

MISSING PERSON LEGISLATION – BY STATE

Credit for data compilation: www.SPCoalition.org Law Enforcement Best Practice Committee
Data obtained from NamUS (<https://www.findthemissing.org/homes/resources>)

ALABAMA: [Code 26-19-2](#) CREATES within the Department of Public Safety a statewide information and investigation center for the reporting by law enforcement agencies and other agencies and persons of missing persons, exploited children, and unidentified deceased persons. THE center shall be known as the Alabama Center for Missing and Exploited Children

ALASKA: [Statute 18.65.600](#) ESTABLISHES the missing persons information clearinghouse as a central repository of information regarding missing persons. CLEARINGHOUSE shall collect, maintain, and disseminate accurate and complete information on missing persons for the purpose of identifying, locating, and returning them. CLEARINGHOUSE shall cooperate with private citizens, local law enforcement agencies, and other state and federal agencies in investigations concerning missing persons.

ARIZONA: [Statute 15-829](#) LAW enforcement shall notify a missing child's school, or if they are home schooled, the county superintendent as soon as possible after they are reported missing. THE school shall flag the child's records immediately and report them to law enforcement upon request LAW enforcement shall notify the school or superintendent if the child is recovered and they should remove the flag on the child's records

ARKANSAS: Code 12-12-205 CREATES a Missing Persons Information Clearinghouse within the Arkansas Crime Information Center. CLEARINGHOUSE shall be administered by the Director of the Arkansas Crime Information Center. ESTABLISH a computerized system to communicate information on persons reported to be missing and unidentified deceased persons. INTERFACE with the National Crime Information Center for the exchange of information on missing persons and unidentified deceased person

***CALIFORNIA:** [Senate Bill 1818](#) Status: Signed into law by the Governor Public Law: Chapter 822, Statutes of 2000 REQUIRES the Department of Justice to develop a DNA data bank to include profiles from the remains of unidentified deceased persons, to be compared against DNA profiles from samples voluntarily provided by the parents or other relatives of high-risk missing persons DEFINES a high-risk missing person as a person missing as a result of stranger abduction, missing under suspicious circumstances, or who is believed to be in danger or dead REQUIRES the data bank to be kept separate from the DOJ's criminal offender DNA data bank

***COLORADO: House Bill 1122** Status: Law GREATER cooperation between local, state, and federal law enforcement agencies MORE comprehensive training and education for law enforcement agencies involved in missing persons cases and unidentified human remains cases MORE access to federal databases for medical examiners and coroners to upload and compare evidence CONTINUING federal funding for DNA testing and the combined DNA index system BASED on model State legislation <http://www.ncirs.gov/pdf/files1/nij/210740v2.pdf>

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* **CONNECTICUT:** [Public Act No. 107-151](#) GREATER cooperation between local, state, and federal law enforcement agencies MORE comprehensive training and education for law enforcement agencies involved in missing persons cases and unidentified human remains cases MORE access to federal databases for medical examiners and coroners to upload and compare evidence CONTINUING federal funding for DNA testing and the combined DNA index system BASED on model State legislation
<http://www.ncjrs.gov/pdffiles1/nij/210740v2.pdf>

DELAWARE: [Code: Title 11, Chapter 85, Subchapter II.](#) A missing person complaint may be made to any county, town, city or state law-enforcement agency or any other appropriate state agency. WHEN an agency has received a missing person complaint, such agency shall immediately disseminate all known facts concerning the missing person to all county and state law-enforcement agencies, and to any other law-enforcement agency which may be appropriate. A new missing person complaint shall have high priority. IF a report of a missing person involves an unemancipated minor, the law-enforcement agency shall immediately transmit all proper information for inclusion into the National Crime Information Center (N.C.I.C.) computer. THE Medical Examiner shall promptly furnish the Department of Safety and Homeland Security with copies of the fingerprints of each unidentified deceased person.

FLORIDA: [Statute 937.031](#) I believe the Keese Sessions Law is based in Model State Policy WHEN a person has been reported missing and has not been located within 30 days after such report, the law enforcement agency conducting the investigation of the missing person shall request the family or next of kin to provide written consent to contact the dentist of the missing person and request that person's dental records. The law enforcement agency shall then enter the dental records into the criminal justice information system for the purpose of comparing such records to those of unidentified deceased persons.

