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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/16/2021	.	
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The Committee on Appropriations (Berman) recommended the following:

Senate Amendment (with title amendment)

Delete lines 117 - 252

and insert:

1. Who has a mental or cognitive disability that is not Alzheimer's disease or a dementia-related disorder; an intellectual disability or a developmental disability, as those terms are defined in s. 393.063; a brain injury; another physical, mental, or emotional disability that is not related to substance abuse; or a combination of any of these;



11 2. Whose disappearance indicates a credible threat of
12 immediate danger or serious bodily harm to himself or herself,
13 as determined by the local law enforcement agency;
14 3. Who cannot be returned to safety without law enforcement
15 intervention; and
16 4. Who does not meet the criteria for activation of a local
17 Silver Alert or the Silver Alert Plan of the Department of Law
18 Enforcement.
19 (b) If a Purple Alert is determined to be necessary and
20 appropriate, the local law enforcement agency having
21 jurisdiction must notify the media and subscribers in the
22 jurisdiction or jurisdictions where the missing adult is
23 believed to or may be located. The local law enforcement agency
24 having jurisdiction may also request that the Purple Alert
25 notification be broadcast on lottery terminals within the
26 geographic regions where the missing adult may reasonably be,
27 including, but not limited to, lottery terminals in gas
28 stations, convenience stores, and supermarkets.
29 (c) Under the Purple Alert, the local law enforcement
30 agency having jurisdiction may also request that a case be
31 opened with the Department of Law Enforcement's Missing
32 Endangered Persons Information Clearinghouse. To enhance local
33 or regional efforts when the investigation indicates that an
34 identifiable vehicle is involved, the clearinghouse must
35 coordinate with the Department of Transportation and the
36 Department of Highway Safety and Motor Vehicles for the
37 activation of dynamic message signs on state highways and the
38 immediate distribution of critical information to the public
39 regarding the missing adult in accordance with the alert.



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40 (5) The Purple Alert process must include procedures to
41 monitor the use, activation, and results of alerts and a
42 strategy for informing and educating law enforcement, the media,
43 and other stakeholders concerning the alert.

44 (6) The Department of Law Enforcement may adopt rules to
45 implement and administer this section.

46 Section 4. Paragraphs (c), (d), and (e) of subsection (5)
47 of section 937.021, Florida Statutes, are amended to read:

48 937.021 Missing child and missing adult reports.—

49 (5)

50 (c) Upon receiving a request to record, report, transmit,
51 display, or release Silver Alert or Purple Alert information
52 from the law enforcement agency having jurisdiction over the
53 missing adult, the Department of Law Enforcement as the state
54 Silver Alert and Purple Alert coordinator, any state or local
55 law enforcement agency, and the personnel of these agencies; any
56 radio or television network, broadcaster, or other media
57 representative; any dealer of communications services as defined
58 in s. 202.11; or any agency, employee, individual, or entity is
59 immune from civil liability for damages for complying in good
60 faith with the request and is presumed to have acted in good
61 faith in recording, reporting, transmitting, displaying, or
62 releasing Silver Alert or Purple Alert information pertaining to
63 the missing adult.

64 (d) The presumption of good faith is not overcome if a
65 technical or clerical error is made by any agency, employee,
66 individual, or entity acting at the request of the local law
67 enforcement agency having jurisdiction, or if the Amber Alert,
68 Missing Child Alert, missing child information, missing adult



69 information, or Silver Alert or Purple Alert information is
70 incomplete or incorrect because the information received from
71 the local law enforcement agency was incomplete or incorrect.

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

81 Section 5. Paragraph (b) of subsection (3) of section
82 937.022, Florida Statutes, is amended to read:

83 937.022 Missing Endangered Persons Information
84 Clearinghouse.—

85 (3) The clearinghouse shall:

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

88 1. Every state, county, or municipal law enforcement agency
89 shall submit to the clearinghouse information concerning missing
90 endangered persons.

91 2. Any person having knowledge may submit a missing
92 endangered person report to the clearinghouse concerning a child
93 or adult younger than 26 years of age whose whereabouts is
94 unknown, regardless of the circumstances, subsequent to
95 reporting such child or adult missing to the appropriate law
96 enforcement agency within the county in which the child or adult
97 became missing, and subsequent to entry by the law enforcement



98 agency of the child or person into the Florida Crime Information
99 Center and the National Crime Information Center databases. The
100 missing endangered person report shall be included in the
101 clearinghouse database.

102 3. Only the law enforcement agency having jurisdiction over
103 the case may submit a missing endangered person report to the
104 clearinghouse involving a missing adult age 26 years or older
105 who is suspected by a law enforcement agency of being endangered
106 or the victim of criminal activity.

107 4. Only the law enforcement agency having jurisdiction over
108 the case may make a request to the clearinghouse for the
109 activation of a state Silver Alert or a Purple Alert involving a
110 missing adult if circumstances regarding the disappearance have
111 met the criteria for activation of the Silver Alert Plan or the
112 Purple Alert.

113 Section 6. Effective July 1, 2021, for the 2021-2022 fiscal
114 year, the sums of \$107,111 in recurring funds and \$92,790 in
115 nonrecurring funds are appropriated from the Operating Trust
116 Fund to the Department of Law Enforcement, and two full-time
117 equivalent positions with associated salary rate of 55,853 are
118 authorized, for the purpose of implementing this act.

119 Section 7. Except as otherwise expressly provided in this
120 act and except for this section, which shall take effect July 1,
121 2021, this act shall take effect July 1, 2022.

122
123 ===== T I T L E A M E N D M E N T =====

124 And the title is amended as follows:

125 Delete lines 45 - 46

126 and insert:



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providing an appropriation; providing effective dates.