of the 123rd General Assembly (2023)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2022 Regular Session of the General Assembly.

HOUSE BILL No. 1104

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 5-2-17-1, AS ADDED BY P.L.92-2007, SECTION
2 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
3 2023]: Sec. 1. As used in this chapter, "high risk missing person"
4 means a person whose whereabouts are not known and who may be at
5 risk of injury or death. The term includes the following:
6 (1) A person who is missing as the result of abduction by a
7 stranger.
8 (2) A person whose disappearance may be the result of the
9 commission of a crime.
10 (3) A person whose disappearance occurred under circumstances
11 that are inherently dangerous.
12 (4) A person who is missing for more than thirty (30) days.
13 (5) A missing person who is in need of medical attention or
14 prescription medication.
15 (6) A missing person who may be at risk due to abduction by a
16 noncustodial parent.
17 (7) A missing person who is mentally impaired.



- 1 (8) A missing person who is less than twenty-one (21) years of
 2 age.
 3 (9) A missing person who has previously been the victim of a
 4 threat of violence or an act of violence.
 5 (10) A missing person who has been determined by a law
 6 enforcement agency to be:
 7 (A) at risk of injury or death; or
 8 (B) a person that meets any of the descriptions in subdivisions
 9 (1) through (9).
 10 (11) A missing person who is an endangered adult (as defined in
 11 IC 12-7-2-131.3).
 12 **(12) A missing person who is a veteran at risk (as defined in**
 13 **IC 12-7-2-197.3).**

14 SECTION 2. IC 5-2-17-3, AS ADDED BY P.L.92-2007, SECTION
 15 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
 16 2023]: Sec. 3. A law enforcement agency receiving a report of a
 17 missing:

- 18 (1) child less than eighteen (18) years of age shall comply with
 19 the requirements of IC 31-36-2; ~~or~~
 20 (2) endangered adult (as defined in IC 12-7-2-131.3) shall comply
 21 with the requirements of IC 12-10-18; ~~or~~
 22 **(3) veteran at risk (as defined in IC 12-7-2-197.3) shall comply**
 23 **with the requirements of IC 12-10-18;**

24 in addition to the procedures described in this chapter.

25 SECTION 3. IC 10-13-5-3, AS AMENDED BY P.L.43-2009,
 26 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2023]: Sec. 3. As used in this chapter, "clearinghouse" refers
 28 to the Indiana clearinghouse for information on missing children,
 29 **missing veterans at risk**, and missing endangered adults established
 30 by section 5 of this chapter.

31 SECTION 4. IC 10-13-5-3.5 IS ADDED TO THE INDIANA CODE
 32 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
 33 1, 2023]: **Sec. 3.5. As used in this chapter, "green alert program"**
 34 **means a program under which the clearinghouse transmits**
 35 **information about missing veterans at risk to broadcasters who:**

- 36 **(1) have agreed to participate in the program; and**
 37 **(2) immediately and repeatedly broadcast the information to**
 38 **the general public.**

39 SECTION 5. IC 10-13-5-4.5 IS ADDED TO THE INDIANA CODE
 40 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
 41 1, 2023]: **Sec. 4.5. As used in this chapter, "missing veteran at risk"**
 42 **means a veteran who is a high risk missing person under**



1 **IC 5-2-17-1.**

2 SECTION 6. IC 10-13-5-5, AS AMENDED BY P.L.43-2009,
3 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2023]: Sec. 5. The Indiana clearinghouse for information on
5 missing children, **missing veterans at risk**, and missing endangered
6 adults is established within the department.

7 SECTION 7. IC 10-13-5-6, AS AMENDED BY P.L.43-2009,
8 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2023]: Sec. 6. (a) The superintendent shall designate staff
10 responsible for the operation of the clearinghouse.

11 (b) The staff's duties include the following:

12 (1) Creation and operation of an intrastate network of
13 communication designed for the speedy collection and processing
14 of information concerning missing children, **missing veterans at**
15 **risk**, and missing endangered adults.

16 (2) Creation and operation of a central data storage, retrieval, and
17 information distribution system designed for the exchange of
18 information on missing children, **missing veterans at risk**, and
19 missing endangered adults within and outside Indiana. The system
20 must be capable of interacting with:

21 (A) the Indiana data and communication system under
22 IC 10-13-3-35; and

23 (B) the National Crime Information Center.

24 (3) Development of appropriate forms for the reporting of missing
25 children, **missing veterans at risk**, and missing endangered
26 adults that may be used by law enforcement agencies and private
27 citizens to provide useful information about a missing child, a
28 **missing veteran at risk**, or a missing endangered adult to the
29 clearinghouse.

30 (4) Cooperation with the following agencies concerning the
31 location of missing children, **missing veterans at risk**, and
32 missing endangered adults:

33 (A) State and local public and private nonprofit agencies
34 involved with the location and recovery of missing persons.

35 (B) Agencies of the federal government.

36 (C) State and local law enforcement agencies within and
37 outside Indiana.

38 (5) Coordinating efforts to locate missing children, **missing**
39 **veterans at risk**, and missing endangered adults with the
40 agencies listed in subdivision (4).

41 (6) Operation of the toll free telephone line created under section
42 7(a) of this chapter.



1 (7) Publishing and updating, on a quarterly basis, a directory of
 2 missing children, **missing veterans at risk**, and missing
 3 endangered adults.

4 (8) Compiling statistics on missing children, **missing veterans at**
 5 **risk**, and missing endangered adult cases handled by the
 6 clearinghouse, including the number of cases resolved each year.

