

1 A bill to be entitled
2 An act relating to missing person investigations;
3 amending s. 937.0201, F.S.; revising the definition of
4 the term "missing endangered person"; amending s.
5 937.021, F.S.; providing that certain persons are
6 immune from civil liability for damages for complying
7 with the request to release TJ Alert information to
8 appropriate agencies; providing a presumption of good
9 faith for specified actions concerning TJ alerts;
10 amending s. 937.022, F.S.; authorizing only the law
11 enforcement agency having jurisdiction over a case to
12 request that the Missing Endangered Persons
13 Information Clearinghouse activate a TJ Alert
14 involving a missing person who is suspected by the law
15 enforcement agency of meeting the criteria for
16 activation of the TJ Alert Plan; providing an
17 effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

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21 Section 1. Paragraphs (c) and (d) of subsection (4) of
22 section 937.0201, Florida Statutes, are amended and paragraph
23 (e) is added to that subsection, to read:

24 937.0201 Definitions.—As used in this chapter, the term:
25 (4) "Missing endangered person" means:

26 (c) A missing adult 26 years of age or older who is
 27 suspected by a law enforcement agency of being endangered or the
 28 victim of criminal activity; ~~or~~

29 (d) A missing adult who meets the criteria for activation
 30 of the Silver Alert Plan of the department ~~of Law Enforcement;~~
 31 or

32 (e) A missing person who meets the criteria for activation
 33 of the TJ Alert Plan of the department.

34 Section 2. Present paragraphs (d) and (e) of subsection
 35 (5) of section 937.021, Florida Statutes, are amended, and a new
 36 paragraph (d) is added to that subsection, to read:

37 937.021 Missing child and missing adult reports.—

38 (5)

39 (d) Upon receiving a request to record, report, transmit,
 40 display, or release TJ Alert information from the law
 41 enforcement agency having jurisdiction over the missing person,
 42 the department as the state TJ Alert coordinator, any state or
 43 local law enforcement agency, and the personnel of these
 44 agencies; any radio or television network, broadcaster, or other
 45 media representative; any dealer of communications services as
 46 defined in s. 202.11; or any agency, employee, individual, or
 47 entity is immune from civil liability for damages for complying
 48 in good faith with the request and is presumed to have acted in
 49 good faith in recording, reporting, transmitting, displaying, or
 50 releasing TJ Alert information pertaining to the missing person.

51 (e)~~(d)~~ The presumption of good faith is not overcome if a
 52 technical or clerical error is made by any agency, employee,
 53 individual, or entity acting at the request of the local law
 54 enforcement agency having jurisdiction, or if the Amber Alert,
 55 Missing Child Alert, missing child ~~information~~, missing adult
 56 ~~information~~, ~~or~~ Silver Alert, or TJ Alert information is
 57 incomplete or incorrect because the information received from
 58 the local law enforcement agency was incomplete or incorrect.

59 (f)~~(e)~~ Neither this subsection nor any other provision of
 60 law creates a duty of the agency, employee, individual, or
 61 entity to record, report, transmit, display, or release the
 62 Amber Alert, Missing Child Alert, missing child ~~information~~,
 63 missing adult ~~information~~, ~~or~~ Silver Alert, or TJ Alert
 64 information received from the local law enforcement agency
 65 having jurisdiction. The decision to record, report, transmit,
 66 display, or release information is discretionary with the
 67 agency, employee, individual, or entity receiving the
 68 information.

69 Section 3. Subsection (3) of section 937.022, Florida
 70 Statutes, is amended to read:

71 937.022 Missing Endangered Persons Information
 72 Clearinghouse.—

73 (3) The clearinghouse shall:

74 (a) Establish a system of intrastate communication of
 75 information relating to missing endangered persons.

76 (b) Provide a centralized file for the exchange of
77 information on missing endangered persons.

78 1. Every state, county, or municipal law enforcement
79 agency shall submit to the clearinghouse information concerning
80 missing endangered persons.

81 2. Any person having knowledge may submit a missing
82 endangered person report to the clearinghouse concerning a child
83 or adult younger than 26 years of age whose whereabouts is
84 unknown, regardless of the circumstances, subsequent to
85 reporting such child or adult missing to the appropriate law
86 enforcement agency within the county in which the child or adult
87 became missing, and subsequent to entry by the law enforcement
88 agency of the child or person into the Florida Crime Information
89 Center and the National Crime Information Center databases. The
90 missing endangered person report shall be included in the
91 clearinghouse database.

92 3. Only the law enforcement agency having jurisdiction
93 over the case may submit a missing endangered person report to
94 the clearinghouse involving a missing adult age 26 years or
95 older who is suspected by a law enforcement agency of being
96 endangered or the victim of criminal activity.

97 4. Only the law enforcement agency having jurisdiction
98 over the case may make a request to the clearinghouse for the
99 activation of a state Silver Alert involving a missing adult if
100 circumstances regarding the disappearance have met the criteria

101 for activation of the Silver Alert Plan.

102 5. Only the law enforcement agency having jurisdiction
103 over the case may make a request to the clearinghouse for the
104 activation of a state TJ Alert involving a missing person if
105 circumstances regarding the disappearance have met the criteria
106 for activation of the TJ Alert Plan.

107 (c) Collect, process, maintain, and disseminate
108 information on missing endangered persons and strive to maintain
109 or disseminate only accurate and complete information.

110 Section 4. This act shall take effect July 1, 2017.