

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

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

(3) include a procedure for notifying the  
department of information technology that an AMBER alert has

been declared. The department of information technology shall immediately transmit the notification and related information to all state field operations employees so that they may be aware and vigilant in the course of their regular activities;

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

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

(6) provide for dissemination of information about a child or a child's abductor to the lead station, the department of information technology and local law enforcement agencies when an AMBER alert has been declared.

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

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

(1) a child under the age of eighteen has

been abducted;

(2) the child is in imminent danger of serious bodily harm or death; and

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

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