

Texas

GOVERNMENT CODE
TITLE 4. EXECUTIVE BRANCH
SUBTITLE E. OTHER EXECUTIVE AGENCIES AND PROGRAMS
CHAPTER 466. STATE LOTTERY
SUBCHAPTER B. ADMINISTRATION

§ 466.026. Amber Alert

On receipt of notice by the Department of Public Safety that the Statewide Texas Amber Alert Network has been activated, the commission shall disseminate Amber Alert information at its retail locations through the lottery operator system.

GOVERNMENT CODE
TITLE 4. EXECUTIVE BRANCH
SUBTITLE B. LAW ENFORCEMENT AND PUBLIC PROTECTION
CHAPTER 411. DEPARTMENT OF PUBLIC SAFETY OF THE STATE OF TEXAS
SUBCHAPTER L. STATEWIDE AMERICA'S MISSING: BROADCAST EMERGENCY
RESPONSE (AMBER) ALERT SYSTEM FOR ABDUCTED CHILDREN

§ 411.351. Definitions

In this subchapter:

- (1) "Abducted child" means a child 17 years of age or younger whose whereabouts are unknown and whose disappearance poses a credible threat to the safety and health of the child, as determined by a local law enforcement agency.
- (2) "Alert system" means the statewide America's Missing: Broadcast Emergency Response (AMBER) alert system for abducted children.
- (3) "Local law enforcement agency" means a local law enforcement agency with jurisdiction over the investigation of the abduction of a child.
- (4) "Serious bodily injury" has the meaning assigned by Section 1.07, Penal Code.

§ 411.352. Statewide America's Missing: Broadcast Emergency Response (amber) Alert System for Abducted Children

With the cooperation of the Texas Department of Transportation, the office of the governor, and other appropriate law enforcement agencies in this state, the department shall develop and implement a statewide alert system to be activated on behalf of an abducted child.

§ 411.353. Administration

- (a) The director is the statewide coordinator of the alert system.
- (b) The director shall adopt rules and issue directives as necessary to ensure proper implementation of the alert system. The rules and directives must include instructions on the procedures for activating and deactivating the alert system.
- (c) The director shall prescribe forms for use by local law enforcement agencies in requesting activation of the alert system.

§ 411.354. Department to Recruit Participants

- (a) The department shall recruit public and commercial television and radio broadcasters, private commercial entities, state or local governmental entities, the public, and other appropriate persons to assist in developing and implementing the alert system.
- (b) The department may enter into agreements with participants in the alert system to provide necessary support for the alert system.

§ 411.355. Activation

- (a) On the request of a local law enforcement agency, the department shall activate the alert system and notify appropriate participants in the alert system, as established by rule, if:
 - (1) the local law enforcement agency believes that a child has been abducted;
 - (2) the local law enforcement agency believes that the abducted child is in immediate danger of serious bodily injury or death;
 - (3) the local law enforcement agency confirms that an investigation has taken place that verifies the abduction and eliminates alternative explanations for the child's disappearance; and
 - (4) sufficient information is available to disseminate to the public that could assist in locating the child, a person suspected of abducting the child, or a vehicle suspected of being used in the abduction.
- (b) The department may modify the criteria described by Subsection (a) as necessary for the proper implementation of the alert system.

§ 411.356. Local Law Enforcement Agencies

Before requesting activation of the alert system, a local law enforcement agency must verify that the criteria described by Section 411.355(a) have been satisfied. On verification of the criteria, the local law enforcement agency shall immediately contact the department to request activation and shall supply the necessary information on the forms prescribed by the director.

§ 411.357. State Agencies

(a) A state agency participating in the alert system shall:

(1) cooperate with the department and assist in developing and implementing the alert system;
and

(2) establish a plan for providing relevant information to its officers, investigators, or employees, as appropriate, once the alert system has been activated.

(b) In addition to its duties as a state agency under Subsection (a), the Texas Department of Transportation shall establish a plan for providing relevant information to the public through an existing system of dynamic message signs located across the state.

§ 411.358. Termination

The director shall terminate any activation of the alert system with respect to a particular abducted child if:

(1) the child is recovered or the abduction is otherwise resolved; or

(2) the director determines that the alert system is no longer an effective tool for locating and recovering the child.

FAMILY CODE
TITLE 5. THE PARENT-CHILD RELATIONSHIP AND THE SUIT AFFECTING THE
PARENT-CHILD RELATIONSHIP
SUBTITLE E. PROTECTION OF THE CHILD
CHAPTER 262. PROCEDURES IN SUIT BY GOVERNMENTAL ENTITY TO PROTECT
HEALTH AND SAFETY OF CHILD
SUBCHAPTER D. EMERGENCY POSSESSION OF CERTAIN ABANDONED CHILDREN

Tex. Fam. Code § 262.305

§ 262.305. Report to Law Enforcement Agency; Investigation

(a) Immediately after assuming care, control, and custody of a child under Section 262.303, the Department of Protective and Regulatory Services shall report the child to appropriate state and local law enforcement agencies as a potential missing child.

(b) A law enforcement agency that receives a report under Subsection (a) shall investigate whether the child is reported as missing.

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