

Requested by Representative OWENS

**PROPOSED AMENDMENTS TO
HOUSE BILL 2764**

1 On page 1 of the printed bill, delete lines 4 through 28 and delete pages
2 2 and 3 and insert:

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

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

6 **“(a) ‘Endangered missing person alert’ means an alert issued
7 through the Endangered Missing Person Alert System.**

8 **“(b) ‘Missing person’ means a person whose whereabouts are un-
9 known to a parent, guardian, caretaker or other person who has reg-
10 ular contact with the missing person.**

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

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

18 **“(4) The Superintendent of State Police shall establish a task force
19 to develop the Endangered Missing Person Alert System. Members of
20 the task force shall be appointed by the superintendent. The adminis-
21 trator of the missing children and adults clearinghouse established**

1 pursuant to ORS 181A.300 shall serve as the chair of the task force.

2 The task force must include one representative each from:

3 “(a) County sheriffs;

4 “(b) Municipal police departments;

5 “(c) Police departments established by a university under ORS
6 352.121 or 353.125;

7 “(d) State police;

8 “(e) A statewide organization of news broadcasters;

9 “(f) A statewide organization of cable service providers;

10 “(g) The Oregon Department of Emergency Management;

11 “(h) The Oregon Disabilities Commission;

12 “(i) The Department of Human Services; and

13 “(j) The Governor’s Commission on Senior Services.

14 “(5) At the option of tribal governments, as defined in ORS 181A.940,
15 the task force may include a tribal government representative.

16 “(6) The task force shall design and the Department of State Police
17 shall implement the Endangered Missing Person Alert System as a
18 component of the missing children and adults clearinghouse estab-
19 lished and maintained pursuant to ORS 181A.300. The system shall
20 provide for the use of the emergency notification system described in
21 ORS 401.094, and any other emergency communication network or
22 system as the task force may recommend to ensure rapid and effective
23 dissemination of information to the public pertaining to a missing
24 person to facilitate the rapid location and recovery of the missing
25 person.

26 “(7) The Department of State Police, in consultation with the
27 Oregon Department of Emergency Management, shall implement and
28 provide administrative oversight to the Endangered Missing Person
29 Alert System, and may at any time recommend revisions to the sys-
30 tem.

1 **“(8)(a) An endangered missing person alert may not be issued under**
2 **the same criteria as are used for an alert under the state Amber Plan**
3 **described in ORS 181A.315 and shall not be distributed automatically**
4 **statewide. An endangered missing person alert may, but need not au-**
5 **tomatically be, considered an alert issued under policies adopted under**
6 **ORS 181A.320.**

7 **“(b) An endangered missing person alert may be distributed based**
8 **on the geographic area in which the missing person was last seen or**
9 **is believed to be. An endangered missing person alert shall be issued**
10 **with the information available to law enforcement agencies at the**
11 **time the alert is made, and the lack of detailed information need not**
12 **preclude issuance of the alert.**

13 **“(9) For an incident to qualify for issuance of an endangered miss-**
14 **ing person alert, an individual, regardless of age:**

15 **“(a) Must be reported missing to a law enforcement agency;**

16 **“(b) Must be, or must be believed to be, a temporary or permanent**
17 **resident of Oregon or a person who is on vacation and is, or is believed**
18 **to be, at a location in Oregon;**

19 **“(c) Must be at a location that cannot be determined by a person**
20 **familiar with the missing person; and**

21 **“(d) Must be someone:**

22 **“(A) Who is missing as the result of abduction by a stranger and**
23 **who does not meet the criteria for an alert under the state Amber Plan**
24 **described in ORS 181A.315;**

25 **“(B) Who is missing under unexplained, involuntary or suspicious**
26 **circumstances;**

27 **“(C) Whose disappearance may be the result of the commission of**
28 **a crime;**

29 **“(D) Whose disappearance occurred under circumstances that are**
30 **inherently dangerous;**

1 **“(E) Who is in need of medical attention or prescription medication;**

2 **“(F) Who has previously been the victim of a threat of violence or**
3 **an act of violence; or**

4 **“(G) Who is incapable of returning to the missing person’s resi-**
5 **dence without assistance because of:**

6 **“(i) Mental illness;**

7 **“(ii) Intellectual disability;**

8 **“(iii) Dementia;**

9 **“(iv) Weather conditions; or**

10 **“(v) Another physical or mental incapacity that requires care of the**
11 **individual or management of the individual’s property.**

12 **“(10) Before requesting activation of an endangered missing person**
13 **alert, a law enforcement agency shall verify that the criteria described**
14 **in subsection (9) of this section have been satisfied. The law enforce-**
15 **ment agency shall assess the appropriate boundaries for dissemination**
16 **of the alert based on the nature of the endangerment and the cir-**
17 **cumstances surrounding the last known location of the missing person**
18 **or of a person who may have been involved in events that led to the**
19 **disappearance of the missing person.**

20 **“(11) The state police shall terminate an endangered missing person**
21 **alert with respect to a particular incident if:**

22 **“(a) The missing person is located or the incident is otherwise re-**
23 **solved; or**

24 **“(b) The state police determine that the endangered missing person**
25 **alert is no longer an effective method for locating the missing person.**

26 **“(12) A law enforcement agency shall immediately notify the law**
27 **enforcement agency that initiated the alert and the state police when**
28 **the missing person, a vehicle associated with the missing person or a**
29 **person suspected of being involved in the disappearance of the missing**
30 **person has been located.**

1 **“(13) There shall be no required waiting period before a law**
2 **enforcement agency may initiate an endangered missing person alert**
3 **or otherwise report on or investigate facts and circumstances per-**
4 **taining to the missing person or the disappearance of the missing**
5 **person.**

6 **“(14) Any person, organization or entity involved in the dissem-**
7 **ination of an endangered missing person alert initiated under the**
8 **system developed pursuant to this section may not be liable for any**
9 **damages arising from the dissemination.**

10 **“SECTION 3. This 2023 Act being necessary for the immediate**
11 **preservation of the public peace, health and safety, an emergency is**
12 **declared to exist, and this 2023 Act takes effect on its passage.”.**

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