GEORGIA: [Code 35-1-8](#) EVERY law enforcement agency shall obtain and collect any information that may assist in identifying an unidentified deceased person. EVERY law enforcement agency shall obtain and collect any information that may assist in the location of a missing person. EVERY law enforcement agency shall exchange the information that they have on both missing persons and unidentified deceased persons with other law enforcement agencies in the state, and the United States. ANY law enforcement agency which receives a report that a person who has Alzheimer's disease or other mental illness involving dementia is missing shall immediately open an investigation for the purpose of determining such person's whereabouts. NO policy for applying any waiting period prior to opening a missing persons investigation shall apply in the case of a person who has Alzheimer's disease or other mental illnesses involving dementia. **MARYLAND:** [Code 3-601](#) PROHIBITS a mandatory waiting period for taking missing persons reports.

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HAWAII: Senate Bill 1113 Status: **SESSION EXPIRED** GREATER cooperation between local, state, and federal law enforcement agencies MORE comprehensive training and education for law enforcement agencies involved in missing persons cases and unidentified human remains cases MORE access to federal databases for medical examiners and coroners to upload and compare evidence CONTINUING federal funding for DNA testing and the combined DNA index system BASED on model State legislation <http://www.ncjrs.gov/pdffiles1/nij/210740v2.pdf>

IDAHO: [Statute 18-4512](#) STATE police shall create a missing persons clearinghouse as a resource center of information and assistance regarding missing and unidentified persons. DIRECTOR of the Idaho state police shall appoint a coordinator to manage the clearinghouse and all programs involving missing persons. STATE police shall publish an annual report on the activities and achievements of the clearinghouse.

***ILLINOIS:** [Public Act 095-0192](#) Status: Approved by the Governor 8/16/2007 Law enforcement cannot refuse to take a missing persons report due to the fact that the missing person is an adult GREATER cooperation between local, state, and federal law enforcement agencies MORE comprehensive training and education for law enforcement agencies involved in missing persons cases and unidentified human remains cases MORE access to federal databases for medical examiners and coroners to upload and compare evidence CONTINUING federal funding for DNA testing and the combined DNA index system. BASED on model State legislation <http://www.ncjrs.gov/pdffiles1/nij/210740v2.pdf>

***INDIANA:** House Bill 1306 (Missing voluntary frs DNA) GREATER cooperation between local, state, and federal law enforcement agencies MORE comprehensive training and education for law enforcement agencies involved in missing persons cases and unidentified human remains cases MORE access to federal databases for medical examiners and coroners to upload and compare evidence CONTINUING federal funding for DNA testing and the combined DNA index system BASED on model State legislation <http://www.ncjrs.gov/pdffiles1/nij/210740v2.pdf>

IOWA: [Iowa Code 694.10](#) ESTABLISH a statewide missing person information clearinghouse. COOPERATE with other states and the national crime information center in efforts to locate missing persons. MAINTAIN a toll-free telephone line, available twenty-four hours a day, seven days a week, to receive and disseminate information related to missing persons.

KANSAS: H.B. 2626 signed into law KANSAS Bureau of Investigation must create a central system for reporting missing and unidentified persons. ALL law enforcement agencies and coroners must report missing and unidentified persons to the database

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KENTUCKY: [Code 39F.180](#) ALL 911 centers and dispatch centers, law enforcement agencies, law enforcement dispatchers, fire departments, rescue squads, emergency medical service agencies, and emergency management agencies shall report the information required to be reported by administrative regulation, for all reports of persons missing, lost, or overdue, if a search for the lost person has lasted for more than two (2) hours. ANY search for a missing minor, as that term is defined in KRS 2.015, shall be reported to the Department of Kentucky State Police by the person or organization to whom the missing minor is reported. A search for a person who is known or reported to have an organic brain disorder, including but not limited to Alzheimer's disease, shall immediately be reported. ANY search and rescue mission which has lasted four (4) hours without the subject being located shall be immediately reported to the duty officer of the Division of Emergency Management by telephone or radio.

