

Unofficial Draft Copy

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LCdoj2

**** Bill No. ****

Introduced By *****

By Request of the *****

****For discussion purposes by the STRC at its May 2018 meeting.****

A Bill for an Act entitled: "An Act revising laws related to missing persons reports; requiring all law enforcement authorities to accept a report; providing exceptions; and amending section 44-2-504, MCA."

Be it enacted by the Legislature of the State of Montana:

NEW SECTION. **Section 1. Missing persons reports.** (1) All law enforcement authorities in the state shall accept, without delay, any report of a missing person unless there are extenuating circumstances, including:

(a) the law enforcement authority knows the location of the person reported missing;

(b) the law enforcement authority confirms the safe status of the person reported missing;

(c) the law enforcement authority confirms that another law enforcement authority has or will accept a missing person report for the person; or

(d) other circumstances documented by the law enforcement authority.

(2) All missing person reports must be entered into the database of the national crime information center of the United States department of justice within:

- (a) 2 hours of receipt for persons under 21 years of age;
- and
- (b) 8 hours of receipt for persons 21 years of age or older.
- (3) If a missing person is not located within 30 days, the law enforcement authority that took the report shall ensure a complete and accurate record of information is available for the missing person, including a photograph.

Section 2. Section 44-2-504, MCA, is amended to read:

"44-2-504. Reports to missing children information program.

(1) All ~~state, county, and municipal~~ law enforcement authorities in the state shall submit information regarding a missing child to the missing children information program provided for in 44-2-503 ~~any missing child report and other information required by 44-2-401.~~

(2) Any parent, guardian, or legal custodian may submit a missing child report to the missing children information program on any child whose whereabouts is unknown, regardless of the circumstances, subsequent to making a report to the appropriate law enforcement authority ~~within the county in which the child became missing.~~

(3) The parent, guardian, or legal custodian responsible for notifying the missing children information program or a law enforcement authority of a missing child shall immediately notify the authority and the program of any child whose location has been determined."

{*Internal References to 44-2-504: None.*}

NEW SECTION. Section 3. {standard} Codification

instruction. [Section 1] is intended to be codified as an integral part of Title 44, chapter 2, part 4, and the provisions of Title 44, chapter 2, part 4, apply to [section 1].

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{Name : Hope E. Stockwell
Title : Research Analyst
Agency : LEPO
Phone : 444-9280
E-Mail : hstockwell@mt.gov}