

SENATE FILE NO. SF0114

Missing persons-reporting requirement.

Sponsored by: Senator(s) Landen and Cooper and  
Representative(s) Brown, L, Clouston,  
Geringer, Lawley, Lien and Washut

A BILL

for

1 AN ACT relating to criminal procedure; requiring the  
2 acceptance of reports of missing persons by law enforcement  
3 as specified; providing exceptions; specifying duties for  
4 law enforcement agencies and peace officers related to  
5 missing persons; making conforming amendments; and  
6 providing for an effective date.

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8 *Be It Enacted by the Legislature of the State of Wyoming:*

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10 **Section 1.** W.S. 7-2-109 is created to read:

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12 **7-2-109. Reporting of missing persons; report**  
13 **acceptance; duties and responsibilities.**

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1           (a) Each Wyoming law enforcement agency shall accept,  
2 without delay, any credible report of a missing person made  
3 to the law enforcement agency, unless at least one (1) of  
4 the following occurs:

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6           (i) The law enforcement agency knows the  
7 location of the person reported missing;

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9           (ii) The law enforcement agency confirms the  
10 safe status of the person reported missing;

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12           (iii) The person reported missing is not a  
13 resident of Wyoming, and the most recent verifiable  
14 location of the person reported missing was not in Wyoming;

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16           (iv) The law enforcement agency confirms that  
17 another law enforcement agency already has, is accepting or  
18 will accept a missing person report for the person;

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20           (v) The person reporting the missing person is  
21 unable to articulate reasonable knowledge of the missing  
22 person and a legitimate reason for concern for the missing  
23 person or the missing person's health, safety or welfare;

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2           (vi) The law enforcement agency suspects, and  
3 can articulate, that the person reported as missing  
4 intended to lawfully flee or is being sought for reasons of  
5 harassment, stalking or retaliation;

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7           (vii) Other articulable extenuating  
8 circumstances exist, consistent with this section, that  
9 would make acceptance of a report of the missing person  
10 impractical or unreasonable, and the law enforcement agency  
11 documents the extenuating circumstances.

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13           (b) The primary jurisdiction for reporting a missing  
14 person shall be the law enforcement agency with  
15 jurisdiction over the most recent verifiable location of  
16 the missing person. If a verifiable last known location is  
17 not determined, the primary jurisdiction shall be the law  
18 enforcement agency with jurisdiction over the last known  
19 residential address of the missing person. Nothing in this  
20 subsection shall preclude or prohibit any other law  
21 enforcement agency from accepting a report of a missing  
22 person under this section.

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1           (c) All missing person reports meeting the criteria  
2 for reporting under this section shall be entered into the  
3 relevant national, regional and state databases used by the  
4 law enforcement agency for the sharing of missing person  
5 reports. Reports required under this subsection shall be  
6 entered by the dates and times required by law but not  
7 later than eight (8) hours after the receipt of a report  
8 and all required information for submission.

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10           (d) If a missing person is not located within thirty  
11 (30) days of being reported missing under this section, the  
12 law enforcement agency that accepted the report under this  
13 section shall ensure that a complete and accurate record of  
14 information is compiled for the missing person, including a  
15 photograph if available. The complete and accurate record  
16 compiled shall be forwarded to the attorney general and the  
17 division of criminal investigation for inclusion in the  
18 clearinghouse database on missing persons established under  
19 W.S. 9-1-624(a)(v).

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21           **Section 2.** W.S. 9-1-624(a)(v)(B) is amended to read:

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