LOUISIANA: H.B. 1140 signed into law ESTABLISHES the Louisiana Repository for Unidentified and Missing Persons Information Program to be used in conjunction with the Combined DNA Index System (CODIS) THE Forensic Anthropology and Computer Enhancement Services (F.A.C.E.S.) laboratory personnel shall collect DNA samples from all available unidentified remains DNA samples collected from family members and unidentified persons shall be uploaded into CODIS

MAINE: [Statute Title 25, Chapter 194](#) CHIEF of the State Police is responsible for DNA analysis and establishing, managing and administering the state DNA database and the state DNA databank to support law enforcement and for liaison with the FBI regarding the State's participation in CODIS. MEDICAL examiners and coroners have access to the DNA records for the purpose of identifying remains

* **MASSACHUSETTS:** [Senate Bill 1366](#) Status: Currently in the state Legislature: GREATER cooperation between local, state, and federal law enforcement agencies MORE comprehensive training and education for law enforcement agencies involved in missing persons cases and unidentified human remains cases MORE access to federal databases for medical examiners and coroners to upload and compare evidence CONTINUING federal funding for DNA testing and the combined DNA index system BASED on model State legislation
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MICHIGAN: [Code 333.2844a](#) IF a person reported missing has not been found within 30 days, law enforcement shall request the family or next of kin of the missing person to give them written consent to contact and request from the dentist of the missing person the person's dental records. INFORMATION from the dental records of the missing person shall be entered into the national crime information center by the law enforcement agency

MINNESOTA: H.F. 2656 signed into law REQUIRES coroners to provide missing persons specimens suitable for DNA analysis to the Bureau of Criminal Apprehension.

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MISSISSIPPI: [Code 45-33-37](#) CREATES a DNA identification system through the Mississippi Crime Laboratory DNA identification system shall be compatible with that utilized by the Federal Bureau of Investigation.

MISSOURI: [Statute 43.410](#) CORONERS or medical examiners shall supply the state highway patrol with copies of fingerprints on standardized fingerprint cards personal descriptions, and other identifying data of all unidentified deceased persons. CORONER or medical examiner shall have a dentist perform a dental examination of the deceased person and send the report to the state highway patrol. HIGHWAY patrol shall compare the fingerprints from the coroner or medical examiner with other law enforcement agencies in an effort to identify the person .AUTHORITIES shall request authorization from a family member or next of kin to release medical and dental records of any missing child to the highway patrol and other law enforcement agencies.

MONTANA: [Code 44-2-401](#) ANY person who reports a missing person to a police department, sheriff's office, or other law enforcement authority must be given a form that authorizes the release of the dental records of the missing person. THE form must state that if the person is still missing 30 days after the report was made, the form may be signed by a relative of the missing person and taken to the dentist of the missing person, who shall release the dental records or copies of the records to the relative. IF the missing person has not been found within 30 days after the report was made and no relative exists or can be located, the law enforcement authority may execute a signed written declaration stating that an investigation into the location of the missing person is being conducted and that the dental records may be necessary to the investigation. A dentist shall release the missing person's dental records upon presentation of the declaration. IF a person reported missing has not been found within 45 days after the report was made, the law enforcement authority conducting the investigation shall confer with the county coroner or state medical examiner and write a missing person report on a form supplied by the department of justice. DEPARTMENT of justice shall maintain an information file concerning each person reported to it as missing. DEPARTMENT files must be made available to any law enforcement agency attempting to locate missing persons. A law enforcement authority that finds a missing person or is notified that a missing person has been found shall notify the department of justice, which shall return all dental records to the dentist and destroy the file prepared under subsection (4) concerning the person.

NEBRASKA: [Statute 29-214.01](#) CREATES the Missing Persons Information Clearinghouse to be operated by the Nebraska State Patrol. CLEARINGHOUSE shall be used as a central repository for all information on missing persons by all law enforcement agencies within the state. STATE Patrol shall cooperate with other states and the National Crime Information Center in the exchange of information on missing persons.

NEW HAMPSHIRE: [Statute 106-J:2](#) UPON receiving notice of a missing adult, a law enforcement agency shall complete a missing person report by providing identifying and descriptive information about the missing adult within 72 hours to the National Crime Information Center (NCIC). IT shall be the duty of the initial investigating law enforcement agency to immediately notify the NCIC when the missing adult is located or returned.

