

As Passed by the Senate

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Mumper, Spada, Goodman, Harris, Austria, Randy Gardner, Robert Gardner,
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A B I L L

To enact sections 5502.52 and 5502.521 of the Revised 1
Code to create the statewide emergency alert 2
program to aid in the identification and location 3
of abducted children, to establish activation 4
criteria for the implementation of the program, to 5
create the Ohio Emergency Alert Advisory Committee, 6
and to declare an emergency. 7

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

Section 1. That sections 5502.52 and 5502.521 of the Revised 8
Code be enacted to read as follows: 9

Sec. 5502.52. (A) There is hereby created the statewide 10
emergency alert program to aid in the identification and location 11
of children who are under eighteen years of age, who are abducted, 12
and whose abduction, as determined by a law enforcement agency, 13
poses a credible threat of immediate danger of serious bodily harm 14
or death to a child. The program shall be a coordinated effort 15
among the governor's office, the department of public safety, law 16
enforcement agencies, and the state's public and commercial 17
television and radio broadcasters. 18

(B) The statewide emergency alert program shall not be 19
implemented unless all of the following activation criteria are 20
met: 21

(1) An abducted child is under eighteen years of age. 22

(2) The abduction poses a credible threat of immediate danger 23
of serious bodily harm or death to a child. 24

(3) A law enforcement agency determines that the child is not 25
a runaway and has not been abducted as a result of a child custody 26
dispute, unless the dispute poses a credible threat of immediate 27
danger of serious bodily harm or death to the child. 28

(4) There is sufficient descriptive information about the 29
child, the abductor, and the circumstances surrounding the 30
abduction to indicate that activation of the alert will help 31
locate the child. 32

(C) Nothing in division (B) of this section prevents the 33
activation of a local or regional emergency alert program that may 34
impose different criteria for the activation of a local or 35
regional plan. 36

(D) As used in this section: 37

(1) "Abducted child" means a child for whom there is credible 38
evidence to believe that the child has been abducted in violation 39
of section 2905.01, 2905.02, 2905.03, or 2905.05 of the Revised 40
Code. 41

(2) "Law enforcement agency" includes, but is not limited to, 42
a county sheriff's office, the office of a village marshal, a 43
police department of a municipal corporation, a police force of a 44
regional transit authority, a police force of a metropolitan 45
housing authority, the state highway patrol, a state university 46
law enforcement agency, the office of a township police constable, 47
and the police department of a township or joint township police 48

district.

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Sec. 5502.521. (A) There is hereby created the Ohio emergency alert advisory committee, consisting of eleven members to be appointed by the governor. The committee shall advise the governor, the department of public safety, and law enforcement agencies on an ongoing basis on the implementation, operation, improvement, and evaluation of the statewide emergency alert program created under section 5502.52 of the Revised Code.

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(B) Initial appointments to the committee shall be made within thirty days after the effective date of this section. Terms of office shall be for two years. Members may be reappointed. Vacancies shall be filled in the same manner as provided for original appointments.

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(C) The committee shall consist of the following:

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(1) A representative from the governor's office;

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(2) Three representatives from the department of public safety, one representing the state highway patrol and two representing the emergency management agency;

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(3) A representative from the attorney general's office;

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(4) A representative from the federal bureau of investigation;

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(5) A representative from a statewide association representing county sheriffs;

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(6) A representative from a statewide association representing police chiefs;

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(7) A representative from the broadcast industry;

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(8) A victim of an abduction, or an advocate or family member of an abducted child;

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(9) A representative from a political subdivision or region with a local or regional emergency alert program. 77
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(D) At the initial meeting of the committee, the members shall select one member to serve as chairperson for a two-year term. 79
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(E) The committee may meet periodically to review and evaluate the operation and effectiveness of the statewide emergency alert program, develop recommendations for procedures to improve the efficiency and effectiveness of the program, and work in a coordinated effort to make recommendations for needed legislative change. 82
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(F) The governor's office shall provide any staff assistance or meeting locations necessary for the committee. 88
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(G) Members of the committee shall serve without compensation. 90
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Section 2. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for the necessity is that the expedient creation and development of a statewide emergency alert program will deter child abductions and immediately aid in the recovery of abducted children. Therefore, this act shall go into immediate effect. 92
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