

PROPOSED AMENDMENT

EH 1303 # 9

DIGEST

Missing children. Specifies that the amber alert program applies to missing as well as abducted children.

1 Replace the effective date in SECTION 3 with "[EFFECTIVE
2 UPON PASSAGE]".

3 Page 4, between lines 10 and 11, begin a new paragraph and insert:
4 "SECTION 3. IC 10-13-5-1 IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. As used in this
6 chapter, "Amber alert program" means a program under which the
7 clearinghouse transmits information about a **missing child, including**
8 **a** recently abducted child to broadcasters who:

9 (1) have agreed to participate in the program; and
10 (2) immediately and repeatedly broadcast the information to the
11 general public."

12 Page 4, between lines 25 and 26, begin a new paragraph and insert:
13 "SECTION 5. IC 10-13-5-8, AS AMENDED BY P.L.40-2024,
14 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 UPON PASSAGE]: Sec. 8. (a) The clearinghouse shall operate an
16 Amber alert program, a green alert program, and a silver alert program.

17 (b) Upon the establishment of the Amber alert program, the green
18 alert program, and the silver alert program, the clearinghouse may enter
19 into an agreement with one (1) or more broadcasters to operate the
20 Amber alert program, the green alert program, and the silver alert
21 program under this chapter.

22 (c) The superintendent shall designate staff responsible for the
23 operation of the Amber alert program, the green alert program, and the
24 silver alert program.

25 (d) The department shall adopt guidelines governing the
26 clearinghouse's operation of the Amber alert program, the green alert
27 program, and the silver alert program. The department's guidelines may
28 require that staff, upon receiving a report **of a missing child or** that a

1 child has been abducted, or an endangered child, veteran at risk, or
2 endangered adult is missing, immediately send electronically or by
3 other means of communication a description of the **missing child**,
4 abducted child or missing endangered child, missing veteran at risk, or
5 missing endangered adult to one (1) or more broadcasters participating
6 in the Amber alert program, the green alert program, or the silver alert
7 program. The guidelines must include criteria that the clearinghouse
8 shall use in determining whether to issue a silver alert or green alert
9 and the geographic area or region in which to issue the silver alert or
10 green alert.

11 (e) A broadcaster participating in the Amber alert program, the
12 green alert program, or the silver alert program shall immediately
13 broadcast:

14 (1) a description of the **missing or** abducted child, missing
15 endangered child, missing veteran at risk, or missing endangered
16 adult; and

17 (2) other information that will assist in locating the **missing or**
18 abducted child, missing endangered child, missing veteran at risk,
19 or missing endangered adult;

20 to the general public in accordance with the Amber alert plan
21 agreement, green alert plan agreement, or silver alert plan agreement
22 between the clearinghouse and the broadcaster.

23 (f) The department shall adopt guidelines governing the voluntary
24 Amber alert program agreement, voluntary green alert program
25 agreement, or voluntary silver alert program agreement between the
26 clearinghouse and a broadcaster. The voluntary agreements between
27 the clearinghouse and the broadcaster may include the following
28 provisions:

29 (1) Upon receiving a notification as part of the Amber alert
30 program, green alert program, or silver alert program, the
31 broadcaster shall broadcast the information contained on the
32 notice on an intermittent basis for a period of time as provided in
33 the agreements between the clearinghouse and the broadcaster.

34 (2) The broadcaster shall treat the Amber alert notification, green
35 alert notification, or silver alert notification as an emergency.

36 (3) The broadcaster shall ensure that the form of communication
37 used to receive an Amber alert notification, a green alert
38 notification, or a silver alert notification is:

39 (A) generally available to receive an Amber alert notification,
40 a green alert notification, or a silver alert notification; and

1 (B) located such that the broadcaster will immediately become
 2 aware of an incoming Amber alert notification, green alert
 3 notification, or silver alert notification.

4 SECTION 6. IC 10-13-5-8.1, AS AMENDED BY P.L.40-2024,
 5 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 UPON PASSAGE]: Sec. 8.1. (a) In addition to an agreement with a
 7 broadcaster under section 8 of this chapter, the clearinghouse may enter
 8 into an agreement with one (1) or more electronic billboard operators
 9 to display Amber alerts, green alerts, or silver alerts under this section.
 10 An agreement under this section may include a limitation on the days
 11 and times that the electronic billboard operator is required to have staff
 12 present to receive an Amber alert, a green alert, or a silver alert
 13 notification.