7 SECTION 8. IC 10-13-5-7, AS AMENDED BY P.L.43-2009,
 8 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2023]: Sec. 7. (a) The clearinghouse shall do the following:

10 (1) Collect, process, and maintain identification and investigative
 11 information to aid in finding missing children, **missing veterans**
 12 **at risk**, and missing endangered adults.

13 (2) Establish a statewide, toll free telephone line for the reporting:
 14 (A) of missing children, **missing veterans at risk**, and missing
 15 endangered adults; and

16 (B) of sightings of missing children, **missing veterans at risk**,
 17 and missing endangered adults.

18 (3) Prescribe a uniform reporting form concerning missing
 19 children, **missing veterans at risk**, and missing endangered
 20 adults for use by law enforcement agencies within Indiana.

21 (4) Assist in training law enforcement and other professionals on
 22 issues relating to missing children, **missing veterans at risk**, and
 23 missing endangered adults.

24 (5) Operate a resource center of information regarding the
 25 prevention of:

26 (A) the abduction of children; and

27 (B) the sexual exploitation of children.

28 (6) Distribute the quarterly directory prepared under section
 29 6(b)(7) of this chapter to schools and hospitals.

30 (7) Distribute the quarterly directory described in subdivision (6)
 31 to child care centers and child care homes that make an annual
 32 contribution of four dollars (\$4) to the clearinghouse. The
 33 contributions must be used to help defray the cost of publishing
 34 the quarterly directory.

35 (b) For a missing child who was born in Indiana, the clearinghouse
 36 shall notify the vital statistics division of the **state Indiana** department
 37 of health:

38 (1) within fifteen (15) days after receiving a report under
 39 IC 31-36-1-3 (or IC 31-6-13-4 before its repeal) of a missing child
 40 less than thirteen (13) years of age; and

41 (2) promptly after the clearinghouse is notified that a missing
 42 child has been found.



1 (c) Upon receiving notification under subsection (b) that a child is
 2 missing or has been found, the vital statistics division of the ~~state~~
 3 **Indiana** department of health shall notify the local health department
 4 or the health and hospital corporation that has jurisdiction over the area
 5 where the child was born.

6 (d) Information collected, processed, or maintained by the
 7 clearinghouse under subsection (a) is confidential and is not subject to
 8 IC 5-14-3, but may be disclosed by the clearinghouse for purposes of
 9 locating missing children, **missing veterans at risk**, and missing
 10 endangered adults.

11 SECTION 9. IC 10-13-5-8, AS AMENDED BY P.L.115-2018,
 12 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2023]: Sec. 8. (a) The clearinghouse shall operate an Amber
 14 alert program, **the green alert program**, and the silver alert program.

15 (b) Upon the establishment of an Amber alert program, **the green**
 16 **alert program**, and the silver alert program, the clearinghouse may
 17 enter into an agreement with one (1) or more broadcasters to operate
 18 the Amber alert program, **the green alert program**, and the silver alert
 19 program under this chapter.

20 (c) The superintendent shall designate staff responsible for the
 21 operation of the Amber alert program, **the green alert program**, and
 22 the silver alert program.

23 (d) The department shall adopt guidelines governing the
 24 clearinghouse's operation of the Amber alert program, **the green alert**
 25 **program**, and the silver alert program. The department's guidelines
 26 may require that staff, upon receiving a report that a child has been
 27 abducted or an endangered child, **veteran at risk**, or endangered adult
 28 is missing, immediately send electronically or by other means of
 29 communication a description of the abducted child or missing
 30 endangered child, **missing veteran at risk**, or **missing** endangered
 31 adult to one (1) or more broadcasters participating in the Amber alert
 32 program, **the green alert program**, or the silver alert program. The
 33 guidelines must include criteria that the clearinghouse shall use in
 34 determining whether to issue a silver alert **or green alert** and the
 35 geographic area or region in which to issue the silver alert **or green**
 36 **alert**.

37 (e) A broadcaster participating in the Amber alert program, **the**
 38 **green alert program**, or the silver alert program shall immediately
 39 broadcast:

- 40 (1) a description of the abducted child, missing endangered child,
 41 **missing veteran at risk**, or missing endangered adult; and
 42 (2) other information that will assist in locating the abducted



1 child, missing endangered child, **missing veteran at risk**, or
 2 missing endangered adult;
 3 to the general public in accordance with the Amber alert plan
 4 agreement, **the green alert plan agreement**, or the silver alert plan
 5 agreement between the clearinghouse and the broadcaster.

6 (f) The department shall adopt guidelines governing the voluntary
 7 Amber alert program agreement, ~~and~~ **the voluntary green alert**
 8 **program agreement, or the** voluntary silver alert program agreement
 9 between the clearinghouse and a broadcaster. The voluntary
 10 agreements between the clearinghouse and the broadcaster may include
 11 the following provisions:

12 (1) Upon receiving a notification as part of the Amber alert
 13 program, **the green alert program**, or the silver alert program,
 14 the broadcaster shall broadcast the information contained on the
 15 notice on an intermittent basis for a period of time as provided in
 16 the agreements between the clearinghouse and the broadcaster.

17 (2) The broadcaster shall treat the Amber alert notification, **the**
 18 **green alert notification**, or the silver alert notification as an
 19 emergency.

20 (3) The broadcaster shall ensure that the form of communication
 21 used to receive an Amber alert notification, **a green alert**
 22 **notification**, or a silver alert notification is:

23 (A) generally available to receive an Amber alert notification,
 24 **a green alert notification**, or a silver alert notification; and

25 (B) located such that the broadcaster will immediately become
 26 aware of an incoming Amber alert notification, **green alert**
 27 **notification**, or silver alert notification.

