



HOUSE BILL 747: North Carolina Missing Person Information Sharing.

2019-2020 General Assembly

Committee:		Date:	December 9, 2019
Introduced by:		Prepared by:	Brad Krehely
Analysis of:	S.L. 2019-90		Staff Attorney

OVERVIEW: *S.L. 2019-90 authorizes law enforcement agencies to enter information from a missing person report or about unidentified persons into the National Missing and Unidentified Persons System (NamUS) after 30 days have passed and the person has not been found or identified.*

The act became effective October 1, 2019.

CURRENT LAW: The North Carolina Center for Missing Persons (Center) is within the Department of Public Safety (DPS).¹ The Center serves as a central repository for information regarding missing persons, with an emphasis on missing children.² The Center must provide a toll-free telephone number for anyone to report the disappearance or sighting of a missing person.³ The Secretary of DPS is responsible for overseeing the organization and structure of the Center and is authorized to adopt rules.⁴

A parent, spouse, guardian, legal custodian, or person responsible for the supervision of a missing person may submit a report to the Center, after first submitting a report to the proper law enforcement agency that the person is missing.⁵ The law enforcement agency must immediately arrange for information to be entered into the national missing persons file in accordance with criteria set by the Federal Bureau of Investigation/National Crime Information Center (FBI/NCIC), inform on-duty law enforcement, initiate a statewide broadcast to appropriate law enforcement to be on the lookout, and send a copy of the report to the Center.⁶

If the report involves a child, the law enforcement agency must immediately notify the Center and the National Center for Missing and Exploited Children.⁷ No law enforcement agency must establish a policy recognizing the observance of a waiting period before accepting a report regarding a missing person.⁸ The parent, spouse, guardian, legal custodian, or person responsible for the missing person must immediately notify the law enforcement agency and the Center if the missing person has been located.⁹

¹ G.S. 143B-1010.

² *Id.*

³ G.S. 143B-1019.

⁴ G.S. 143B-1012 and G.S. 143B-1013.

⁵ G.S. 143B-1014.

⁶ G.S. 143B-1015.

⁷ *Id.*

⁸ *Id.*

⁹ G.S. 143B-1017.

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BILL ANALYSIS: S.L. 2019-90 does the following:

- Defines "NamUS" as "the National Missing and Unidentified Persons System created by the United States Department of Justice's National Institute of Justice."
- Provides that a law enforcement agency may enter information from a missing person report or about an unidentified person into NamUS at any time.
- Provides that a law enforcement agency must enter the information into NamUS in any of the following circumstances:
 - A missing person has been missing for more than 30 days.
 - An unidentified person has not been identified for more than 30 days following the person's death.
 - A missing child has been missing for more than 30 days.
- Provides that if a law enforcement agency does enter information into NamUS, the law enforcement agency must do both of the following:
 - Include all information regarding the missing child or missing or unidentified person, including medical records, DNA records, and dental records.
 - Enter into NamUS the fact that a child or person has been found or identified.

EFFECTIVE DATE: The act became effective October 1, 2019.

**Samantha Yarborough and Shawn Middlebrooks, Attorneys for the Legislative Analysis Division, substantially contributed to this summary.*