

As Introduced

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S. B. No. 290

**SENATORS Coughlin, Wachtmann, Armbruster, Jacobson, Blessing,
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Nein**

A B I L L

To enact section 5502.52 of the Revised Code to 1
require the Department of Public Safety to 2
establish rules for the implementation of an 3
emergency alert program to aid in the 4
identification and location of abducted children 5
and to declare an emergency. 6

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 5502.52 of the Revised Code be 7
enacted to read as follows: 8

Sec. 5502.52. (A) The department of public safety shall adopt 9
rules in accordance with Chapter 119. of the Revised Code for the 10
creation and implementation of a statewide emergency alert program 11
to aid in the identification and location of children who are 12
under eighteen years of age, who are abducted, and whose 13
abduction, as determined by a law enforcement agency, poses a 14
credible threat to the health and safety of the child. The program 15
shall be a coordinated effort among the department, law 16
enforcement agencies, and the state's public and commercial 17
television and radio broadcasters. 18

(B) The rules shall include, but are not limited to, all of 19
the following: 20

(1) Guidelines for a law enforcement agency to determine when 21
the statewide emergency alert program should be implemented that 22
include, but are not limited to, all of the following: 23

(a) The abducted child must be under eighteen years of age. 24

(b) The abduction must pose a credible threat to the health 25
and safety of the child. 26

(c) The law enforcement agency must determine that the child 27
is not a runaway and has not been abducted as a result of a child 28
custody dispute. 29

(2) A procedure that a law enforcement agency follows to 30
verify that a child has been abducted and to notify the department 31
of the abduction; 32

(3) A procedure for the department to verify the accuracy of 33
the information it receives from a law enforcement agency; 34

(4) A procedure for notifying the emergency management agency 35
that is established under section 5502.22 of the Revised Code of a 36
child abduction and ordering the agency to issue an alert through 37
the statewide emergency alert program; 38

(5) A procedure for notifying state public and commercial 39
television and radio stations of the issuance of an alert; 40

(6) Guidelines detailing the appropriate information that a 41
law enforcement agency may release to assist in the safe recovery 42
of an abducted child; 43

(7) A procedure for the cancellation of an alert. 44

(C) All law enforcement agencies shall comply with the rules 45
adopted in accordance with this section. 46

(D) The department of public safety shall adopt the rules 47

described in this section by January 2, 2003. 48

(E) As used in this section: 49

(1) "Abducted child" means a child for whom there is credible 50
evidence to believe that the child has been abducted in violation 51
of section 2905.01, 2905.02, 2905.03, or 2905.05 of the Revised 52
Code. 53

(2) "Law enforcement agency" includes, but is not limited to, 54
a county sheriff's department, the office of a village marshal, a 55
police department of a municipal corporation, a police force of a 56
regional transit authority, a police force of a metropolitan 57
housing authority, the state highway patrol, a state university 58
law enforcement agency, the office of a township police constable, 59
and the police department of a township or joint township police 60
district. 61

Section 2. This act is hereby declared to be an emergency 62
measure necessary for the immediate preservation of the public 63
peace, health, and safety. The reason for such necessity is that 64
the expedient development of a statewide emergency alert program 65
will deter child abductions and immediately aid in the recovery of 66
abducted children. Therefore, this act shall go into immediate 67
effect. 68