28 SECTION 10. IC 10-13-5-8.1, AS AMENDED BY P.L.115-2018,
 29 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2023]: Sec. 8.1. (a) In addition to an agreement with a
 31 broadcaster under section 8 of this chapter, the clearinghouse may enter
 32 into an agreement with one (1) or more electronic billboard operators
 33 to display Amber alerts, **green alerts**, or silver alerts under this section.
 34 An agreement under this section may include a limitation on the days
 35 and times that the electronic billboard operator is required to have staff
 36 present to receive an Amber alert, **a green alert**, or a silver alert
 37 notification.

38 (b) The department's guidelines adopted under section 8 of this
 39 chapter may require staff, upon receiving a report that a child has been
 40 abducted, an endangered child is missing, **a veteran at risk is missing**,
 41 or an endangered adult is missing, to immediately send electronically
 42 or by other means of communication a description of the abducted



1 child, missing endangered child, **missing veteran at risk**, or missing
 2 endangered adult to one (1) or more electronic billboard operators
 3 participating in the Amber alert program, **green alert program**, or
 4 silver alert program if the Amber alert, **green alert**, or silver alert
 5 occurs during a period when the electronic billboard operator has
 6 agreed to have staff present to receive an Amber alert notification, a
 7 **green alert notification**, or a silver alert notification.

8 (c) An electronic billboard operator participating in the Amber alert
 9 program, **green alert program**, or silver alert program shall
 10 immediately display:

11 (1) a description of the abducted child, missing endangered child,
 12 **missing veteran at risk**, or missing endangered adult; and

13 (2) other information that will assist in locating the abducted
 14 child, missing endangered child, **missing veteran at risk**, or
 15 missing endangered adult;

16 to the general public in accordance with the Amber alert plan
 17 agreement, **green alert plan agreement**, or silver alert plan agreement
 18 between the clearinghouse and the electronic billboard operator.

19 (d) The department shall adopt guidelines governing the voluntary
 20 Amber alert program ~~and the agreement~~, **voluntary green alert**
 21 **program agreement**, or voluntary silver alert program ~~agreements~~
 22 **agreement** between the clearinghouse and an electronic billboard
 23 operator. The voluntary agreements between the clearinghouse and the
 24 electronic billboard operator may include the following provisions:

25 (1) Upon receiving a notification as part of the Amber alert
 26 program, **the green alert program**, or the silver alert program,
 27 the electronic billboard operator shall display the information
 28 contained in the notice on an intermittent basis for a period of
 29 time as provided in the agreements between the clearinghouse and
 30 the electronic billboard operator.

31 (2) The electronic billboard operator shall treat the Amber alert
 32 notification, **the green alert notification**, or the silver alert
 33 notification as an emergency.

34 (3) The electronic billboard operator shall ensure that the form of
 35 communication used to receive an Amber alert notification, a
 36 **green alert notification**, or a silver alert notification is:

37 (A) generally available to receive an Amber alert notification,
 38 **a green alert notification**, or a silver alert notification; and

39 (B) located such that the electronic billboard operator will
 40 immediately become aware of an incoming Amber alert
 41 notification, **a green alert notification**, or a silver alert
 42 notification received during days and times when staff is



1 present to receive an Amber alert notification, a **green alert**
 2 **notification**, or a silver alert notification.

3 SECTION 11. IC 10-13-5-8.5, AS AMENDED BY P.L.115-2018,
 4 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2023]: Sec. 8.5. (a) A broadcaster or electronic billboard
 6 operator that has agreed to participate in the Amber alert program,
 7 **green alert program**, or silver alert program and that:

8 (1) receives an Amber alert notification, a **green alert**
 9 **notification**, or a silver alert notification from the department;
 10 and

11 (2) broadcasts or displays:

12 (A) a description of the abducted child, missing endangered
 13 child, **missing veteran at risk**, or missing endangered adult
 14 contained in the notification; and

15 (B) other information contained in the notification that will
 16 assist in locating the child, **missing veteran at risk**, or
 17 missing endangered adult;

18 is immune from civil liability based on the broadcast or display of the
 19 information received from the department.

20 (b) If:

21 (1) a person enters into an agreement with the department to
 22 establish or maintain an Amber alert ~~web site~~ **website**, a **green**
 23 **alert website**, or a silver alert ~~web site~~; **website**; and

24 (2) the agreement provides that only the department has the
 25 ability to place information on the ~~web site~~; **website**;

26 the person is immune from civil liability for the information placed on
 27 the ~~web site~~ **website** by the department. However, this subsection does
 28 not affect the applicability of IC 34-13-3 to the department.

