

By Senator Simmons

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1 A bill to be entitled
2 An act relating to missing children investigations;
3 creating s. 937.0211, F.S.; requiring each law
4 enforcement agency to adopt a Bronze Alert plan that
5 establishes procedures for investigating reports of a
6 missing child younger than 18 years of age, including
7 runaways; requiring that certain procedures be
8 included in the plan; establishing level one and level
9 two alerts and requiring the issuance of such alerts,
10 as specified in the act; providing an effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Section 937.0211, Florida Statutes, is created
15 to read:

16 937.0211 Bronze Alert.-

17 (1) Each law enforcement agency in this state shall adopt a
18 Bronze Alert plan that establishes the procedures to be followed
19 when investigating reports of a missing child younger than 18
20 years of age, including a runaway. The plan must ensure that
21 state and local law enforcement agencies, businesses, schools,
22 and media groups coordinate their efforts to expeditiously
23 locate a missing child.

24 (2) The Bronze Alert plan adopted by such agencies must
25 require that the agency issue a Bronze Alert whenever a child
26 younger than 18 years of age, including a runaway, is missing.
27 The agency shall follow the procedures established in this
28 subsection relating to level one and level two alerts and may
29 adopt additional procedures.

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30 (a) Upon notification that a child has been missing for
31 more than 6 consecutive hours, a law enforcement agency shall
32 issue a level one Bronze Alert under which the agency shall:

33 1. Provide information to the Missing Endangered Persons
34 Information Clearinghouse, in accordance with s. 937.022.

35 2. Issue a report containing the name of the missing child,
36 a description of the child, and other pertinent information to
37 the appropriate police communication system.

38 3. Issue a report, along with a picture of the child, for
39 distribution to radio, television, and other broadcast media
40 outlets that serve the community. Priority of notification shall
41 be given to media outlets that have agreed to immediately
42 broadcast the Bronze Alert in lieu of regular programming.

43 4. Issue a report, along with a picture of the child, for
44 distribution by e-mail to all Internet service providers and
45 commercial mobile service providers serving the community.
46 Participating providers shall promptly issue, by e-mail and
47 short message service, a missing child alert providing pertinent
48 information concerning the child's disappearance.

49 5. Request that mobile service providers, Internet service
50 providers, and social media networks deliver to the law
51 enforcement agency the records and communication accounts
52 listing all recent communications made by the missing child
53 before his or her disappearance, upon request, and with the
54 consent of the missing child's parents, family member, or
55 guardian who reported the child missing.

56 6. Notify the public or private school or an employee at
57 the school at which the missing child is currently enrolled at
58 the time of disappearance or, if the child is not currently

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59 enrolled in school, the school at which the child was previously
60 enrolled.

61 (b) The law enforcement agency shall issue a level two
62 Bronze Alert if the agency finds evidence that the missing child
63 may be in danger of physical injury or death. A child who
64 remains missing for more than 24 hours is presumed to be in
65 danger. Under a level two Bronze Alert, the agency shall comply
66 with all requirements of a level one alert and:

67 1. Request that the public or private school where the
68 child is currently enrolled, or was previously enrolled, flag
69 the child's records. The school shall flag all the child's
70 records in accordance with s. 937.025.

71 2. Notwithstanding any law that provides for the
72 confidentiality of a child's medical records, flag medical
73 records and distribute the records to all hospitals and health
74 care facilities in this state.

75 a. A public hospital or public health care facility shall
76 immediately report to the local law enforcement agency any
77 request concerning flagged medical records and shall report any
78 information regarding the request which may assist law
79 enforcement agencies in locating the missing child.

80 b. A public hospital or public health care facility that
81 provides such notification and information is immune from civil
82 liability for reporting and providing the information.

83 c. Upon notification by the local law enforcement agency
84 that the medical records no longer need to be flagged, the
85 public hospital or public health care facility shall remove the
86 flag from the medical records.

87 Section 2. This act shall take effect July 1, 2014.