

2022 South Dakota Legislature

House Bill 1171**AMENDMENT 1171A FOR THE INTRODUCED BILL**

1 **An Act to revise provisions related to missing children.**

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 **Section 1. That § 26-17-2 be AMENDED:**

4 **26-17-2.** When a missing child report is made to a law enforcement agency in this
5 state that has jurisdiction in the matter, the law enforcement agency shall gather readily
6 available information about the missing child and integrate such information into the
7 national crime information center computer within twelve hours following the making of
8 the report. The law enforcement agency shall make reasonable efforts to acquire
9 additional information about the missing child following the transmittal of the initially
10 available information and promptly integrate any additional information acquired into ~~such~~
11 the computer systems. As soon as reasonably practicable following the integration of the
12 information into the computer, the agency shall verify with the missing child's parents,
13 custodial parent, guardian, legal custodian, designated contact, or any other person
14 responsible for the missing child that notice will be sent to local media outlets concerning
15 the missing child. The law enforcement agency shall then promptly notify local media
16 outlets of all appropriate information that may assist in the safe recovery of the missing
17 child. ~~If the missing child's parents, custodial parent, guardian, legal custodian, designated~~
18 contact, or any other person responsible for the child requests that notification not be sent
19 to local media outlets, the law enforcement agency may not notify local media concerning
20 the child.

21 **Section 2. That § 26-17-3 be AMENDED:**

22 **26-17-3.** Whenever a law enforcement agency integrates information about a
23 missing child into the national crime information center computer, the law enforcement
24 agency shall promptly notify the missing child's parents, custodial parent, guardian, ~~or~~

1 legal custodian, designated contact, or any other person responsible for the missing child,
2 of that action.

3 **Section 3. That § 26-17-4 be AMENDED:**

4 **26-17-4.** Each parent, custodial parent, guardian, legal custodian, designated
5 contact, or other person responsible for the missing child shall provide available
6 information upon request, and may provide information voluntarily, to the law
7 enforcement agency during the information gathering process. The law enforcement
8 agency also may obtain available information about the missing child from other persons
9 subject to constitutional and statutory limitations.

10 **Section 4. That chapter 26-17 be amended with a NEW SECTION:**

11 For purposes of this chapter, the term, designated contact, means a person
12 established as the point of contact between a parent, custodial parent, guardian, legal
13 custodian, or other person responsible for a child and a law enforcement agency through
14 a notarized document signed by the parent, custodial parent, guardian, legal custodian,
15 or other person responsible for the child and a law enforcement representative.