29 SECTION 12. IC 12-7-2-197.3 IS ADDED TO THE INDIANA
 30 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 31 [EFFECTIVE JULY 1, 2023]: **Sec. 197.3. "Veteran at risk" means**
 32 **a veteran or active duty member of the armed forces of the United**
 33 **States, the national guard, or a reserve component of the armed**
 34 **forces of the United States who is known, based on information**
 35 **provided by a person making a report under IC 12-10-18-1, to have**
 36 **a physical or mental health condition that is related to the**
 37 **veteran's military service.**

38 SECTION 13. IC 12-10-18-0.7 IS ADDED TO THE INDIANA
 39 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 40 [EFFECTIVE JULY 1, 2023]: **Sec. 0.7. A missing veteran at risk is**
 41 **a high risk missing person under IC 5-2-17. A law enforcement**
 42 **agency receiving a report of a missing veteran at risk shall follow**



1 **the procedures in IC 5-2-17 in addition to the procedures described**
 2 **in this chapter.**

3 SECTION 14. IC 12-10-18-1, AS AMENDED BY P.L.50-2021,
 4 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2023]: Sec. 1. (a) A law enforcement agency that receives a
 6 notification concerning a missing endangered adult **or missing veteran**
 7 **at risk** from:

8 (1) the missing endangered adult's **or missing veteran at risk's**:

9 (A) guardian;

10 (B) custodian; or

11 (C) guardian ad litem; or

12 (2) an individual who:

13 (A) provides the missing endangered adult **or missing veteran**
 14 **at risk** with home health aid services;

15 (B) possesses a health care power of attorney that was
 16 executed under IC 30-5-5-16 for the missing endangered adult
 17 **or missing veteran at risk**; or

18 (C) has evidence that the missing endangered adult **or missing**
 19 **veteran at risk** has a condition that may prevent the missing
 20 endangered adult **or missing veteran at risk** from returning
 21 home without assistance;

22 shall prepare an investigative report on the missing endangered adult
 23 **or missing veteran at risk** if, based on the notification, the law
 24 enforcement agency has reason to believe that an endangered adult **or**
 25 **veteran at risk** is missing.

26 (b) The investigative report described in subsection (a) may include
 27 the following:

28 (1) Relevant information obtained from the notification
 29 concerning the missing endangered adult **or missing veteran at**
 30 **risk**, including the following:

31 (A) A physical description of the missing endangered adult **or**
 32 **missing veteran at risk**.

33 (B) The date, time, and place that the missing endangered
 34 adult **or missing veteran at risk** was last seen.

35 (C) The missing endangered adult's **or missing veteran at**
 36 **risk's** address.

37 (2) Information gathered by a preliminary investigation, if one
 38 was made.

39 (3) A statement by the law enforcement officer in charge setting
 40 forth that officer's assessment of the case based upon the evidence
 41 and information received.

42 SECTION 15. IC 12-10-18-2, AS ADDED BY P.L.140-2005,



1 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 JULY 1, 2023]: Sec. 2. The law enforcement agency shall prepare the
 3 investigative report described by section 1 of this chapter as soon as
 4 practicable, and if possible not later than five (5) hours after the law
 5 enforcement agency receives notification of a missing endangered adult
 6 **or missing veteran at risk.**

7 SECTION 16. IC 12-10-18-3, AS AMENDED BY P.L.43-2009,
 8 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2023]: Sec. 3. (a) Upon completion of the report described by
 10 section 1 of this chapter, if the law enforcement agency has reason to
 11 believe that public notification may assist in locating the missing
 12 endangered adult **or missing veteran at risk**, the law enforcement
 13 agency may immediately forward the contents of the report to:

14 (1) all law enforcement agencies that have jurisdiction in the
 15 location where the missing endangered adult **or missing veteran**
 16 **at risk** lives and all law enforcement agencies that have
 17 jurisdiction in the location where the missing endangered adult **or**
 18 **missing veteran at risk** was last seen;

19 (2) all law enforcement agencies to which the person who made
 20 the notification concerning the missing endangered adult **or**
 21 **missing veteran at risk** requests the report be sent, if the law
 22 enforcement agency determines that the request is reasonable in
 23 light of the information received;

24 (3) all law enforcement agencies that request a copy of the report;

25 (4) one (1) or more broadcasters that broadcast in an area where
 26 the missing endangered adult **or missing veteran at risk** may be
 27 located;

28 (5) the Indiana data and communication system (IDACS);

29 (6) the National Crime Information Center's Missing Person File,
 30 if appropriate; and

31 (7) the Indiana clearinghouse for information on children, **missing**
 32 **veterans at risk**, and missing endangered adults, established by
 33 IC 10-13-5-5, to disseminate information concerning the:

34 (A) missing endangered adult to be broadcast as part of the
 35 silver alert program; **or**

36 (B) **missing veteran at risk to be broadcast as part of the**
 37 **green alert program.**

38 (b) Upon completion of the report described by section 1 of this
 39 chapter, a law enforcement agency may forward a copy of the contents
 40 of the report to one (1) or more newspapers distributed in an area
 41 where the missing endangered adult **or missing veteran at risk** may
 42 be located.



1 (c) After forwarding the contents of the report to a broadcaster or
 2 newspaper under this section, the law enforcement agency may request
 3 that the broadcaster or newspaper:

4 (1) notify the public that there is ~~an~~ **a missing** endangered adult
 5 **medical alert or missing veteran at risk alert;** and

6 (2) broadcast or publish:

7 (A) a description of the missing endangered adult **or missing**
 8 **veteran at risk;** and

9 (B) any other relevant information that would assist in locating
 10 the missing endangered adult **or missing veteran at risk.**

11 (d) A broadcaster or newspaper that receives a request concerning
 12 a missing endangered adult **or missing veteran at risk** under
 13 subsection (c) may, at the discretion of the broadcaster or newspaper:

14 (1) notify the public that there is ~~an~~ **a missing** endangered adult
 15 **medical alert or missing veteran at risk alert;** and

16 (2) broadcast or publish:

17 (A) a description of the missing endangered adult **or missing**
 18 **veteran at risk;** and

19 (B) any other relevant information that would assist in locating
 20 the missing endangered adult **or missing veteran at risk.**

21 SECTION 17. IC 12-10-18-4, AS ADDED BY P.L.140-2005,
 22 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2023]: Sec. 4. A law enforcement agency may begin an
 24 investigation concerning a missing endangered adult **or missing**
 25 **veteran at risk** as soon as possible after receiving notification of the
 26 missing endangered adult **or missing veteran at risk.**

27 SECTION 18. IC 12-10-18-5, AS ADDED BY P.L.140-2005,
 28 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2023]: Sec. 5. An individual described in section 1(a)(1) or
 30 1(a)(2) of this chapter who notifies a law enforcement agency
 31 concerning a missing endangered adult **or missing veteran at risk**
 32 shall notify the law enforcement agency when the missing endangered
 33 adult **or missing veteran at risk** is found.