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* **NEW JERSEY:** [Public Law 2007, c.279](#) Status: Signed into law on January 13, 2008
GREATER cooperation between local, state, and federal law enforcement agencies MORE comprehensive training and education for law enforcement agencies involved in missing persons cases and unidentified human remains cases MORE access to federal databases for medical examiners and coroners to upload and compare evidence CONTINUING federal funding for DNA testing and the combined DNA index system BASED on model State legislation <http://www.ncjrs.gov/pdffiles1/nij/210740v2.pdf>

NEW MEXICO: [Statute 29-15](#) CREATES a missing persons information clearinghouse in the Department of Public Safety. CLEARINGHOUSE is a central repository of information on missing persons and shall be used by all law enforcement agencies, including tribal agencies, in the state. CLEARINGHOUSE shall: Establish a system of intrastate communication of information relating to missing persons Provide a centralized file for the exchange of information on missing persons and unidentified bodies of persons within the state Communicate with the national crime information center for the exchange of information on missing persons suspected of interstate travel CLEARINGHOUSE shall cross-check and attempt to match unidentified bodies with descriptions of missing persons. WHEN a possible match between an unidentified body and a missing person description is found, the clearinghouse shall notify the appropriate law enforcement agencies. LAW enforcement agencies that receive notice of a possible match shall make arrangements for positive identification. IF a positive identification is made, the law enforcement agency shall complete and close the investigation with written notification to the clearinghouse.

NEVADA: [Statute 480.500](#) WHEN a coroner is unable to establish the identity of a dead body by means other than by dental records, he shall have a dental examination of the body made by a dentist. THE dentist shall prepare a record of his findings and forward it to the Investigation Division and to the Central Repository for Nevada Records of Criminal History. Each sheriff, chief of police or other law enforcement agency which receives a report of a person missing under suspicious circumstances who is 18 years or older shall: TRANSMIT it to the Investigation Division and to the Central Repository for Nevada Records of Criminal History. Enter the information concerning the missing person into the computer for the National Crime Information Center and the Central Repository for Nevada Records of Criminal History, if appropriate. THE next of kin or guardian of the person reported as missing shall promptly notify the appropriate law enforcement agency when the missing person is found. THE sheriff, chief of police or other law enforcement agency shall inform the Investigation Division, the Central Repository for Nevada Records of Criminal History and the National Crime Information Center when a missing person has been found.

NEW YORK: [Senate Bill 4403](#) Status: Failed, Session Ended

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NORTH CAROLINA: [Statute 143B-499.1](#)

A law-enforcement agency, upon receipt of a missing person report by a parent, spouse, guardian, or legal custodian, shall: IMMEDIATELY make arrangements to enter the details about the missing person into the national missing persons file in accordance with criteria set forth by the FBI/NCIC. IMMEDIATELY inform all of its on-duty law-enforcement officers of the missing person report. INITIATE a statewide broadcast to all appropriate law-enforcement agencies to be on the lookout for the individual, and transmit a copy of the report to the NCIC. If the report involves a missing child the law enforcement agency shall notify the Center and the National Center for Missing and Exploited Children of the relevant data about the missing child.

NORTH DAKOTA: NO legislation

OHIO: [House Bill 218](#) Status: In Committee Establish and maintain a DNA database. Create, maintain, and operate the unidentified person database. Database should include a collection of DNA records, and, on and after May 21, 1998, of fingerprint and photograph records, of unidentified human corpses, human remains, or living individuals. Create, maintain, and operate the relatives of missing person database for comparison with the unidentified person database to aid in the establishment of the identity of unknown human corpses, human remains, and living individuals. Database should include a collection of DNA records of persons related by consanguinity to a missing person.

OKLAHOMA: [Statute 10-1628](#) ANY sheriff, chief of police, city marshal, constable, or any other law enforcement officer, upon notification of a report of a missing child sixteen (16) years and under, must immediately initiate an investigation into the disappearance.

