
HOUSE BILL No. 1726

DIGEST OF INTRODUCED BILL

Citations Affected: IC 10-13-5.

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. Continuously appropriates money in the fund for purposes of the fund.

Effective: July 1, 2007.

Dembowski

January 26, 2007, read first time and referred to Committee on Veterans Affairs and Public Safety.

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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.

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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.



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**

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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.

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