

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 1790

By: Pae

5
6
7 COMMITTEE SUBSTITUTE

8 An Act relating to public health and safety; creating
9 the Kasey Alert Act; defining terms; directing the
10 Department of Public Safety to develop a Kasey Alert
11 system; requiring cooperation of certain entities;
12 appointing the Commissioner of Public Safety as
13 coordinator; requiring the promulgation of rules;
14 requiring certain rule contents; requiring certain
15 procedures; providing for contents of a Kasey Alert;
16 providing for termination of a Kasey Alert; providing
17 for codification; and providing an effective date.

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

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

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

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

3 2. "Ashanti Alert" means the national communications network
4 established by the Ashanti Alert Act of 2018, Sections 21901 through
5 21907 of Title 34 of the United States Code;

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

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

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

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

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

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

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

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

23
24

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

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

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

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

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

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

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

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

21 A. When a law enforcement agency receives notice of a
22 critically missing adult, the agency shall take the following
23 actions:
24

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

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

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

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

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

18 A Kasey Alert shall include:

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

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

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

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

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

10 SECTION 8. This act shall become effective November 1, 2021.

11

12 58-1-7445 GRS 02/09/21

13

14

15

16

17

18

19

20

21

22

23

24