***OREGON:** Senate Bill 351 Status: LAW GREATER cooperation between local, state, and federal law enforcement agencies MORE comprehensive training and education for law enforcement agencies involved in missing persons cases and unidentified human remains cases MORE access to federal databases for medical examiners and coroners to upload and compare evidence CONTINUING federal funding for DNA testing and the combined DNA index system BASED on model State legislation <http://www.ncjrs.gov/pdffiles1/nij/210740v2.pdf>

PENNSYLVANIA: NO Legislation

RHODE ISLAND: [Statute 12-1.5-4](#) ESTABLISHES a state DNA database to be maintained by the Department of Health and shall provide DNA records for the FBI for storage and maintenance by CODIS. IT shall have the capability to store and maintain records related to forensic casework including the identification of missing persons.

SOUTH CAROLINA: [Code 23-3-200](#) CREATES the Missing Person Information Center (MPIC) as a part of the State Law Enforcement Division. THE purpose of the MPIC is to serve as a central repository for information regarding missing persons and missing and exploited children. MPIC shall utilize the Federal Bureau of Investigation/National Crime Information Center's missing person computerized file through the use of the State Law Enforcement Division's law enforcement communications network.

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SOUTH DAKOTA: [Codified Law 23-5A-2](#) CREATES State DNA Database and State DNA Databank under the South Dakota Forensic Laboratory. SOUTH Dakota State Forensic Laboratory shall provide DNA records to the Federal Bureau of Investigation for the searching of DNA records nationwide and storage and maintenance by CODIS. STATE DNA Database shall have the capability provided by computer software and procedures administered by the South Dakota State Forensic Laboratory to store and maintain DNA records related to crime scene investigations, forensics casework, convicted offenders, unidentified persons and remains, and relatives of missing persons.

TENNESSEE: [Code 37-10-203](#) EVERY law enforcement officer receiving information from a parent or any source that it deems creditable shall prepare a formal missing child report and transmit a copy thereof immediately to the Tennessee Bureau of Investigation or any other law enforcement agency. TENNESSEE Bureau of Investigation shall distribute the report among all law enforcement agencies in Tennessee or to any interstate and federal agencies that it may believe would be of assistance in locating the missing child.

TEXAS: [Code of Criminal Procedure 63.002](#) CREATES the missing children and missing persons information clearinghouse within the Department of Public Safety. THE clearinghouse is under the administrative direction of the director of the department. THE clearinghouse shall be used by all law enforcement agencies of the state.

UTAH: [Code 53-10-203](#) STATE registrar of Vital Statistics and the FBI National Crime Information Center shall be notified of all missing persons. UPON learning of the recovery of a missing person, the division shall notify the state registrar and any school that it has previously informed of the person's disappearance.

VERMONT: [Statute 1822](#) UPON receiving a complaint, the law enforcement agency shall forthwith prepare a missing person report. REPORT shall include all information contained in the missing person complaint and any information or evidence gathered by a preliminary investigation.

VIRGINIA: [Code: 15.2-1718.1](#) NO police or sheriff's department shall establish or maintain any policy which requires the observance of any waiting period before accepting a missing senior adult report. WITHIN two hours of receiving report identifying and descriptive data must be entered into the Virginia Criminal Information Network and the National Crime Information Center Systems. MUST forward the report to the Department of State Police.

WASHINGTON: House Bill 2805 Status: LAW REQUIRES collection of DNA samples from known missing persons and requires timely submission of the samples for analysis. REQUIRES immediate analysis if criminal activity is suspected. REQUIRES state to maintain DNA samples collected for newborn screening to be used for missing persons identification.

WEST VIRGINIA: [Code 15-2B-4](#) ESTABLISHES a DNA identification system consisting of a state DNA database and a state DNA databank compatible with the FBI.

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WISCONSIN: Statute Public Law: [Chapter 946, Statutes of 2005-06](#) Wisconsin Code 946.48
WHOEVER sends, delivers, or causes to be transmitted to another any written or oral communication with intent to induce a false belief that the sender has knowledge of the whereabouts, physical condition, or terms imposed upon the return of a kidnapped or missing person is guilty of a Class H felony.

WYOMING: [Statute 7-19-402](#) CREATES a DNA database for convicted felons, crime scene specimens, and close biological relatives of missing persons. MAY be used to support identification research and protocol development of forensic DNA analysis methods and to assist in the recovery or identification of human remains from mass disasters or for other humanitarian purposes, including identification of living missing persons. DATABASE must be compatible to be used by the Federal Bureau of Investigation