

Requested by Representative OWENS

**PROPOSED AMENDMENTS TO  
A-ENGROSSED HOUSE BILL 2764**

1 On page 1 of the printed A-engrossed bill, line 2, delete “; and declaring  
2 an emergency”.

3 Delete lines 6 through 25 and delete pages 2 and 3 and insert:

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

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

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

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

12 **“(3) The Missing Endangered Person Alert System shall be devel-**  
13 **oped and implemented by the Department of State Police as a program**  
14 **of voluntary cooperation between broadcasters, cable systems and lo-**  
15 **cal 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**  
18 **to develop the Missing Endangered Person Alert System. Members of**  
19 **the task force shall be appointed by the superintendent. The super-**  
20 **intendent or a designee of the superintendent shall serve as the chair**  
21 **of the task force. The task force must include one representative each**

1 **from:**

2 **“(a) A statewide association of county sheriffs;**

3 **“(b) A statewide association of municipal chiefs of police;**

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

6 **“(d) A statewide organization of news broadcasters;**

7 **“(e) A statewide organization of cable service providers;**

8 **“(f) The Oregon Department of Emergency Management;**

9 **“(g) The Oregon Disabilities Commission;**

10 **“(h) The Department of Human Services;**

11 **“(i) The Department of Transportation; and**

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

13 **“(5) The superintendent may satisfy the requirements of subsection**  
14 **(4) of this section by merging the existing Amber Alert committee with**  
15 **the task force described in subsection (4) of this section, provided the**  
16 **representation described in subsection (4) is reflected in the merged**  
17 **entity. At the option of tribal governments, as defined in ORS**  
18 **181A.940, the task force may include a tribal government represen-**  
19 **tative.**

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

30 **“(7) The Department of State Police, in consultation with the**

1 **Oregon Department of Emergency Management, shall implement and**  
2 **provide administrative oversight to the Missing Endangered Person**  
3 **Alert System, and may at any time recommend revisions to the sys-**  
4 **tem.**

5 **“(8)(a) A missing endangered person alert may not be issued under**  
6 **the same criteria as are used for an alert under the state Amber Plan**  
7 **described in ORS 181A.315 and shall not be distributed automatically**  
8 **statewide. A missing endangered person alert may be issued outside**  
9 **of existing policies adopted under ORS 181A.320.**

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

16 **“(9) For an incident to qualify for issuance of a missing endangered**  
17 **person alert, an individual, regardless of age:**

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

19 **“(b) Must be entered into National Crime Information Center re-**  
20 **ords by the investigating agency;**

21 **“(c) Must be, or must be believed to be, a temporary or permanent**  
22 **resident of Oregon or a person who is on vacation and is, or is believed**  
23 **to be, at a location in Oregon;**

24 **“(d) Must be at a location that cannot be determined by a person**  
25 **familiar with the missing person; and**

26 **“(e) Must be someone:**

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

30 **“(B) Who is missing under unexplained, involuntary or suspicious**

1 **circumstances;**

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

4 **“(D) Whose disappearance occurred under circumstances that are**  
5 **inherently dangerous;**

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

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

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

11 **“(i) An impaired mental condition, such as dementia;**

12 **“(ii) An intellectual or developmental disability;**

13 **“(iii) A brain injury;**

14 **“(iv) Weather conditions; or**

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

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

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

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

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

1       **“(12) A law enforcement agency shall immediately notify the law**  
2 **enforcement agency that initiated the alert and the state police when**  
3 **the missing person, a vehicle associated with the missing person or a**  
4 **person suspected of being involved in the disappearance of the missing**  
5 **person has been located.**

6       **“(13) There shall be no required waiting period before a law**  
7 **enforcement agency may initiate a missing endangered person alert**  
8 **or otherwise report on or investigate facts and circumstances per-**  
9 **taining to the missing person or the disappearance of the missing**  
10 **person.**

11       **“(14) Any person, organization or entity involved in the dissem-**  
12 **ination of a missing endangered person alert initiated under the sys-**  
13 **tem developed pursuant to this section may not be liable for any**  
14 **damages arising from the dissemination.”.**

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