

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Judiciary Committee
2 Representative Casello offered the following:

3
4 **Amendment (with title amendment)**

5 Remove lines 119-253 and insert:

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

12 2. Whose disappearance indicates a credible threat of
13 immediate danger or serious bodily harm to himself or herself,
14 as determined by the local law enforcement agency;

15 3. Who cannot be returned to safety without law
16 enforcement intervention; and

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17 4. Who does not meet the criteria for activation of a
18 local Silver Alert or the Silver Alert Plan of the Department of
19 Law Enforcement.

20 (b) If a Purple Alert is determined to be necessary and
21 appropriate, the local law enforcement agency having
22 jurisdiction must notify the media and subscribers in the
23 jurisdiction or jurisdictions where the missing adult is
24 believed to or may be located. The local law enforcement agency
25 having jurisdiction may also request that the Purple Alert
26 notification be broadcast on lottery terminals within the
27 geographic regions where the missing adult may reasonably be,
28 including, but not limited to, lottery terminals in gas
29 stations, convenience stores, and supermarkets.

30 (c) Under the Purple Alert, the local law enforcement
31 agency having jurisdiction may also request that a case be
32 opened with the Department of Law Enforcement's Missing
33 Endangered Persons Information Clearinghouse. To enhance local
34 or regional efforts when the investigation indicates that an
35 identifiable vehicle is involved, the clearinghouse must
36 coordinate with the Department of Transportation and the
37 Department of Highway Safety and Motor Vehicles for the
38 activation of dynamic message signs on state highways and the
39 immediate distribution of critical information to the public
40 regarding the missing adult in accordance with the alert.

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

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

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

49 937.021 Missing child and missing adult reports.—

50 (5)

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

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65 (d) The presumption of good faith is not overcome if a
66 technical or clerical error is made by any agency, employee,
67 individual, or entity acting at the request of the local law
68 enforcement agency having jurisdiction, or if the Amber Alert,
69 Missing Child Alert, missing child information, missing adult
70 information, or Silver Alert or Purple Alert information is
71 incomplete or incorrect because the information received from
72 the local law enforcement agency was incomplete or incorrect.

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

83 Section 5. Paragraph (b) of subsection (3) of section
84 937.022, Florida Statutes, is amended to read:

85 937.022 Missing Endangered Persons Information
86 Clearinghouse.—

87 (3) The clearinghouse shall:

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

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

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

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

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

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T I T L E A M E N D M E N T

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Remove lines 45-46 and insert:

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providing an appropriation;