



**Sub. S.B. 290**

124th General Assembly  
(As Passed by the Senate)

**Sens. Coughlin, Wachtmann, Armbruster, Jacobson, Blessing, Mumper, Spada, Goodman, Harris, Austria, Randy Gardner, Robert Gardner, Nein, Amstutz, Brady, Carnes, Fingerhut, Hottinger, Jordan**

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**BILL SUMMARY**

- Creates the Statewide Emergency Alert Program to identify and locate abducted children.
- Establishes activation criteria for the program.
- Creates the Ohio Emergency Alert Advisory Committee.
- Declares an emergency.

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**CONTENT AND OPERATION**

The bill creates the Statewide Emergency Alert Program to aid in the identification and location of certain abducted children. The program must be a coordinated effort among the Governor's office, the Department of Public Safety, law enforcement agencies, and public and commercial television and radio broadcasters in the state. (Sec. 5502.52(A).)

The bill states that the program shall not be implemented unless all of the following activation criteria are met: (1) the abducted child is under age 18, (2) the abduction poses a credible threat of immediate danger of serious bodily harm or death to a child, (3) a law enforcement agency determines the child is not a runaway and has not been abducted because of a custody dispute, unless the dispute poses a credible threat of immediate danger of serious bodily harm or death to a child, (4) there is sufficient information about the child, the abductor, and the circumstances surrounding the abduction to indicate that activation of the alert will help locate the child. (Sec. 5502.52(A) and (B).)

Although the bill establishes activation criteria for implementation of the statewide program, it states that it does not prevent the activation of a local or

regional emergency alert program that may impose different criteria for the activation of a local or regional plan. (Sec. 5502.52(C).)

The bill defines "law enforcement agency" to include a sheriff's office, the office of a village marshal, a municipal corporation police department, a regional transit authority police force, a metropolitan housing authority police force, the State Highway Patrol, a state university law enforcement agency, a township police constable's office, and the police department of a township or joint township police district. It defines an "abducted child" as a child for whom there is credible evidence to believe the child has been abducted in violation of the criminal laws prohibiting kidnapping, abduction, unlawful restraint, and criminal child enticement. (Sec. 5502.52(D).)

### **The Ohio Emergency Alert Advisory Committee**

The bill creates the Ohio Emergency Alert Advisory Committee to 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. The committee will consist of the following eleven members, to be appointed by the Governor: (1) a representative from the Governor's office, (2) three representatives from the Department of Public Safety, (3) a representative from the Attorney General's office, (4) a representative from the FBI, (5) a representative from a statewide association representing county sheriffs, (6) a representative from a statewide association representing police chiefs, (7) a representative from the broadcast industry, (8) a victim of an abduction, or an advocate or family member of an abducted child, and (9) a representative from a political subdivision or region with a local or regional emergency alert program. (Sec. 5502.521(A) and (C).)

Initial appointments to the committee must be made within 30 days after the effective date of the bill. Terms of office are for two years with authorization under the bill for members to be reappointed. Vacancies must be filled in the same manner as provided for original appointments. (Sec. 5502.521(B).) At the initial meeting of the committee, the members must select one member to serve as chairperson for a two-year term (sec. 5502.521(D)).

The bill provides that 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. (Sec. 5502.251(E).)

The Governor's office is required to provide any staff assistance or meeting locations necessary for the committee, whose membership is required to serve without compensation (sec. 5502.521(F) and (G)).

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## HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	08-22-02	p. 2015
Reported, S. State & Local Gov't & Veterans Affairs	11-21-02	p. 2155
Passed Senate (31-0)	11-21-02	pp. 2168-2169

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