

House Bill 2764

Sponsored by Representatives OWENS, HIEB; Representatives LEVY B, LEWIS, SCHARF, Senators GOLDEN, THATCHER, WEBER (at the request of Christine Hood) (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes Endangered Missing Person Alert System. Directs Superintendent of State Police to establish task force to develop system to enable rapid and effective dissemination of information pertaining to missing persons to public to facilitate rapid location and recovery of missing person.

Sets forth criteria to be used to determine when endangered missing person alerts may be issued and when alerts may be terminated. Establishes immunity from liability for persons, organizations or entities that are involved in dissemination of endangered missing person alerts.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to endangered missing person alerts; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS 181A.010 to**
5 **181A.350.**

6 **SECTION 2. (1) As used in this section:**

7 (a) "Endangered missing person alert" means an alert issued through the Endangered
8 Missing Person Alert System.

9 (b) "Missing person" means a person whose whereabouts are unknown to a parent,
10 guardian, caretaker or other person who has regular contact with the missing person.

11 (2) There is established a statewide alert system to be known as the Endangered Missing
12 Person Alert System.

13 (3) The Endangered Missing Person Alert System shall be developed and implemented by
14 the Department of State Police as a program of voluntary cooperation between broadcasters,
15 cable systems and local and state agencies to enhance the ability of the public to assist in
16 locating and recovering missing and endangered persons.

17 (4) The Superintendent of State Police shall establish a task force to develop the Endan-
18 gered Missing Person Alert System. Members of the task force shall be appointed by the
19 superintendent. The administrator of the missing children and adults clearinghouse estab-
20 lished pursuant to ORS 181A.300 shall serve as the chair of the task force. The task force
21 must include one representative each from:

22 (a) County sheriffs;

23 (b) Municipal police departments;

24 (c) Tribal governments, as defined in ORS 181A.940, that employ authorized tribal police
25 officers as defined in ORS 181A.940;

26 (d) Police departments established by a university under ORS 352.121 or 353.125;

27 (e) State police;

28 (f) A statewide organization of news broadcasters;

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

- 1 (g) A statewide organization of cable service providers;
- 2 (h) The Oregon Department of Emergency Management; and
- 3 (i) The Oregon Disabilities Commission.

4 (5) The task force shall design and the Department of State Police shall implement the
5 Endangered Missing Person Alert System as a component of the missing children and adults
6 clearinghouse established and maintained pursuant to ORS 181A.300. The system shall pro-
7 vide for the use of the emergency notification system described in ORS 401.094, and any other
8 emergency communication network or system as the task force may recommend to ensure
9 rapid and effective dissemination of information to the public pertaining to a missing person
10 to facilitate the rapid location and recovery of the missing person.

11 (6) The Department of State Police, in consultation with the Oregon Department of
12 Emergency Management, shall implement and provide administrative oversight to the En-
13 dangered Missing Person Alert System, and may at any time recommend revisions to the
14 system.

15 (7)(a) An endangered missing person alert may not be issued under the same criteria as
16 is used for an alert under the state Amber plan described in ORS 181A.315 and shall not be
17 distributed automatically statewide. An endangered missing person alert may, but need not
18 automatically be, considered an alert issued under policies adopted under ORS 181A.320.

19 (b) An endangered missing person alert may be distributed based on the geographic area
20 in which the missing person was last seen or is believed to be. An endangered missing person
21 alert shall be issued with the information available to law enforcement agencies at the time
22 the alert is made, and the lack of detailed information need not preclude issuance of the
23 alert.

24 (8) For an incident to qualify for issuance of an endangered missing person alert, an in-
25 dividual, regardless of age:

- 26 (a) Must be reported missing to a law enforcement agency;
- 27 (b) Must be, or must be believed to be, a temporary or permanent resident of Oregon;
- 28 (c) Must be at a location that cannot be determined by a person familiar with the missing
29 person; and
- 30 (d) Must be someone:

31 (A) Who is missing as the result of abduction by a stranger and who does not meet the
32 criteria for an alert under the state Amber plan described in ORS 181A.315;

- 33 (B) Who is missing under unexplained, involuntary or suspicious circumstances;
- 34 (C) Whose disappearance may be the result of the commission of a crime;
- 35 (D) Whose disappearance occurred under circumstances that are inherently dangerous;
- 36 (E) Who is in need of medical attention or prescription medication;
- 37 (F) Who has previously been the victim of a threat of violence or an act of violence; or
- 38 (G) Who is incapable of returning to the missing person's residence without assistance

39 because of:

- 40 (i) Mental illness;
- 41 (ii) Intellectual disability;
- 42 (iii) Dementia;
- 43 (iv) Weather conditions; or
- 44 (v) Another physical or mental incapacity that requires care of the individual or man-
45 agement of the individual's property.