34 SECTION 19. IC 12-10-18-6, AS ADDED BY P.L.140-2005,
 35 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2023]: Sec. 6. (a) A broadcaster or newspaper that receives a
 37 report of a missing endangered adult **or missing veteran at risk** from
 38 a law enforcement agency under section 3 of this chapter is immune
 39 from civil liability for an act or omission related to:

40 (1) the broadcast or publication of information contained in the
 41 report, including:

42 (A) a description of the missing endangered adult **or missing**



1 **veteran at risk;** and
 2 (B) any other relevant information that would assist in locating
 3 the missing endangered adult **or missing veteran at risk;** or
 4 (2) the decision of the broadcaster or newspaper not to broadcast
 5 or publish information contained in the report.

6 (b) The civil immunity described in subsection (a) does not apply to
 7 an act or omission that constitutes gross negligence or willful, wanton,
 8 or intentional misconduct.

9 SECTION 20. IC 12-17.2-2-1.5, AS AMENDED BY P.L.43-2009,
 10 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2023]: Sec. 1.5. (a) The division shall require all child care
 12 centers or child care homes to submit a report containing the names
 13 and birth dates of all children who are enrolled in the child care center
 14 or child care home within three (3) months from the date the child care
 15 center or child care home accepts its first child, upon receiving the
 16 consent of the child's parent, guardian, or custodian as required under
 17 subsection (b). The division shall require all child care centers and
 18 child care homes that receive written consent as described under
 19 subsection (b) to submit a monthly report of the name and birth date of
 20 each additional child who has been enrolled in or withdrawn from the
 21 child care center or child care home during the preceding thirty (30)
 22 days.

23 (b) The division shall require all child care centers or child care
 24 homes to request whether the child's parent, guardian, or custodian
 25 desires the center or home to include the child's name and birth date in
 26 the reports described under subsection (a) before enrolling the child in
 27 the center or home. No child's name or birth date may be included on
 28 the report required under subsection (a) without the signed consent of
 29 the child's parent, guardian, or custodian. The consent form must be in
 30 the following form:

31 "I give my permission for _____ (name of day
 32 care center or home) to report the name and birth date of my child
 33 or children to the division of family resources pursuant to
 34 IC 12-17.2-2-1.5.
 35 Name of child _____
 36 Birth date _____
 37 Signature of parent, guardian, or custodian
 38 _____
 39 Date _____".

40 (c) The division shall submit a monthly report of the information
 41 provided under subsection (a) to the Indiana clearinghouse for
 42 information on missing children, **missing veterans at risk,** and missing



1 endangered adults established under IC 10-13-5.

2 (d) The division shall require that a person who transports children
3 who are in the care of the child care center on a public highway (as
4 defined in IC 9-25-2-4) within or outside Indiana in a vehicle designed
5 and constructed for the accommodation of more than ten (10)
6 passengers must comply with the same requirements set forth in
7 IC 20-27-9-12 for a public elementary or secondary school or a
8 preschool operated by a school corporation.

9 SECTION 21. IC 12-17.2-4-18.5, AS AMENDED BY P.L.43-2009,
10 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2023]: Sec. 18.5. (a) Upon receiving a report under
12 IC 31-36-1-4, a child care center shall thoroughly inspect the report. If
13 the child care center finds that a child on the report required under
14 IC 31-36-1-4 is enrolled at the child care center, the child care center
15 shall immediately notify the Indiana clearinghouse for information on
16 missing children, **missing veterans at risk**, and missing endangered
17 adults.

18 (b) Upon receiving a report under IC 31-36-1-4, a child care center
19 shall attach a notice to the child's enrollment records stating that the
20 child has been reported missing. The child care center shall remove the
21 notice when the center is notified under IC 31-36-2-6 that the child has
22 been found.

23 (c) If a request for the enrollment records of a missing child is
24 received, the child care center shall:

25 (1) obtain:

26 (A) the name, address, and telephone number of the person
27 making the request; and

28 (B) the reason that the person is requesting the school records;
29 and

30 (2) immediately notify the Indiana clearinghouse for information
31 on missing children, **missing veterans at risk**, and missing
32 endangered adults.

33 (d) The child care center may not issue a copy of the enrollment
34 records of a child reported missing without authorization from the
35 Indiana clearinghouse for information on missing children, **missing**
36 **veterans at risk**, and missing endangered adults and may not inform
37 the person making the request that a notice that the child has been
38 reported missing has been attached to the child's records.

39 SECTION 22. IC 12-17.2-5-18.6, AS AMENDED BY P.L.43-2009,
40 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2023]: Sec. 18.6. (a) Upon receiving a report under
42 IC 31-36-1-4, a child care home shall thoroughly inspect the report. If



1 the child care home finds that a child on the report required under
 2 IC 31-36-1-4 is enrolled at the child care home, the child care home
 3 shall immediately notify the Indiana clearinghouse for information on
 4 missing children, **missing veterans at risk**, and missing endangered
 5 adults.

