

SESSION OF 2013

SUPPLEMENTAL NOTE ON SENATE BILL NO. 118

As Amended by Senate Committee on Judiciary

Brief*

SB 118, as amended, would amend statutes related to missing persons. It would create the category of "high-risk missing person," defined as any person who is at heightened risk of bodily harm or death, including a person who has been abducted, is missing under suspicious or known dangerous circumstances, has been missing more than 30 days, or is missing under any facts or circumstances leading the law enforcement agency to believe the person may be at risk of bodily harm or death.

Upon receiving a missing person report or any subsequent new information concerning a missing person, a law enforcement agency would be required to immediately determine whether the person may be a high-risk missing person. Upon determining that a missing person is a high-risk missing person, the agency would be required to immediately make this determination known to the Kansas Bureau of Investigation (KBI) missing and unidentified person system and the National Crime Information Center (NCIC) missing person system.

Upon receiving information that a person is a high-risk missing person, the director of the KBI missing and unidentified person system would be required to immediately provide information regarding the missing person to every law enforcement agency in the state.

All state or local law enforcement agencies would be required to accept and process, without delay, any report of a

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

missing person, and would be prohibited from refusing or otherwise failing to accept a missing person report for any reason, unless the agency knows the location of the person reported missing, has confirmed the safe status of the person reported missing, or has confirmed that another law enforcement agency has already completed a report on the missing person incident. The agency would be required to enter the report as soon as practical into the KBI and NCIC missing person systems. The agency would also be required to provide the person making the report with contact information and information regarding the National Center for Missing and Exploited Children and the National Center for Missing Adults.

Background

The bill was introduced by Senator Smith, who testified in support of the bill before the Senate Judiciary Committee. Also testifying in support was a representative of the Kansas Association of Chiefs of Police, the Kansas Peace Officers Association, and the Kansas Sheriffs Association, who requested several amendments to the bill. The Committee adopted these amendments, which removed requirements related to the content of reports and clarified when a law enforcement agency is required to enter a report into the state and national missing person systems.

The fiscal noted prepared by the Division of the Budget on the bill, as introduced, states the KBI estimates its responsibilities under the bill could be handled by an existing employee with no substantial increase in expenses or time. The League of Kansas Municipalities indicates the bill could add responsibilities for local police departments and could require adding additional police officers or staff. Any fiscal effect associated with the bill is not reflected in *The FY 2014 Governor's Budget Report*.