

1 A bill to be entitled
 2 An act relating to missing persons; amending s.
 3 937.0201, F.S.; revising the definition of the term
 4 "missing adult"; defining the term "at-risk veteran";
 5 amending s. 937.021, F.S.; providing that the
 6 Department of Law Enforcement, as the state Camo Alert
 7 coordinator, and certain agencies, employees,
 8 individuals, and entities are immune from civil
 9 liability for damages for performing certain actions
 10 in good faith; providing that the presumption of good
 11 faith is not overcome under certain circumstances;
 12 providing construction; amending s. 937.022, F.S.;
 13 authorizing only the law enforcement agency having
 14 jurisdiction over a case to make a request to the
 15 clearinghouse for the activation of a state Camo Alert
 16 involving a missing adult under certain circumstances;
 17 amending s. 937.023, F.S.; providing that the term
 18 "missing Florida school child" does not include an at-
 19 risk veteran; providing an effective date.

20
 21 Be It Enacted by the Legislature of the State of Florida:

22
 23 Section 1. Subsections (1) through (5) of section
 24 937.0201, Florida Statutes, are renumbered as subsections (2)
 25 through (6), respectively, present subsection (2) of that

26 | section is amended, and a new subsection (1) is added to that
 27 | section, to read:

28 | 937.0201 Definitions.—As used in this chapter, the term:

29 | (1) "At-risk veteran" means veteran of or an active duty
 30 | member of the United States Armed Forces, the National Guard, or
 31 | the United States Reserve Forces, regardless of age, who is
 32 | known to suffer from a mental illness, including post-traumatic
 33 | stress disorder (PTSD), or a traumatic brain injury, and his or
 34 | her disappearance poses a credible threat to his or her own
 35 | health and safety or the health and safety of another.

36 | ~~(3)-(2)~~ "Missing adult" means a person 18 years of age or
 37 | older whose temporary or permanent residence is in, or is
 38 | believed to be in, this state, whose location has not been
 39 | determined, and who has been reported as missing to a law
 40 | enforcement agency. The term includes an at-risk veteran.

41 | Section 2. Paragraphs (c), (d), and (e) of subsection (5)
 42 | of section 937.021, Florida Statutes, are amended to read:

43 | 937.021 Missing child and missing adult reports.—

44 | (5)

45 | (c) Upon receiving a request to record, report, transmit,
 46 | display, or release Silver Alert or Camo Alert information from
 47 | the law enforcement agency having jurisdiction over the missing
 48 | adult, the Department of Law Enforcement as the state Silver
 49 | Alert or state Camo Alert coordinator, any state or local law
 50 | enforcement agency, and the personnel of these agencies; any

51 radio or television network, broadcaster, or other media
52 representative; any dealer of communications services as defined
53 in s. 202.11; or any agency, employee, individual, or entity is
54 immune from civil liability for damages for complying in good
55 faith with the request and is presumed to have acted in good
56 faith in recording, reporting, transmitting, displaying, or
57 releasing Silver Alert or Camo Alert information pertaining to
58 the missing adult.

59 (d) The presumption of good faith is not overcome if a
60 technical or clerical error is made by any agency, employee,
61 individual, or entity acting at the request of the local law
62 enforcement agency having jurisdiction, or if the Amber Alert,
63 Missing Child Alert, missing child ~~information~~, missing adult
64 ~~information~~, ~~or~~ Silver Alert, or Camo Alert information is
65 incomplete or incorrect because the information received from
66 the local law enforcement agency was incomplete or incorrect.

67 (e) Neither this subsection nor any other provision of law
68 creates a duty of the agency, employee, individual, or entity to
69 record, report, transmit, display, or release the Amber Alert,
70 Missing Child Alert, missing child ~~information~~, missing adult
71 ~~information~~, ~~or~~ Silver Alert, or Camo Alert information received
72 from the local law enforcement agency having jurisdiction. The
73 decision to record, report, transmit, display, or release
74 information is discretionary with the agency, employee,
75 individual, or entity receiving the information.

76 Section 3. Paragraph (b) of subsection (3) of section
77 937.022, Florida Statutes, is amended to read:

78 937.022 Missing Endangered Persons Information
79 Clearinghouse.—

80 (3) The clearinghouse shall:

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

83 1. Every state, county, or municipal law enforcement
84 agency shall submit to the clearinghouse information concerning
85 missing endangered persons.

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

97 3. Only the law enforcement agency having jurisdiction
98 over the case may submit a missing endangered person report to
99 the clearinghouse involving a missing adult age 26 years or
100 older who is suspected by a law enforcement agency of being

101 | endangered or the victim of criminal activity.

102 | 4. 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 Silver Alert or state Camo Alert involving
 105 | a missing adult if circumstances regarding the disappearance
 106 | have met the criteria for activation of the Silver Alert Plan or
 107 | the Camo Alert Plan.

108 | Section 4. Subsection (1) of section 937.023, Florida
 109 | Statutes, is amended to read:

110 | 937.023 Department of Education to compile list of missing
 111 | Florida school children; forms; notification.—

112 | (1) The Department of Education shall provide by rule for
 113 | a program to identify and locate missing Florida school children
 114 | who are enrolled in Florida public school districts in
 115 | kindergarten through grade 12. A "missing Florida school child"
 116 | is defined for the purposes of this section as a child 18 years
 117 | of age or younger whose whereabouts are unknown. The term does
 118 | not include an at-risk veteran as defined in s. 937.0201.

119 | Pursuant to such program, the department shall:

120 | (a) Collect each month a list of missing Florida school
 121 | children as provided by the Florida Crime Information Center.
 122 | The list shall be designed to include such information as the
 123 | department deems necessary for the identification of the missing
 124 | school child.

125 | (b) Compile from the information collected pursuant to

126 paragraph (a) a list of missing Florida school children, which
127 list shall be distributed monthly to all public school districts
128 admitting children to kindergarten through grade 12. The list
129 shall include the names of all such missing children, together
130 with such other information as the department deems necessary.
131 Each school district shall distribute this information to the
132 public schools in the district by whatever manner it deems
133 appropriate.

134 (c) Notify the appropriate local, state, or federal law
135 enforcement authority as soon as any additional information is
136 obtained or contact is made with respect to a missing Florida
137 school child.

138 Section 5. This act shall take effect upon becoming a law.