6 (b) Upon receiving a report under IC 31-36-1-4, a child care home
 7 shall attach a notice to the child's enrollment records stating that the
 8 child has been reported missing. The child care home shall remove the
 9 notice when the center is notified under IC 31-36-2-6 that the child has
 10 been found.

11 (c) If a request for the enrollment records of a missing child is
 12 received, the child care home shall:

13 (1) obtain:

14 (A) the name, address, and telephone number of the person
 15 making the request; and

16 (B) the reason that the person is requesting the school records;
 17 and

18 (2) immediately notify the Indiana clearinghouse for information
 19 on missing children, **missing veterans at risk**, and missing
 20 endangered adults.

21 (d) The child care home may not issue a copy of the enrollment
 22 records of a child reported missing without authorization from the
 23 Indiana clearinghouse for information on missing children, **missing**
 24 **veterans at risk**, and missing endangered adults and may not inform
 25 the person making the request that a notice that the child has been
 26 reported missing has been attached to the child's records.

27 SECTION 23. IC 16-37-1-8, AS AMENDED BY P.L.43-2009,
 28 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2023]: Sec. 8. (a) Except as provided in subsection (c), a local
 30 health officer shall provide a certification of birth, death, or stillbirth
 31 registration upon request by any person only if:

32 (1) the health officer is satisfied that the applicant has a direct
 33 interest in the matter;

34 (2) the health officer determines that the certificate is necessary
 35 for the determination of personal or property rights or for
 36 compliance with state or federal law; and

37 (3) the applicant for a birth certificate presents at least one (1)
 38 form of identification.

39 However, the local health officer must issue a certificate of an
 40 applicant's own birth registration.

41 (b) A local health officer's decision whether or not to issue a
 42 certified copy of a birth certificate is subject to review by a court.



1 (c) A local health officer may not issue a copy of a birth certificate
 2 of a missing child to which a notice has been attached under
 3 IC 10-13-5-11 without the authorization of the Indiana clearinghouse
 4 for information on missing children, **missing veterans at risk**, and
 5 missing endangered adults.

6 (d) Upon determination that a person may be provided a
 7 certification of death under subsection (a), the local health officer shall
 8 provide to the person a certification of death that excludes information
 9 concerning the cause of death if the person requests the exclusion of
 10 this information.

11 SECTION 24. IC 20-26-13-10, AS AMENDED BY P.L.32-2021,
 12 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2023]: Sec. 10. (a) Except as provided in section 11 of this
 14 chapter, the four (4) year graduation rate for a cohort in a high school
 15 is the percentage determined under STEP FIVE of the following
 16 formula:

17 STEP ONE: Determine the grade 9 enrollment at the beginning of
 18 the reporting year three (3) years before the reporting year for
 19 which the graduation rate is being determined.

20 STEP TWO: Add:

21 (A) the number determined under STEP ONE; and

22 (B) the number of students who:

23 (i) have enrolled in the high school after the date on which
 24 the number determined under STEP ONE was determined;
 25 and

26 (ii) have the same expected graduation year as the cohort.

27 STEP THREE: Subtract from the sum determined under STEP
 28 TWO the number of students who have left the cohort for any of
 29 the following reasons:

30 (A) Transfer to another public or nonpublic school.

31 (B) Except as provided in IC 20-33-2-28.6 and subsection (b),
 32 removal by the student's parents under IC 20-33-2-28 to
 33 provide instruction equivalent to that given in the public
 34 schools.

35 (C) Withdrawal because of a long term medical condition or
 36 death.

37 (D) Detention by a law enforcement agency or the department
 38 of correction.

39 (E) Placement by a court order or the department of child
 40 services.

41 (F) Enrollment in a virtual school.

42 (G) Leaving school, if the student attended school in Indiana



- 1 for less than one (1) school year and the location of the student
 2 cannot be determined.
- 3 (H) Leaving school, if the location of the student cannot be
 4 determined and the student has been reported to the Indiana
 5 clearinghouse for information on missing children, **missing**
 6 **veterans at risk**, and missing endangered adults.
- 7 (I) Withdrawing from school before graduation, if the student
 8 is a high ability student (as defined in IC 20-36-1-3) who is a
 9 full-time student at an accredited institution of higher
 10 education during the semester in which the cohort graduates.
- 11 (J) Withdrawing from school before graduation pursuant to
 12 providing notice of withdrawal under section 17 of this
 13 chapter.
- 14 (K) Participating in the high school equivalency pilot program
 15 under IC 20-30-8.5, unless the student fails to successfully
 16 complete the high school equivalency pilot program in the two
 17 (2) year period. This clause expires June 30, 2024.
- 18 STEP FOUR: Determine the total number of students determined
 19 under STEP TWO who have graduated during the current
 20 reporting year or a previous reporting year.
- 21 STEP FIVE: Divide:
- 22 (A) the number determined under STEP FOUR; by
 23 (B) the remainder determined under STEP THREE.
- 24 (b) This subsection applies to a high school in which:
- 25 (1) for a:
- 26 (A) cohort of one hundred (100) students or less, at least ten
 27 percent (10%) of the students left a particular cohort for a
 28 reason described in subsection (a) STEP THREE clause (B);
 29 or
 30 (B) cohort of more than one hundred (100) students, at least
 31 five percent (5%) of the students left a particular cohort for a
 32 reason described in subsection (a) STEP THREE clause (B);
 33 and
- 34 (2) the students described in subdivision (1)(A) or (1)(B) are not
 35 on track to graduate with their cohort.
- 36 A high school must submit a request to the state board in a manner
 37 prescribed by the state board requesting that the students described in
 38 this subsection be included in the subsection (a) STEP THREE
 39 calculation. The state board shall review the request and may grant or
 40 deny the request. The state board shall deny the request unless the high
 41 school demonstrates good cause to justify that the students described
 42 in this subsection should be included in the subsection (a) STEP



1 THREE calculation. If the state board denies the request the high
 2 school may not subtract the students described in this subsection under
 3 subsection (a) STEP THREE.

