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HOUSE BILL 104

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

Kelly K. Fajardo

AN ACT

RELATING TO LAW ENFORCEMENT; EXPANDING REASONS FOR DECLARING AN AMBER ALERT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 29-15A-3 NMSA 1978 (being Laws 2003, Chapter 93, Section 3, as amended) is amended to read:

"29-15A-3. STATE POLICE--AMBER ALERT NOTIFICATION PLAN--DECLARATION OF AMBER ALERT.--

A. The state police shall develop and implement an AMBER alert notification plan for the purpose of disseminating, as rapidly as possible, information about a child abduction so that law enforcement agencies and citizens throughout the state may be aware and vigilant. The plan shall:

(1) provide a procedure for notifying the lead station by the authorized requester that an AMBER alert has

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1 been declared. The procedure shall include codes for use by
2 the authorized requester in communicating with the lead station
3 to prevent false alerts;

4 (2) provide a procedure in which other state
5 and private print, radio, television or other media may alert
6 the members of the public of the abduction;

7 (3) include a procedure for notifying the
8 department of information technology that an AMBER alert has
9 been declared. The department of information technology shall
10 immediately transmit the notification and related information
11 to all state field operations employees so that they may be
12 aware and vigilant in the course of their regular activities;

13 (4) include a procedure for notifying a
14 representative of each cellular service company and paging
15 service company operating in New Mexico so that a text message
16 may be sent to the company's customers at no additional expense
17 to the recipient or to any service that accepts the information
18 from the authorized requester and delivers it to the cellular
19 service or paging service company;

20 (5) include a procedure for notifying all
21 local and federal law enforcement agencies that an AMBER alert
22 has been declared; and

23 (6) provide for dissemination of information
24 about a child or a child's abductor to the lead station, the
25 department of information technology and local law enforcement

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1 agencies when an AMBER alert has been declared.

2 B. The state police shall distribute the AMBER
3 alert notification plan to all local law enforcement agencies
4 and provide such training and other assistance as is necessary
5 to ensure that the plan can be properly implemented.

6 C. The authorized requester may declare an AMBER
7 alert when the requester has reason to believe that:

8 (1) a child under the age of eighteen has been
9 abducted [~~by an unrelated person~~];

10 (2) the child is believed to be in imminent
11 danger of serious bodily harm or death; and

12 (3) there is specific information available
13 about the child or the child's abductor that may assist in an
14 expedient and successful end to the abduction.

15 D. Once an AMBER alert has been declared, only the
16 authorized requester may terminate the AMBER alert."

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