

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H

2

HOUSE BILL 1785
Committee Substitute Favorable 9/4/02

Short Title: NC CAN/Amber Alert - 2.

(Public)

Sponsors:

Referred to:

August 28, 2002

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE THE NORTH CAROLINA CENTER FOR MISSING
2 PERSONS TO ACCEPT AND EXPEND PRIVATE DONATIONS FOR THE
3 NORTH CAROLINA CHILD ALERT NOTIFICATION SYSTEM – NC CAN
4 (AMBER ALERT), TO ESTABLISH CRITERIA TO TRIGGER AN "AMBER
5 ALERT", TO COORDINATE THE PUBLIC AND PRIVATE SECTORS, AND TO
6 PROVIDE FOR THE USE OF DEPARTMENT OF TRANSPORTATION
7 CHANGEABLE MESSAGE SIGNS TO DISPLAY INFORMATION
8 REGARDING MISSING CHILDREN.
9

10 The General Assembly of North Carolina enacts:

11 **SECTION 1.** G.S. 143B-499.1 reads as rewritten:

12 "**§ 143B-499.1. Dissemination of missing persons data by law-enforcement**
13 **agencies.**

14 A law-enforcement agency, upon receipt of a missing person report by a parent,
15 spouse, guardian, or legal custodian, shall immediately make arrangements for the entry
16 of data about the missing person or missing child into the national missing persons file
17 in accordance with criteria set forth by the FBI/NCIC, immediately inform all of its
18 on-duty law-enforcement officers of the missing person report, initiate a statewide
19 broadcast to all appropriate law-enforcement agencies to be on the lookout for the
20 individual, and transmit a copy of the report to the Center.

21 If the report involves a missing child and the report meets the criteria established in
22 G.S. 143B-499.7(b), as soon as practicable after receipt of the report, the
23 law enforcement agency shall notify the Center of the relevant data about the missing
24 child."

25 **SECTION 2.** G.S. 143B-499.2 is amended by adding a new subdivision to
26 read:

27 "(6a) Develop and maintain the North Carolina Child Alert Notification
28 System (NC CAN) as created by G.S. 143B-499.7;".

1 **SECTION 3.** Article 11 of Chapter 143B of the General Statutes is amended
2 by adding a new section to read:

3 **"§ 143B-499.7. North Carolina Child Alert Notification System established.**

4 (a) There is established within the North Carolina Center for Missing Persons the
5 North Carolina Child Alert Notification System (NC CAN). The purpose of NC CAN is
6 to provide a statewide system for the rapid dissemination of information regarding
7 abducted children.

8 (b) The NC CAN System shall make every effort to disseminate information on
9 missing children as quickly as possible when the following criteria are met:

10 (1) The child is 12 years of age or younger;

11 (2) The child is believed to have been abducted;

12 (3) The child is believed to be in danger of injury or death;

13 (4) The abduction is not known or suspected to be by a parent of the child;

14 (5) The child is not a runaway or voluntarily missing; and

15 (6) The abduction has been reported to and investigated by a law
16 enforcement agency.

17 The NC CAN System may disseminate information on missing children who are
18 ages 13 to 17 on a case-by-case basis, if all other criteria in subdivisions (2) through (6)
19 of this subsection have been met, if the Center believes the dissemination of the
20 information to be beneficial in the possible recovery of the missing child.

21 If the abduction of the child is known or suspected to be by a parent of the child, the
22 Center, in its discretion, may disseminate information through the NC CAN System if
23 the child is believed to be in danger of injury or death.

24 (c) The Center shall adopt guidelines and develop procedures for the statewide
25 implementation of the NC CAN System and shall provide education and training to
26 encourage radio and television broadcasters to participate in the System. The Center
27 shall work with the Department of Justice in developing training material regarding the
28 NC CAN System for law enforcement, broadcasters, and community interest groups.

29 (d) The Center shall consult with the Department of Transportation and develop a
30 procedure for the use of overhead permanent changeable message signs to provide
31 information on the abduction of a child meeting the criteria established in subsection (b)
32 of this section, when information is available that would enable motorists to assist law
33 enforcement in the recovery of the missing child. The Center and the Department of
34 Transportation shall develop guidelines for the content, length, and frequency of any
35 message to be placed on an overhead permanent changeable message sign.

36 (e) The Center shall consult with the Division of Emergency Management, in the
37 Department of Crime Control and Public Safety, to develop a procedure for the use of
38 the Emergency Alert System to provide information on the abduction of a child meeting
39 the criteria established in subsection (b) of this section.

40 (f) The Department of Crime Control and Public Safety, on behalf of the Center,
41 may accept grants, contributions, devises, bequests, and gifts, which shall be kept in a
42 separate fund and shall be used to fund the operations of the Center and the NC CAN
43 System."

1 **SECTION 4.** Section 1 of this act becomes effective October 1, 2002. The
2 remainder of this act is effective when it becomes law.