

**CHAPTER 62****(HB 36)**

AN ACT relating to abducted children.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

SECTION 1. A NEW SECTION OF KRS CHAPTER 16 IS CREATED TO READ AS FOLLOWS:

- (1) The Department of State Police, in cooperation with the Transportation Cabinet, the Division of Emergency Management, the Kentucky Broadcasters Association, and the Kentucky Press Association shall operate a system to notify the public when a child has been abducted and the Department of State Police determines that public notification might aid in the recovery of the child. The system shall be known as the Kentucky Amber alert system.*
- (2) The system shall utilize existing resources, including but not limited to electronic highway signs, the emergency broadcast system, law enforcement communications systems, and local, regional, and statewide media providers.*
- (3) No public alert using the system shall be issued unless the Department of State Police, in consultation with the law enforcement agency in the jurisdiction in which the abduction of a minor occurred, have determined:*
  - (a) That the minor has actually been abducted or that all available evidence strongly indicates that the minor has been abducted;*
  - (b) That public notification is the most appropriate method of recovering the child in a safe and efficient manner; and*
  - (c) The geographic area in which the notification shall be made.*
- (4) If it is determined by the Department of State Police that public notification shall be initiated, the Department of State Police shall notify the public and private agencies and organizations which will actually provide the notification and shall provide those organizations and agencies with the information which the Department of State Police deems necessary.*
- (5) All law enforcement agencies in the Commonwealth shall cooperate with the Department of State Police in the provision and dissemination of information regarding any abducted minor.*
- (6) No law enforcement agency, other than the Department of State Police, shall activate the notification system specified in this section without the authority of the Department of State Police.*
- (7) The system shall be operated by all agencies of the Commonwealth within existing budgetary appropriations.*

Approved March 12, 2003