4 SECTION 25. IC 20-33-2-10, AS AMENDED BY P.L.32-2021,
 5 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2023]: Sec. 10. (a) Each public school shall and each private
 7 school may require a student who initially enrolls in the school to
 8 provide:

9 (1) the name and address of the school the student last attended;
 10 and

11 (2) a certified copy of the student's birth certificate or other
 12 reliable proof of the student's date of birth.

13 (b) Each public school, charter school, and nonpublic school with
 14 at least one (1) employee shall provide upon request of another school
 15 a copy of a particular student's disciplinary records that are relevant to
 16 the safety of students, if the particular student currently attends the
 17 requesting school and is currently enrolled in the requesting school.

18 (c) Not more than fourteen (14) days after initial enrollment in a
 19 school, the school shall request the student's records from the school
 20 the student last attended.

21 (d) If the document described in subsection (a)(2):

22 (1) is not provided to the school not more than thirty (30) days
 23 after the student's enrollment; or

24 (2) appears to be inaccurate or fraudulent;

25 the school shall notify the Indiana clearinghouse for information on
 26 missing children, **missing veterans at risk**, and missing endangered
 27 adults established under IC 10-13-5-5 and determine if the student has
 28 been reported missing.

29 (e) A school in Indiana receiving a request for records shall send the
 30 records promptly to the requesting school. However, if a request is
 31 received for records to which a notice has been attached under
 32 IC 31-36-1-5 (or IC 31-6-13-6 before its repeal), the school:

33 (1) shall immediately notify the Indiana clearinghouse for
 34 information on missing children, **missing veterans at risk**, and
 35 missing endangered adults;

36 (2) may not send the school records without the authorization of
 37 the clearinghouse; and

38 (3) may not inform the requesting school that a notice under
 39 IC 31-36-1-5 (or IC 31-6-13-6 before its repeal) has been attached
 40 to the records.

41 (f) Notwithstanding subsection (e), if a parent of a child who has
 42 enrolled in a state accredited nonpublic school is in breach of a contract



1 that conditions release of student records on the payment of
 2 outstanding tuition and other fees, the state accredited nonpublic school
 3 shall provide a requesting school sufficient verbal information to
 4 permit the requesting school to make an appropriate placement
 5 decision regarding the child. However, the state accredited nonpublic
 6 school must provide the information described in subsection (b) to the
 7 requesting school.

8 SECTION 26. IC 31-34-2-5, AS AMENDED BY P.L.43-2009,
 9 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2023]: Sec. 5. If a child in need of services is a missing child
 11 and is taken into custody under a court order, the person taking the
 12 child into custody shall do the following:

- 13 (1) Take the child to a place designated in the order.
- 14 (2) Give notice to the following that the child has been taken into
 15 custody:
 - 16 (A) The child's legal custodian.
 - 17 (B) The clearinghouse for information on missing children,
 18 **missing veterans at risk**, and missing endangered adults
 19 established by IC 10-13-5.

20 SECTION 27. IC 31-34-2.5-2, AS AMENDED BY P.L.43-2009,
 21 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2023]: Sec. 2. (a) Immediately after an emergency medical
 23 services provider takes custody of a child under section 1 of this
 24 chapter, the provider shall notify the department of child services that
 25 the provider has taken custody of the child.

26 (b) The department of child services shall:

- 27 (1) assume the care, control, and custody of the child immediately
 28 after receiving notice under subsection (a); and
- 29 (2) not later than forty-eight (48) hours after the department of
 30 child services has taken custody of the child, contact the Indiana
 31 clearinghouse for information on missing children, **missing**
 32 **veterans at risk**, and missing endangered adults established by
 33 IC 10-13-5-5 to determine if the child has been reported missing.

34 SECTION 28. IC 31-36-1-3, AS AMENDED BY P.L.183-2017,
 35 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2023]: Sec. 3. Upon completion of the report required by
 37 section 1 of this chapter, the law enforcement agency shall immediately
 38 forward the contents of the report to:

- 39 (1) all law enforcement agencies that have jurisdiction of the
 40 location in which the missing child lives and all law enforcement
 41 agencies that have jurisdiction of the location in which the
 42 missing child was last seen;



- 1 (2) all law enforcement agencies to which the person who
 2 provided notification requests the report be sent, if the law
 3 enforcement agency determines that the request is reasonable in
 4 light of the information contained in the report;
 5 (3) all law enforcement agencies that request a copy of the report;
 6 (4) the Indiana clearinghouse for information on missing children,
 7 **missing veterans at risk**, and missing endangered adults
 8 established by IC 10-13-5;
 9 (5) the Indiana data and communication system (IDACS);
 10 (6) the National Crime Information Center's Missing Person File;
 11 and
 12 (7) the department.

