An Act

ENROLLED HOUSE
BILL NO. 1077

By: Luttrell, Pae, and Pittman
of the House

and

Rogers of the Senate

An Act relating to public health and safety; creating the Kasey Alert Act; defining terms; directing the Department of Public Safety to develop a Kasey Alert system; requiring cooperation of certain entities; appointing the Commissioner of Public Safety as coordinator; providing for the promulgation of rules; requiring certain procedures; providing for contents of a Kasey Alert; providing for termination of a Kasey Alert; providing for codification; and providing an effective date.

SUBJECT: Public health and safety

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-1990.8 of Title 63, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Kasey Alert Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-1990.9 of Title 63, unless there is created a duplication in numbering, reads as follows:

As used in the Kasey Alert Act:

1. "Alert" or "Kasey Alert" means the statewide Kasey Alert for critically missing adults;

2. "Ashanti Alert" means the national communications network established by the Ashanti Alert Act of 2018, Sections 21901 through 21907 of Title 34 of the United States Code;

3. "Critically missing adult" means a person who is at least eighteen (18) and no older than fifty-nine (59) years of age, whose whereabouts are unknown and who is believed to have been abducted or taken against his or her will;

4. "Law enforcement agency" means any law enforcement agency of the state or any political subdivision thereof, including, but not limited to, any county sheriff's office, the police departments of tribal governments, and municipal police departments;

5. "Media outlet" includes, but is not limited to, radio stations, television stations, newspapers, social media, local support organizations, and other methods of communicating information to the public; and

6. "Not Invisible Act of 2019" means the federal law enacted by United States Congress for the purpose of increasing intergovernmental coordination to identify and combat violent crime within Native American lands, Sections 2801 through 2815 of Title 25 of the United States Code.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-1990.10 of Title 63, unless there is created a duplication in numbering, reads as follows:

The Department of Public Safety shall develop and implement a statewide Kasey Alert system to be activated on behalf of a critically missing adult. The Kasey Alert system shall be developed in cooperation with the Department of Transportation, the Department of Human Services, the Oklahoma Department of Emergency Management and Homeland Security, tribal governments, the Oklahoma Association of Broadcasters, and any other state or local agency that the Department of Public Safety deems appropriate. The Kasey Alert system shall be developed with any coordination, training, and assistance available from the United States Department of Justice pursuant to the Ashanti Alert Act of 2018 and the Not Invisible Act of 2019.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-1990.11 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The Commissioner of Public Safety shall be the statewide coordinator of the Kasey Alert system and shall coordinate with media outlets for the rapid and accurate announcement of a Kasey Alert to the public.

B. The Department of Public Safety shall promulgate rules as necessary to implement this act, provided that the rules shall include the following:

1. The procedure to be used by law enforcement agencies to verify whether an adult who has been reported missing is believed to be at risk of abduction or being taken against his or her will;

2. The criteria for law enforcement agencies to consider in circumstances in which a missing person may not meet the definition of a critically missing adult but whose safety would be best protected by the issuance of a Kasey Alert;

3. The procedure for law enforcement agencies to follow in initiating a statewide Kasey Alert;

4. The method whereby information is distributed to statewide media outlets;

5. The procedure for the receipt and evaluation of information received from the public about a critically missing adult; and

6. The procedure for the termination of a Kasey Alert.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-1990.12 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. When a law enforcement agency receives notice of a critically missing adult, the agency shall take the following actions:

1. Enter the missing individual into the National Crime Information Center (NCIC) database immediately upon obtaining the necessary information for NCIC pursuant to the guidance of the Federal Bureau of Investigation (FBI);

2. Conduct an investigation into the disappearance of the critically missing adult to determine whether the person has likely been abducted or taken against his or her will; and

3. Collect identifying information and any other information about the critically missing adult that might be useful to the general public for the safe recovery of the person.

B. A Kasey Alert shall be activated if a law enforcement agency receives notice of a critically missing adult, takes the actions required in subsection A of this section, and determines that there is sufficient information to issue the Kasey Alert.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-1990.13 of Title 63, unless there is created a duplication in numbering, reads as follows:

A Kasey Alert shall include:

1. All appropriate information provided by a law enforcement agency that may lead to the safe recovery of the critically missing adult; and

2. A statement instructing any person with information related to a missing Native American or Indigenous person to contact law enforcement or tribal authorities.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-1990.14 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. Any law enforcement agency that issues a Kasey Alert shall terminate the alert when the notification period ends, as determined by a Department of Public Safety rule.

B. Any law enforcement agency that locates a person who is the subject of a Kasey Alert shall immediately notify the Department of Public Safety.

SECTION 8. This act shall become effective November 1, 2023.

Passed the House of Representatives the 7th day of March, 2023.

Presiding Officer of the House
of Representatives

Passed the Senate the 24th day of April, 2023.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 25th

day of April, 20 23, at 2:14 o'clock p. M.

By: Jamie Chung

Approved by the Governor of the State of Oklahoma this 1st

day of May, 20 23, at 3:25 o'clock p. M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 1st

day of May, 20 23, at 4:38 o'clock p M.

By: Brian Bingman