

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1448

Short Title: Clarify AMBER Alert Laws. (Public)

Sponsors: Representatives Wiley, Neumann, Stevens, Fisher (Primary Sponsors); Hurley, Lucas, and Wray.

Referred to: Science and Technology, if favorable, Judiciary III.

April 13, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THE LAWS PERTAINING TO THE AMBER ALERT SYSTEM.
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** G.S. 143B-499.7 reads as rewritten:

5 "**§ 143B-499.7. North Carolina AMBER Alert System established.**

6 (a) There is established within the North Carolina Center for Missing Persons the
7 AMBER Alert System. The purpose of AMBER Alert is to provide a statewide system for the
8 rapid dissemination of information regarding abducted or missing children.

9 (b) The AMBER Alert System shall make every effort to disseminate information on
10 abducted or missing children as quickly as possible when the following criteria are met:

11 (1) The child is 17 years of age or younger;

12 (2) Repealed by Session Laws 2003-191, s. 3, effective June 12, 2003.

13 (3) Repealed by Session Laws 2003-191, s. 3, effective June 12, 2003.

14 (4) ~~The abduction-child~~ is not known or suspected to ~~be have been abducted or~~
15 be missing as a result of some act by a parent of the child, unless the child's
16 life is suspected to be in danger of injury or death;

17 (4a) The child is believed:

18 a. To have been abducted, ~~or~~

19 b. To be in danger of injury or ~~death; death, or~~

20 c. To be missing and has cognitive impairment that may place the child
21 in danger of injury or death;

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

23 (6) ~~The abduction-~~Information regarding the child who has been abducted or is
24 missing has been reported to and investigated by a law enforcement agency.

25 If the ~~abduction-of the~~ child is known or suspected to ~~be have been abducted or be missing~~
26 as result of some act by a parent of the child, the Center, in its discretion, may disseminate
27 information through the AMBER Alert System if the child is believed to be in danger of injury
28 or death.

29 (c) The Center shall adopt guidelines and develop procedures for the statewide
30 implementation of the AMBER Alert System and shall provide education and training to
31 encourage radio and television broadcasters to participate in the System. The Center shall work
32 with the Department of Justice in developing training material regarding the AMBER Alert
33 System for law enforcement, broadcasters, and community interest groups.

34 (d) The Center shall consult with the Department of Transportation and develop a
35 procedure for the use of overhead permanent changeable message signs to provide information
36 on ~~the abduction-of a child meeting-who has been abducted or is missing and meets the criteria~~



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1 established in subsection (b) of this section, when information is available that would enable
2 motorists to assist law enforcement in the recovery of the abducted or missing child. The
3 Center and the Department of Transportation shall develop guidelines for the content, length,
4 and frequency of any message to be placed on an overhead permanent changeable message
5 sign.

6 (e) The Center shall consult with the Division of Emergency Management, in the
7 Department of Crime Control and Public Safety, to develop a procedure for the use of the
8 Emergency Alert System to provide information on ~~the abduction of a child meeting who has~~
9 been abducted or is missing and meets the criteria established in subsection (b) of this section.

10 (f) The Department of Crime Control and Public Safety, on behalf of the Center, may
11 accept grants, contributions, devises, bequests, and gifts, which shall be kept in a separate fund,
12 which shall be nonreverting, and shall be used to fund the operations of the Center and the
13 AMBER Alert System."

14 **SECTION 2.** This act is effective when it becomes law.