

1 AN ACT relating to missing children.

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

3 ➔Section 1. KRS 16.175 is amended to read as follows:

4 (1) The Department of Kentucky State Police, in cooperation with the Transportation
5 Cabinet, the Division of Emergency Management, and media providers~~the~~
6 ~~Kentucky Broadcasters Association, and the Kentucky Press Association~~, shall
7 operate a system to notify the public when a child has been abducted or identified
8 by law enforcement as missing, and the department determines that public
9 notification might aid in the recovery of the child. The system shall be known as the
10 Kentucky Amber alert system.

11 (2) The system shall utilize existing resources, including but not limited to electronic
12 highway signs, the emergency broadcast system, law enforcement communications
13 systems, and local, regional, and statewide media providers, as authorized and
14 under conditions permitted by the federal government.

15 (3) ~~A~~No public alert using the system shall not be issued unless the department, in
16 consultation with the law enforcement agency in the jurisdiction where the child
17 was abducted or reported missing~~[in which the abduction of a minor occurred]~~, has
18 determined:

19 (a) That the:

20 1. Child~~[minor]~~ has ~~[actually]~~ been abducted or that all available evidence
21 strongly indicates that the child~~[minor]~~ has been abducted;

22 2. Disappearance of the child may not have been voluntary and the
23 physical safety of the child may be endangered; or

24 3. Child is committed to the Department of Juvenile Justice or in the
25 temporary custody of the Cabinet for Health and Family Services, a
26 relative, or a nonrelative placement;

27 (b) That public notification is the most appropriate method of recovering the child

- 1 in a safe and efficient manner; and
- 2 (c) The geographic area in which the notification shall be made.
- 3 (4) If ***the department determines***~~[it is determined by the department]~~ that public
- 4 notification shall be initiated, the department shall notify ***and provide*** the public
- 5 and private agencies and organizations ***that***~~[which]~~ will ***issue***~~[actually provide]~~ the
- 6 notification~~[and shall provide those organizations and agencies]~~ with the
- 7 information ***that***~~[which]~~ the department deems necessary.
- 8 (5) All law enforcement agencies in the Commonwealth shall cooperate with the
- 9 department in the provision and dissemination of information regarding any
- 10 abducted ***or missing and endangered child***~~[minor].~~
- 11 (6) ~~A~~~~No~~ law enforcement agency~~[,]~~ other than the department~~[,]~~ shall ***not*** activate the
- 12 notification system specified in this section without the authority of the department.
- 13 (7) The system shall be operated by all agencies of the Commonwealth within existing
- 14 budgetary appropriations.
- 15 ➔Section 2. This Act may be cited as Wynter's Law.