

2004 SESSION

HOUSE SUBSTITUTE

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HOUSE BILL NO. 214

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Militia, Police and Public Safety
on February 13, 2004)

(Patron Prior to Substitute—Delegate Athey)

A BILL to amend and reenact § 52-34.3 of the Code of Virginia, relating to use of the Amber Alert system.

Be it enacted by the General Assembly of Virginia:

1. That § 52-34.3 of the Code of Virginia is amended and reenacted as follows:

§ 52-34.3. Activation of Amber Alert Program upon an incident of child abduction.

A. Upon receipt of a notice of a child abduction from a law-enforcement agency, the Virginia State Police shall confirm the accuracy of the information and provide assistance in the implementation of the Amber Alert Program as the investigation dictates.

B. Amber Alerts may be local, regional, or statewide. The initial decision to make ~~an~~ a local or regional Amber Alert shall be at the discretion of the local or regional law-enforcement officials. *Prior to making a local or regional Amber Alert, the local or regional law-enforcement officials shall confer with the Virginia State Police and provide information regarding the abducted child to the Virginia State Police. Local law enforcement and the Virginia State Police are encouraged to work together and confer. The initial decision to make a statewide Amber Alert shall be at the discretion of the Virginia State Police.* The Missing Children Information Clearinghouse operated by the Virginia State Police shall serve as a central repository for information related to an abduction.

C. In those situations where appropriate, the Virginia State Police shall send the Amber Alert to Virginia's emergency alert system. Participating media are encouraged to issue the alert at designated intervals as specified by the Amber Alert Program.

D. The Amber Alert shall include such information as the law-enforcement agency deems appropriate that will assist in the safe recovery of the abducted child.

E. The Amber Alert shall be cancelled under the terms of the Amber Agreement. Any local law-enforcement agency that locates a child who is the subject of an alert shall notify the Virginia State Police immediately that the child has been located.

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