



Reprinted
February 20, 2007

HOUSE BILL No. 1726

DIGEST OF HB 1726 (Updated February 19, 2007 6:16 pm - DI 106)

Citations Affected: IC 10-13.

Synopsis: Missing children. Requires the clearinghouse for information on missing children to accept and make available to a law enforcement agency DNA profiles and fingerprints of missing children, including DNA profiles or fingerprints that are voluntarily submitted to the clearinghouse by the parent, guardian, or custodian of a child. Requires the clearinghouse to submit fingerprints and DNA profiles to: (1) the Indiana data and communication system (IDACS); (2) the National Crime Information Center (NCIC); and (3) the Integrated Automated Fingerprint Identification System (IAFIS). Permits the state police department to charge a reasonable fee to defray the clearinghouse's expenses for receiving, processing, and submitting fingerprints and DNA profiles. Establishes the missing children's fund to receive fees for receiving, processing, and submitting fingerprints and DNA profiles, as well as gifts, grants, and other donations. Requires the criminal justice institute to pursue federal funds to support the missing children's fund. Continuously appropriates money in the fund for purposes of the fund.

Effective: July 1, 2007.

Dembowski, Walorski

January 26, 2007, read first time and referred to Committee on Veterans Affairs and Public Safety.
February 15, 2007, reported — Do Pass.
February 19, 2007, read second time, amended, ordered engrossed.

C
o
p
y

HB 1726—LS 7618/DI 106+



First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

C
O
P
Y

HOUSE BILL No. 1726

A BILL FOR AN ACT to amend the Indiana Code concerning public safety and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 10-13-5-7 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. (a) The
3 clearinghouse shall do the following:
4 (1) Collect, process, and maintain identification and investigative
5 information to aid in finding missing children, **including**
6 **fingerprint and DNA profile records submitted under section**
7 **7.5 of this chapter.**
8 (2) Establish a statewide, toll free telephone line for reports of
9 missing children and sightings of missing children.
10 (3) Prescribe a uniform reporting form concerning missing
11 children for use by law enforcement agencies within Indiana.
12 (4) Assist in training law enforcement and other professionals on
13 issues relating to missing children.
14 (5) Operate a resource center of information regarding the
15 prevention of:
16 (A) the abduction of children; and
17 (B) the sexual exploitation of children.

HB 1726—LS 7618/DI 106+



- 1 (6) Distribute the quarterly directory prepared under section
 2 6(b)(7) of this chapter to schools and hospitals.
- 3 (7) Distribute the quarterly directory described in subdivision (6)
 4 to child care centers and child care homes that make an annual
 5 contribution of four dollars (\$4) to the clearinghouse. The
 6 contributions must be used to help defray the cost of publishing
 7 the quarterly directory.
- 8 (b) For a missing child who was born in Indiana, the clearinghouse
 9 shall notify the vital statistics division of the state department of health:
 10 (1) within fifteen (15) days after receiving a report under
 11 IC 31-36-1-3 (or IC 31-6-13-4 before its repeal) of a missing child
 12 less than thirteen (13) years of age; and
 13 (2) promptly after the clearinghouse is notified that a missing
 14 child has been found.
- 15 (c) Upon receiving notification under subsection (b) that a child is
 16 missing or has been found, the vital statistics division of the state
 17 department of health shall notify the local health department or the
 18 health and hospital corporation that has jurisdiction over the area where
 19 the child was born.
- 20 (d) Information collected, processed, or maintained by the
 21 clearinghouse under subsection (a) is confidential and is not subject to
 22 IC 5-14-3, but may be disclosed by the clearinghouse for purposes of
 23 locating missing children.
- 24 SECTION 2. IC 10-13-5-7.5 IS ADDED TO THE INDIANA CODE
 25 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 26 1, 2007]: **Sec. 7.5. (a) The clearinghouse shall accept and make
 27 available to a law enforcement agency:**
 28 (1) a DNA profile; and
 29 (2) the fingerprints;
 30 of a missing child.
- 31 (b) **The clearinghouse shall permit the parent, guardian, or
 32 custodian of a child to voluntarily submit the fingerprints and a
 33 DNA profile of a child to the clearinghouse for submission to the
 34 following:**
 35 (1) **The Indiana data and communication system (IDACS)
 36 under IC 10-13-3-35.**
 37 (2) **The National Crime Information Center (NCIC) operated
 38 by the Federal Bureau of Investigation, if the National Crime
 39 Information Center accepts voluntarily submitted
 40 fingerprints or DNA profiles.**
 41 (3) **The Integrated Automated Fingerprint Identification
 42 System (IAFIS) operated by the Federal Bureau of**

C
 o
 p
 y



1 Investigation, if the Integrated Automated Fingerprint
 2 Identification System accepts voluntarily submitted
 3 fingerprints.
 4 (c) The department may charge a reasonable fee for processing
 5 and transmitting:
 6 (1) a DNA profile; and
 7 (2) fingerprints;
 8 voluntarily submitted under subsection (b). The fee may not exceed
 9 the actual expenses of the clearinghouse for receiving, processing,
 10 and submitting the fingerprints and DNA profile. The fee shall be
 11 deposited in the missing children's fund established under section
 12 7.6 of this chapter.
 13 (d) Upon receipt of a written request from the parent, guardian,
 14 or custodian of a missing child who has been located or who is not
 15 missing, the department shall:
 16 (1) remove all fingerprint and DNA profile records submitted
 17 under subsection (b) from computerized and other record
 18 keeping systems operated by the department, including the
 19 Indiana data and communication system (IDACS); and
 20 (2) request the removal of all fingerprint and DNA profile
 21 records submitted under subsection (b) from the:
 22 (A) National Crime Information Center (NCIC); and
 23 (B) Integrated Automated Fingerprint Identification
 24 System (IAFIS).
 25 SECTION 3. IC 10-13-5-7.6 IS ADDED TO THE INDIANA CODE
 26 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 27 1, 2007]: Sec. 7.6. (a) The missing children's fund is established for
 28 the purpose of defraying expenses related to the location of missing
 29 children. The fund shall be administered by the department.
 30 (b) The fund consists of fees deposited in the fund pursuant to
 31 section 7.5(c) of this chapter.
 32 (c) The expenses of administering the fund shall be paid from
 33 money in the fund.
 34 (d) The treasurer of state shall invest the money in the fund not
 35 currently needed to meet the obligations of the fund in the same
 36 manner as other public money may be invested.
 37 (e) Money in the fund at the end of a state fiscal year does not
 38 revert to the state general fund.
 39 (f) Money in the fund is continuously appropriated to carry out
 40 the purposes of the fund.
 41 (g) Gifts, grants and other donations may be accepted by the
 42 fund.

COPY



1 **(h) The Indiana criminal justice institute shall pursue federal**
2 **grants to be placed in the fund.**

C
O
P
Y



COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1726, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

TINCHER, Chair

Committee Vote: yeas 9, nays 0.

HOUSE MOTION

Mr. Speaker: I move that House Bill 1726 be amended to read as follows:

Page 3, after line 40, begin a new paragraph and insert:

"(g) Gifts, grants and other donations may be accepted by the fund.

(h) The Indiana criminal justice institute shall pursue federal grants to be placed in the fund."

(Reference is to HB 1726 as printed February 16, 2007.)

KOCH

C
O
P
Y

