

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 30**  
92ND GENERAL ASSEMBLY

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Reported from the Committee on Pensions and General Laws, January 30, 2003, with recommendation that the Senate Committee Substitute do pass.

TERRY L. SPIELER, Secretary.

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**AN ACT**

To amend chapter 210, RSMo, by adding thereto two new sections relating to missing persons.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 210, RSMo, is amended by adding thereto two new sections, to be known as sections 210.1012 and 210.1014, to read as follows:

**210.1012. 1. There is hereby created a statewide program called the "Alert Missouri Program" referred to in this section as the "program", to aid in the identification and location of abducted persons.**

**2. For the purposes of this section, "abducted person" means a person whose whereabouts are unknown and whose disappearance poses a credible threat of immediate danger of serious bodily harm or death to a person as determined by local law enforcement.**

**3. The department of public safety shall develop regions to provide the program. The department of public safety shall coordinate local law enforcement agencies and public commercial television and radio broadcasters to provide an effective program. In the event that a local law enforcement agency opts not to set up a program and an abduction occurs within the jurisdiction, it shall notify the department of public safety who will notify local media in the region.**

**4. The department of public safety shall have the authority to notify other regions when there is credible evidence that an abduction suspect is moving across regions.**

**5. The program shall consist of the following:**

**(1) A procedure established by rule that local law enforcement agencies may**

follow to verify a person has been abducted. Once the local law enforcement agency verifies an abduction has occurred, the local law enforcement agency may notify the department of public safety and recommend the activation of the alert Missouri program;

(2) Upon receipt of a notice of a person abduction from a local law enforcement agency, the department of public safety shall verify the accuracy of the information and then issue an alert;

(3) The alert shall be sent to the designated state emergency alert system broadcaster in Missouri. Participating radio and television stations shall issue the alert at designated intervals as specified by rule;

(4) The alert shall include all appropriate information the local law enforcement agency has that may assist in the safe recovery of the abducted person and a statement instructing anyone with information related to the abduction to contact his or her local law enforcement agency;

(5) The alert shall be cancelled upon department of public safety's notification to the designated state emergency alert system broadcaster that the person has been found or at the end of the notification period, whichever occurs first. Any local law enforcement agency that locates a person who is the subject of an alert shall notify the department of public safety as soon as possible that the person has been located.

6. Participation in an alert Missouri program is entirely at the option of local law enforcement agencies and federally-licensed radio and television broadcasters.

7. Currently existing alert programs operating as of January 1, 2004, will be exempt from this section. Local programs coming on line after the effective date of this section shall conform to the following standards:

(1) The alert shall only be activated in cases of persons whose disappearance poses a credible threat of immediate danger of serious bodily harm or death as determined by local law enforcement;

(2) The alert will not be activated in custodial disputes unless there is a credible threat of immediate danger of serious bodily harm or death as determined by local law enforcement;

(3) The alert will be activated when there are sufficient details as to the abduction of a person as to make the activation of the system useful.

8. The director of the department of public safety in consultation with the oversight committee of the committee on legislative research shall promulgate rules for the implementation of a statewide program for those entities not having a program. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become

effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be invalid and void.

210.1014. 1. There is hereby created the "Alert Missouri System Oversight Committee", whose primary duty shall be to develop criteria and procedures for the alert Missouri system and shall be housed within the department of public safety. The committee shall regularly review the function of the alert Missouri system and revise its criteria and procedures in cooperation with the department of public safety to provide for efficient and effective public notification. As soon as practicable, the committee shall adopt criteria and procedures to expand the alert Missouri system to provide urgent public alerts related to homeland security, criminal acts, health emergencies, and other imminent dangers to the public health and welfare.

2. The alert Missouri system oversight committee shall consist of members appointed by the governor with the advice and consent of the senate. Such members shall represent the following entities: two representatives of the Missouri sheriff's association; two representatives of the Missouri police chief's association; one representative of small market radio broadcasters; one representative of large market radio broadcasters; one representative of television broadcasters; one citizen representative from each region of the alert Missouri system. The director of the department of public safety shall also be a member of the committee and shall serve as chair of the committee.

3. Members of the oversight committee shall serve a term of four years, except that members first appointed to the committee shall have staggered terms of two, three, and four years and shall serve until their successor is duly appointed and qualified.

4. Members of the oversight committee shall serve without compensation, except that members shall be reimbursed for their actual and necessary expenses required for the discharge of their duties.