

By the Committee on Criminal Justice; and Senator Martin

591-02787-23

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1 A bill to be entitled
2 An act relating to missing persons; amending ss.
3 937.021 and 937.022, F.S.; revising provisions
4 concerning missing children and adults to include
5 references to the National Missing and Unidentified
6 Persons System; providing an effective date.

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

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10 Section 1. Subsections (1), (2), and (4) of section
11 937.021, Florida Statutes, are amended to read:

12 937.021 Missing child and missing adult reports.—

13 (1) Law enforcement agencies in this state shall adopt
14 written policies that specify the procedures to be used to
15 investigate reports of missing children and missing adults. The
16 policies must ensure that cases involving missing children and
17 adults are investigated promptly using appropriate resources.
18 The policies must include:

19 (a) Requirements for accepting missing child and missing
20 adult reports;

21 (b) Procedures for initiating, maintaining, closing, or
22 referring a missing child or missing adult investigation; and

23 (c) Standards for maintaining and clearing computer data of
24 information concerning a missing child or missing adult which is
25 stored in the Florida Crime Information Center, ~~and~~ and the National
26 Crime Information Center, and the National Missing and
27 Unidentified Persons System. The standards must require, at a
28 minimum, a monthly review of each case and a determination of
29 whether the case should be maintained in the database.

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30 (2) An entry concerning a missing child or missing adult
31 may not be removed from the Florida Crime Information Center, ~~or~~
32 the National Crime Information Center, or the National Missing
33 and Unidentified Persons System databases based solely on the
34 age of the missing child or missing adult.

35 (4) (a) Upon the filing of a police report that a child is
36 missing by the parent or guardian, the Department of Children
37 and Families, a community-based care provider, or a sheriff's
38 office providing investigative services for the department, the
39 law enforcement agency receiving the report shall immediately
40 inform all on-duty law enforcement officers of the missing child
41 report, communicate the report to every other law enforcement
42 agency having jurisdiction in the county, and within 2 hours
43 after receipt of the report, transmit the report for inclusion
44 within the Florida Crime Information Center, ~~and~~ the National
45 Crime Information Center, and the National Missing and
46 Unidentified Persons System databases. A law enforcement agency
47 may not require a reporter to present an order that a child be
48 taken into custody or any other such order before accepting a
49 report that a child is missing.

50 (b) Upon the filing of a credible police report that an
51 adult is missing, the law enforcement agency receiving the
52 report shall, within 2 hours after receipt of the report,
53 transmit the report for inclusion within the Florida Crime
54 Information Center, ~~and~~ the National Crime Information Center,
55 and the National Missing and Unidentified Persons System
56 databases.

57 Section 2. Paragraph (b) of subsection (3) and subsection
58 (5) of section 937.022, Florida Statutes, is amended to read:

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59 937.022 Missing Endangered Persons Information
60 Clearinghouse.—

61 (3) The clearinghouse shall:

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

64 1. Every state, county, or municipal law enforcement agency
65 shall submit to the clearinghouse information concerning missing
66 endangered persons.

67 2. Any person having knowledge may submit a missing
68 endangered person report to the clearinghouse concerning a child
69 or adult younger than 26 years of age whose whereabouts is
70 unknown, regardless of the circumstances, subsequent to
71 reporting such child or adult missing to the appropriate law
72 enforcement agency within the county in which the child or adult
73 became missing, and subsequent to entry by the law enforcement
74 agency of the child or person into the Florida Crime Information
75 Center, ~~and~~ the National Crime Information Center, and the
76 National Missing and Unidentified Persons System databases. The
77 missing endangered person report shall be included in the
78 clearinghouse database.

79 3. Only the law enforcement agency having jurisdiction over
80 the case may submit a missing endangered person report to the
81 clearinghouse involving a missing adult age 26 years or older
82 who is suspected by a law enforcement agency of being endangered
83 or the victim of criminal activity.

84 4. Only the law enforcement agency having jurisdiction over
85 the case may make a request to the clearinghouse for the
86 activation of a state Silver Alert or a Purple Alert involving a
87 missing adult if circumstances regarding the disappearance have

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88 met the criteria for activation of the Silver Alert Plan or the
89 Purple Alert.

90 (5) The law enforcement agency having jurisdiction over a
91 case involving a missing endangered person shall, upon locating
92 the child or adult, immediately purge information about the case
93 from the Florida Crime Information Center, ~~or~~ the National Crime
94 Information Center, and the National Missing and Unidentified
95 Persons System databases and notify the clearinghouse.

96 Section 3. This act shall take effect July 1, 2023.