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|------|------------------|----------------|--------------|-----------------|------------------|--------------|
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SB-1330 Missing persons. (2015-2016)

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Senate Bill No. 1330

CHAPTER 544

An act to amend Section 14215 of the Penal Code, relating to missing persons.

[Approved by Governor September 23, 2016. Filed with Secretary of State September 23, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1330, Galgiani. Missing persons.

Existing law requires the Attorney General to maintain a directory of at-risk missing persons. Existing law requires police or sheriff departments, if there is evidence that a missing person is at-risk, to broadcast a bulletin within its jurisdiction. Existing law defines at-risk as including, among other things, a missing person who is mentally impaired.

This bill would clarify that an at-risk missing person includes a person who is cognitively impaired or developmentally disabled.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 14215 of the Penal Code is amended to read:

14215. (a) As used in this title, "missing person" includes, but is not limited to, any of the following:

- (1) An at-risk adult.
- (2) A child who has been taken, detained, concealed, enticed away, or retained by a parent in violation of Chapter 4 (commencing with Section 277) of Title 9 of Part 1.
- (3) A child who is missing voluntarily or involuntarily, or under circumstances not conforming to his or her ordinary habits or behavior and who may be in need of assistance.

(b) As used in this title, "at-risk" means there is evidence of, or there are indications of, any of the following:

- (1) The person missing is the victim of a crime or foul play.
- (2) The person missing is in need of medical attention.
- (3) The person missing has no pattern of running away or disappearing.
- (4) The person missing may be the victim of parental abduction.

(5) The person missing is mentally impaired, including cognitively impaired or developmentally disabled.

(c) As used in this title, "child" is any person under 18 years of age.

(d) As used in this title, "center" means the Violent Crime Information Center.

(e) As used in this title, "dental or medical records or X-rays" include all those records or X-rays which are in the possession of a dentist, physician and surgeon, or medical facility.

(f) As used in this title, "unidentified person" means a person, living or deceased, whose identity the local investigative agency is unable to determine.