

HB5681



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5681

Introduced 2/9/2010, by Rep. Dan Brady

SYNOPSIS AS INTRODUCED:

20 ILCS 2605/2605-480

Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Establishes criteria that must be met before a law enforcement agency may activate an AMBER Alert Notification Plan.

LRB096 16920 RLC 32233 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning children.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of State Police Law of the Civil
5 Administrative Code of Illinois is amended by changing Section
6 2605-480 as follows:

7 (20 ILCS 2605/2605-480)

8 Sec. 2605-480. Statewide kidnapping alert and prevention
9 program; Child Safety Coordinator.

10 (a) The Department of State Police shall develop a
11 coordinated program for a statewide emergency alert system when
12 a child is missing or kidnapped. The system shall include, but
13 is not limited to, the use in coordination with the Illinois
14 Department of Transportation, of electronic message signs on
15 roads and highways in the vicinity of a child abduction to
16 immediately provide critical information to the public.

17 (b) The Department of State Police shall establish an AMBER
18 Plan Task Force to monitor and review the implementation and
19 operation of the system developed under subsection (a),
20 including procedures, budgetary requirements, and response
21 protocols. The Task Force shall also develop additional network
22 resources for use in the system.

23 (b-5) In order to activate the AMBER Alert Notification

1 Plan, law enforcement agencies must ensure the following
2 criteria are met:

3 (1) Law enforcement must confirm a child has been
4 abducted.

5 (2) The child must be under 16 years of age or have a
6 proven mental or physical disability.

7 (3) Law enforcement must believe the child is in danger
8 of serious bodily harm or death.

9 (4) There is enough descriptive information about the
10 child, abductor, or suspect's vehicle, or both, to believe
11 an immediate broadcast alert will help find the abducted or
12 missing child or perpetrators of the abduction, or both.

13 When: (a) there is an order of protection issued against
14 the non-custodial parent of a minor child; and (b) such order
15 of protection allows for visitation; and (c) the non-custodial
16 parent is substantially late in returning the child from a
17 visit, then there is a presumption that the child is in danger
18 of serious bodily harm or death.

19 (c) The Department of State Police, in coordination with
20 the Illinois Emergency Management Agency, shall develop and
21 implement a community outreach program to promote awareness
22 among the State's parents and children of child abduction
23 prevention and response.

24 (d) The Department of State Police, in coordination with
25 the State Board of Education, shall develop child abduction
26 prevention instruction for inclusion in elementary and

1 secondary school curricula throughout the State. The
2 Department and State Board of Education shall encourage the
3 inclusion of the child abduction prevention instruction in
4 private elementary and secondary school curricula throughout
5 the State.

6 (e) The Department shall appoint a Child Safety Coordinator
7 to assist in the establishment of State standards for child
8 safety from kidnap and abduction and to advocate for the
9 achievement of those standards. The Child Safety Coordinator
10 shall have the qualifications and experience that the
11 Department shall require by rule. The Child Safety Coordinator
12 shall receive no compensation but shall be reimbursed for his
13 or her expenses from the Department's operations budget. No
14 funds shall be appropriated solely for the expenses of the
15 Child Safety Coordinator. The Department shall provide
16 technical assistance for the Child Safety Coordinator from its
17 existing resources.

18 (Source: P.A. 92-259, eff. 1-1-02; 92-468, eff. 8-22-01;
19 93-310, eff. 7-23-03.)