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HB 937

2024 Legislature

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 2 An act relating to the Purple Alert; amending s.
 3 937.0205, F.S.; requiring local law enforcement
 4 agencies to develop policies for a local activation of
 5 a Purple Alert for certain missing adults; specifying
 6 requirements for such policies; specifying duties of
 7 the Department of Law Enforcement's Missing Endangered
 8 Persons Information Clearinghouse in the event of a
 9 state Purple Alert; specifying conditions under which
 10 a local law enforcement agency may request the
 11 clearinghouse to open a case; conforming provisions to
 12 changes made by the act; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Section 937.0205, Florida Statutes, is amended
 17 to read:

18 937.0205 Purple Alert.—

19 (1) The Legislature finds that a standardized state system
 20 is necessary to aid in the search for a missing adult identified
 21 in subsection (4) ~~paragraph (4)(a)~~. The Legislature also finds
 22 that a coordinated local law enforcement and state agency
 23 response with prompt and widespread sharing of information will
 24 improve the chances of finding the person.

25 (2) It is the intent of the Legislature to establish the

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26 Purple Alert, to be implemented in a manner that, to the extent
 27 practicable, safeguards the privacy rights and related health
 28 and diagnostic information of such missing adults.

29 (3) The Department of Law Enforcement, in cooperation with
 30 the Department of Transportation, the Department of Highway
 31 Safety and Motor Vehicles, the Department of the Lottery, and
 32 local law enforcement agencies, shall establish and implement
 33 the Purple Alert. At a minimum, the Purple Alert must:

34 (a) Be the only viable means by which the missing adult is
 35 likely to be returned to safety;

36 (b) Provide, to the greatest extent possible, for the
 37 protection of the privacy, dignity, and independence of the
 38 missing adult by including standards aimed at safeguarding these
 39 civil liberties by preventing the inadvertent or unnecessary
 40 broadcasting or dissemination of sensitive health and diagnostic
 41 information;

42 (c) Limit the broadcasting and dissemination of alerts and
 43 related information to the geographic areas where the missing
 44 adult could reasonably be, considering his or her circumstances
 45 and physical and mental condition, the potential modes of
 46 transportation available to him or her or suspected to be
 47 involved, and the known or suspected circumstances of his or her
 48 disappearance; and

49 (d) Be activated only when there is sufficient descriptive
 50 information about the missing adult and the circumstances

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51 surrounding his or her disappearance to indicate that activating
 52 the alert is likely to help locate the missing adult.

53 ~~(4)(a) Under a Purple Alert, a local law enforcement~~
 54 ~~agency may broadcast to the media and to persons who subscribe~~
 55 ~~to receive alert notifications under this section information~~
 56 ~~concerning~~ a missing adult is deemed to be an adult:

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

63 (b)2. Whose disappearance indicates a credible threat of
 64 immediate danger or serious bodily harm to himself or herself,
 65 as determined by the local law enforcement agency;

66 (c)3. Who cannot be returned to safety without law
 67 enforcement intervention; and

68 (d)4. Who does not meet the criteria for activation of a
 69 local Silver Alert or the Silver Alert Plan of the Department of
 70 Law Enforcement.

71 (5) For a missing adult on foot or in an unidentified
 72 vehicle, local law enforcement agencies shall develop their own
 73 policies for activation of a local Purple Alert that meets the
 74 requirements set forth in s. 937.021 and shall:

75 (a) Contact media outlets in the affected area or

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76 surrounding jurisdictions;

77 (b) Inform all on-duty law enforcement officers of the
 78 missing adult report; and

79 (c) Communicate the report to any other law enforcement
 80 agency in the county of jurisdiction.

81 (6) A state Purple Alert may be requested from the
 82 Department of Law Enforcement's Missing Endangered Persons
 83 Information Clearinghouse when the investigation indicates that
 84 there is a motor vehicle with an identified license plate or
 85 other vehicle information. The clearinghouse shall:

86 (a) Coordinate with the Department of Transportation and
 87 the Department of Highway Safety and Motor Vehicles for the
 88 activation of dynamic message signs on state highways and the
 89 immediate distribution of critical information to the public
 90 regarding the missing adult in accordance with the alert;

91 (b) Coordinate with the Department of the Lottery to have
 92 the state Purple Alert broadcast on lottery terminals,
 93 including, but not limited to, lottery terminals in gas
 94 stations, convenience stores, and supermarkets; and

95 (c) Notify subscribers.

96 (7) If a local or state Purple Alert is determined to be
 97 necessary and appropriate, the local law enforcement agency
 98 having jurisdiction may also request that a case be opened with
 99 the Department of Law Enforcement's Missing Endangered Persons
 100 Information Clearinghouse.

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101 ~~(b) If a Purple Alert is determined to be necessary and~~
 102 ~~appropriate, the local law enforcement agency having~~
 103 ~~jurisdiction must notify the media and subscribers in the~~
 104 ~~jurisdiction or jurisdictions where the missing adult is~~
 105 ~~believed to or may be located. The local law enforcement agency~~
 106 ~~having jurisdiction may also request that the Purple Alert~~
 107 ~~notification be broadcast on lottery terminals within the~~
 108 ~~geographic regions where the missing adult may reasonably be,~~
 109 ~~including, but not limited to, lottery terminals in gas~~
 110 ~~stations, convenience stores, and supermarkets.~~

111 ~~(c) Under the Purple Alert, the local law enforcement~~
 112 ~~agency having jurisdiction may also request that a case be~~
 113 ~~opened with the Department of Law Enforcement's Missing~~
 114 ~~Endangered Persons Information Clearinghouse. To enhance local~~
 115 ~~or regional efforts when the investigation indicates that an~~
 116 ~~identifiable vehicle is involved, the clearinghouse must~~
 117 ~~coordinate with the Department of Transportation and the~~
 118 ~~Department of Highway Safety and Motor Vehicles for the~~
 119 ~~activation of dynamic message signs on state highways and the~~
 120 ~~immediate distribution of critical information to the public~~
 121 ~~regarding the missing adult in accordance with the alert.~~

122 ~~(8)(5)~~ The state Purple Alert process must include
 123 procedures to monitor the use, activation, and results of alerts
 124 and a strategy for informing and educating law enforcement, the
 125 media, and other stakeholders concerning the alert.

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126 | (9)~~(6)~~ The Department of Law Enforcement may adopt rules
127 | to implement and administer this section.
128 | Section 2. This act shall take effect July 1, 2024.