13 SECTION 29. IC 31-36-1-5, AS AMENDED BY P.L.43-2009,
 14 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2023]: Sec. 5. (a) Upon receiving a report under section 4 of
 16 this chapter, a school shall attach a notice to the child's school records
 17 stating that the child has been reported missing. The school shall
 18 remove the notice when the school is notified under IC 31-36-2-6 that
 19 the child has been found.

20 (b) If a request for the school records of a missing child is received,
 21 the school shall:

- 22 (1) obtain:
 23 (A) the name, address, and telephone number of the person
 24 making the request; and
 25 (B) the reason that the person is requesting the school records;
 26 and
 27 (2) immediately notify the Indiana clearinghouse for information
 28 on missing children, **missing veterans at risk**, and missing
 29 endangered adults.

30 (c) The school may not issue a copy of school records without
 31 authorization from the Indiana clearinghouse for information on
 32 missing children, **missing veterans at risk**, and missing endangered
 33 adults and may not inform the person making the request that a notice
 34 that the child has been reported missing has been attached to the child's
 35 records.

36 SECTION 30. IC 31-36-2-2, AS AMENDED BY P.L.43-2009,
 37 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2023]: Sec. 2. A law enforcement agency involved in the
 39 investigation of a missing child shall do the following:

- 40 (1) Update the initial report filed by the agency that received
 41 notification of the missing child upon the discovery of new
 42 information concerning the investigation.



1 (2) Forward the updated report to the agencies and organizations
2 listed in IC 31-36-1-3.

3 (3) Search the National Crime Information Center's Wanted
4 Person File for reports of arrest warrants issued for persons who
5 allegedly abducted or unlawfully retained children and compare
6 these reports to the missing child's National Crime Information
7 Center's Missing Person File.

8 (4) Notify all law enforcement agencies involved in the
9 investigation, the Indiana clearinghouse for information on
10 missing children, **missing veterans at risk**, and missing
11 endangered adults, and the National Crime Information Center
12 when the missing child is located.

13 SECTION 31. IC 34-30-2.1-116, AS ADDED BY P.L.105-2022,
14 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2023]: Sec. 116. IC 10-13-5-8.5 (Concerning a broadcaster
16 who broadcasts or an electronic billboard operator who displays an
17 Amber alert notification, **green alert notification**, or silver alert
18 notification and a person who establishes or maintains an Amber alert
19 ~~web site~~ **website**, **green alert website**, or silver alert ~~web site~~ **website**
20 under an agreement with the state police department).

21 SECTION 32. IC 34-30-2.1-136, AS ADDED BY P.L.105-2022,
22 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2023]: Sec. 136. IC 12-10-18-6 (Concerning a broadcaster or
24 newspaper that receives a report concerning ~~an a~~ **missing** endangered
25 adult ~~medical~~ alert **or missing veteran at risk alert**).

26 SECTION 33. IC 35-44.1-2-3, AS AMENDED BY P.L.174-2021,
27 SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2023]: Sec. 3. (a) As used in this section, "consumer product"
29 has the meaning set forth in IC 35-45-8-1.

30 (b) As used in this section, "misconduct" means a violation of a
31 departmental rule or procedure of a law enforcement agency.

32 (c) A person who reports that:

33 (1) the person or another person has placed or intends to place an
34 explosive, a destructive device, or other destructive substance in
35 a building or transportation facility;

36 (2) there has been or there will be tampering with a consumer
37 product introduced into commerce; or

38 (3) there has been or will be placed or introduced a weapon of
39 mass destruction in a building or a place of assembly;

40 knowing the report to be false, commits false reporting, a Level 6
41 felony.

42 (d) A person who:



- 1 (1) gives:
- 2 (A) a false report of the commission of a crime; or
- 3 (B) false information to a law enforcement officer that relates
- 4 to the commission of a crime;
- 5 knowing the report or information to be false;
- 6 (2) gives a false alarm of fire to the fire department of a
- 7 governmental entity, knowing the alarm to be false;
- 8 (3) makes a false request for ambulance service to an ambulance
- 9 service provider, knowing the request to be false;
- 10 (4) gives a false report concerning a missing child (as defined in
- 11 IC 10-13-5-4), **missing veteran at risk (as defined in**
- 12 **IC 12-7-2-197.3)**, or missing endangered adult (as defined in
- 13 IC 12-7-2-131.3) or gives false information to a law enforcement
- 14 officer or a governmental entity that relates to a missing child,
- 15 **missing veteran at risk**, or missing endangered adult knowing
- 16 the report or information to be false;
- 17 (5) makes a complaint against a law enforcement officer to the
- 18 state or municipality (as defined in IC 8-1-13-3(b)) that employs
- 19 the officer:
- 20 (A) alleging the officer engaged in misconduct while
- 21 performing the officer's duties; and
- 22 (B) knowing the complaint to be false;
- 23 (6) makes a false report of a missing person, knowing the report
- 24 or information is false;
- 25 (7) gives a false report of actions, behavior, or conditions
- 26 concerning:
- 27 (A) a septic tank soil absorption system under IC 8-1-2-125 or
- 28 IC 13-26-5-2.5; or
- 29 (B) a septic tank soil absorption system or constructed wetland
- 30 septic system under IC 36-9-23-30.1;
- 31 knowing the report or information to be false; or
- 32 (8) makes a false report that a person is dangerous (as defined in
- 33 IC 35-47-14-1) knowing the report or information to be false;
- 34 commits false informing, a Class B misdemeanor. However, the offense
- 35 is a Class A misdemeanor if it substantially hinders any law
- 36 enforcement process or if it results in harm to another person.