14 (b) The department's guidelines adopted under section 8 of this
 15 chapter may require staff, upon receiving a report of a **missing child**
 16 **or** that a child has been abducted, an endangered child is missing, a
 17 veteran at risk is missing, or an endangered adult is missing, to
 18 immediately send electronically or by other means of communication
 19 a description of the **missing or** abducted child, missing endangered
 20 child, missing veteran at risk, or missing endangered adult to one (1)
 21 or more electronic billboard operators participating in the Amber alert
 22 program, green alert program, or silver alert program if the Amber
 23 alert, green alert, or silver alert occurs during a period when the
 24 electronic billboard operator has agreed to have staff present to receive
 25 an Amber alert notification, a green alert notification, or a silver alert
 26 notification.

27 (c) An electronic billboard operator participating in the Amber alert
 28 program, green alert program, or silver alert program shall immediately
 29 display:

30 (1) a description of the **missing or** abducted child, missing
 31 endangered child, missing veteran at risk, or missing endangered
 32 adult; and

33 (2) other information that will assist in locating the **missing or**
 34 abducted child, missing endangered child, missing veteran at risk,
 35 or missing endangered adult;

36 to the general public in accordance with the Amber alert plan
 37 agreement, green alert plan agreement, or silver alert plan agreement
 38 between the clearinghouse and the electronic billboard operator.

39 (d) The department shall adopt guidelines governing the voluntary
 40 Amber alert program agreement, voluntary green alert program

1 agreement, or voluntary silver alert program agreement between the
 2 clearinghouse and an electronic billboard operator. The voluntary
 3 agreements between the clearinghouse and the electronic billboard
 4 operator may include the following provisions:

5 (1) Upon receiving a notification as part of the Amber alert
 6 program, the green alert program, or the silver alert program, the
 7 electronic billboard operator shall display the information
 8 contained in the notice on an intermittent basis for a period of
 9 time as provided in the agreements between the clearinghouse and
 10 the electronic billboard operator.

11 (2) The electronic billboard operator shall treat the Amber alert
 12 notification, the green alert notification, or the silver alert
 13 notification as an emergency.

14 (3) The electronic billboard operator shall ensure that the form of
 15 communication used to receive an Amber alert notification, a
 16 green alert notification, or a silver alert notification is:

17 (A) generally available to receive an Amber alert notification,
 18 a green alert notification, or a silver alert notification; and

19 (B) located such that the electronic billboard operator will
 20 immediately become aware of an incoming Amber alert
 21 notification, a green alert notification, or a silver alert
 22 notification received during days and times when staff is
 23 present to receive an Amber alert notification, a green alert
 24 notification, or a silver alert notification.

25 SECTION 7. IC 10-13-5-8.5, AS AMENDED BY P.L.40-2024,
 26 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 UPON PASSAGE]: Sec. 8.5. (a) A broadcaster or electronic billboard
 28 operator that has agreed to participate in the Amber alert program,
 29 green alert program, or silver alert program and that:

30 (1) receives an Amber alert notification, a green alert notification,
 31 or a silver alert notification from the department; and

32 (2) broadcasts or displays:

33 (A) a description of the **missing or** abducted child, missing
 34 endangered child, missing veteran at risk, or missing
 35 endangered adult contained in the notification; and

36 (B) other information contained in the notification that will
 37 assist in locating the child, missing veteran at risk, or missing
 38 endangered adult;

39 is immune from civil liability based on the broadcast or display of the
 40 information received from the department.

1 (b) If:
2 (1) a person enters into an agreement with the department to
3 establish or maintain an Amber alert website, a green alert
4 website, or a silver alert website; and
5 (2) the agreement provides that only the department has the
6 ability to place information on the website;
7 the person is immune from civil liability for the information placed on
8 the website by the department. However, this subsection does not affect
9 the applicability of IC 34-13-3 to the department."
10 Page 46, after line 25, begin a new paragraph and insert:
11 "SECTION 38. **An emergency is declared for this act.**".
12 Renumber all SECTIONS consecutively.
(Reference is to EHB 1303 as printed February 13, 2026.)