

SENATE BILL No. 376

By Committee on Corrections and Juvenile Justice

1-27

1 AN ACT concerning law enforcement agencies; relating to reports of
2 missing persons; amending K.S.A. 2015 Supp. 75-712c and repealing
3 the existing section.
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2015 Supp. 75-712c is hereby amended to read as
7 follows: 75-712c. (a) (1) All law enforcement agencies of the state of
8 Kansas, or any political subdivision thereof, shall accept and process,
9 without delay, any report of a missing person by any person at any time
10 pursuant to K.S.A. 75-712b through 75-712e, and amendments thereto,
11 and K.S.A. 2015 Supp. 75-712f through 75-712h, and amendments
12 thereto.

13 (2) No law enforcement agency shall refuse or otherwise fail to
14 accept a missing person report for any reason except when the law
15 enforcement agency:

16 (A) Knows the location of the person reported missing;

17 (B) has confirmed the safe status of the person reported missing; or

18 (C) has confirmed that another law enforcement agency has already
19 completed a report on the missing person incident.

20 (3) The reports shall be entered ~~as soon as practical~~ into the missing
21 person system of the national crime information center and the missing
22 and unidentified person system of the Kansas bureau of investigation
23 *within two hours of receipt of the minimum data required to enter a record*
24 *into such system.*

25 (4) The law enforcement agency immediately shall commence an
26 investigation based upon the elements of the initial reports.

27 (b) The law enforcement agency shall provide the person making
28 such report with contact information and information concerning the
29 national center for missing and exploited children and the national center
30 for missing adults.

31 (c) Within a reasonable period of time, and in no case longer than 30
32 calendar days, follow-up forms from the national crime information center
33 or the Kansas bureau of investigation, or both, shall be given to the
34 reporting party, to be completed and returned to the law enforcement
35 agency. The data reported on the follow-up forms shall be entered
36 immediately into the missing person system of the national crime

1 information center and the missing and unidentified person system of the
2 Kansas bureau of investigation.

3 (d) The reporting party shall be advised to immediately notify the law
4 enforcement agency in the event the missing person returns or is located.
5 Except as provided further, the law enforcement agency shall immediately
6 notify the reporting party if the missing person is located or contacted. The
7 law enforcement agency investigating the report shall not give information
8 to the reporting party if the law enforcement agency has reason to believe
9 the missing person is an adult or an emancipated minor and is staying at or
10 has made contact with a domestic violence or sexual assault program and
11 does not expressly consent to the release of this information. Upon
12 location of or contact by the missing person, the law enforcement agency
13 shall clear the case in the national crime information center and Kansas
14 bureau of investigation databases.

15 (e) (1) Upon receipt of a missing person report, the law enforcement
16 agency shall immediately determine whether such person may be a high-
17 risk missing person.

18 (2) Upon obtaining any new information concerning the missing
19 person at any time, the law enforcement agency shall evaluate whether
20 such person may be a high-risk missing person.

21 (3) A high-risk missing person means any person who is at
22 heightened risk of bodily harm or death, including, but not limited to,
23 persons missing:

24 (A) As a result of an abduction;

25 (B) under suspicious or known dangerous circumstances;

26 (C) more than 30 days;

27 (D) who have been designated as high-risk missing persons by
28 another law enforcement agency; or

29 (E) under any facts or circumstances that would lead the law
30 enforcement agency to believe such person may be at risk of bodily harm
31 or death.

32 (4) Upon a determination that a missing person is a high-risk missing
33 person, the law enforcement agency shall immediately and specifically
34 make such determination known to the missing and unidentified person
35 system of the Kansas bureau of investigation and the missing person
36 system of the national crime information center.

37 Sec. 2. K.S.A. 2015 Supp. 75-712c is hereby repealed.

38 Sec. 3. This act shall take effect and be in force from and after its
39 publication in the Kansas register.