

*Re. Bill per 5147  
2/23/84 (p. 523)*

*Reprint 3/2/84*

Judiciary  
Gentleman, Chair  
Mann  
Welsh

SENATE FILE 517

BY READINGER

Passed Senate, Date 2-29-84 (p. 580) Passed House, Date \_\_\_\_\_

Vote: Ayes 47 Nays 0 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

### A BILL FOR

1 An Act relating to missing persons and the time and manner  
2 in which missing person investigations are to be performed,  
3 and providing a penalty.

4 BE IT ENACTED BY GENERAL ASSEMBLY OF THE STATE OF IOWA:

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*S.F. 517*

1 Section 1. Sections 2 through 6 of this Act are created  
2 as a new chapter in the Code.

3 Sec. 2. NEW SECTION. COMPLAINT OF MISSING PERSON.

4 1. A person may file a complaint of missing person with  
5 a law enforcement agency having jurisdiction. The complaint  
6 shall include, but is not limited to, the following  
7 information:

8 a. The name of the complainant.

9 b. The relationship of the complainant to the missing  
10 person.

11 c. The name, age, address, and all identifying  
12 characteristics of the missing person.

13 d. The length of time the person has been missing.

14 e. All other information deemed relevant by either the  
15 complainant or the law enforcement agency.

16 2. A copy of the complaint of missing person shall be  
17 given to all law enforcement personnel currently on active  
18 duty for that agency immediately upon its being filed.

19 Sec. 3. NEW SECTION. REPORT ON MISSING PERSON.

20 1. A law enforcement agency in which a complaint of missing  
21 person has been filed shall prepare, as soon as practicable,  
22 a report on missing person. That report shall include, but  
23 is not limited to, the following:

24 a. All information contained in the complaint on missing  
25 person.

26 b. All information or evidence gathered by a preliminary  
27 investigation, if one was made.

28 c. A statement, by the law enforcement officer in charge,  
29 setting forth that officer's assessment of the case based  
30 upon all evidence and information received.

31 d. An explanation of the next steps to be taken by the  
32 law enforcement agency filing the report.

33 Sec. 4. NEW SECTION. DISSEMINATION OF REPORT. Upon  
34 completion of the report, a copy of the report shall be  
35 forwarded to:

1 1. All law enforcement agencies having jurisdiction of  
2 the location in which the missing person lives or was last  
3 seen.

4 2. All law enforcement agencies considered to be  
5 potentially involved by the law enforcement agency filing  
6 the report.

7 3. All law enforcement agencies which the complainant  
8 requests the report to be sent to, if the request is reasonable  
9 in light of the information contained in the report.

10 4. Any law enforcement agency requesting a copy of the  
11 missing person report.

12 Sec. 5. NEW SECTION. FALSE INFORMATION--PENALTY. A  
13 person who knowingly makes a false statement concerning  
14 information required to be included in a complaint of missing  
15 person or a report on missing person is guilty of a simple  
16 misdemeanor.

17 Sec. 6. NEW SECTION. UNEMANCIPATED MINORS.

18 1. If a complaint of missing person involves an  
19 unemancipated minor, the law enforcement agency, in addition  
20 to the requirements of section 2, subsection 2, of this Act  
21 shall immediately transmit the complaint for inclusion in  
22 the national crime information center computer.

23 2. If a complaint of missing person involves an  
24 unemancipated minor, the law enforcement agency shall not  
25 prevent an immediate active investigation on the basis of  
26 an agency rule which specifies an automatic time limitation  
27 for a missing person investigation.

28 EXPLANATION

29 This bill provides for a uniform system of complaint and  
30 report procedures to be used by law enforcement agencies when  
31 involved in a missing person investigation.

32 This bill also provides for a penalty for the giving of  
33 false information in a complaint or report of a missing person,  
34 and that no automatic time limitations may be used when dealing  
35 with the investigation of a missing unemancipated minor.

36 The bill takes effect July 1 followings its enactment.

S-5147

Amend Senate File 517 as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:  
"Section 1. NEW SECTION. 694.1 MISSING PERSONS.  
As used in this chapter, unless the context otherwise indicates, "missing person" means a person who is missing and meets one of the following characteristics:
    1. Is physically or mentally disabled.
    2. Was, or is, in the company of another person under circumstances indicating that the missing person's safety may be in danger.
    3. Is missing under circumstances indicating that the disappearance was not voluntary.
    4. Is an unemancipated minor.For purposes of this chapter an "unemancipated minor" means a minor who has not married and who resides with a parent or other legal guardian.
- Sec. 2. NEW SECTION. 694.2 DISSEMINATION OF INFORMATION. When a report of a missing person has been received by a law enforcement agency having jurisdiction, the agency shall notify:
1. On duty personnel of the agency, as soon as practicable, through internal means and over the appropriate police radio network.
  2. All law enforcement agencies considered to be involved by the law enforcement agency having jurisdiction.
  3. All law enforcement agencies to which the person filing the report requests that the information be sent, if the request is reasonable in light of the information contained in the report.
  4. All law enforcement agencies requesting the information.
- Sec. 3. NEW SECTION. 694.3 UNEMANCIPATED MINORS.
1. If a report of missing person involves an unemancipated minor, the law enforcement agency shall immediately transmit the proper information for inclusion in the national crime information center computer.
  2. If a report of missing person involves an unemancipated minor, a law enforcement agency shall not prevent an immediate active investigation on the basis of an agency rule which specifies an automatic time limitation for a missing person investigation.
- Sec. 4. NEW SECTION. 694.4 FALSE INFORMATION-  
-PENALTY. A person who knowingly makes a false report of missing person, or knowingly makes a false statement in the report, to a law enforcement agency is guilty of a simple misdemeanor."

5147 FILED  
FEBRUARY 23, 1984

BY COMMITTEE ON JUDICIARY  
DONALD V. DOYLE, CHAIR

*Adopted 2/29 (p. 579)*

SENATE FILE 517

S-5158

1 Amend amendment S-5147 to Senate File 517 as  
2 follows:  
3 1. Page 1, line 37, by striking the word  
4 "immediately" and inserting in lieu thereof the  
5 words "within eight hours".

S-5158 FILED  
FEBRUARY 27, 1984

BY JOE WELSH

*Lost 2/24 (p. 574)*

Judiciary and Law Enforcement: Hammond, Chair; Brammer, Clark, Malsby and Miller.

*Amend per 5826 + Dr. Pass 3/23 (p. 1245)*

SENATE FILE

**517**

BY READINGER

(AS AMENDED AND PASSED BY THE SENATE FEBRUARY 29, 1984)

Re-Passed Senate, Date 4-2-84 (p. 1235) Passed House, Date 3-28-84 (p. 1423)

Vote: Ayes 45 Nays 0 Vote: Ayes 98 Nays 0

Approved April 13, 1984 (p. 1574)

## A BILL FOR

1 An Act relating to missing persons and the time and manner  
2 in which missing person investigations are to be performed,  
3 and providing a penalty.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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ALL New Language  
by the Senate

1 Section 1. NEW SECTION. 694.1 MISSING PERSONS. As used  
2 in this chapter, unless the context otherwise indicates,  
3 "missing person" means a person who is missing and meets one  
4 of the following characteristics:

- 5 1. Is physically or mentally disabled.
- 6 2. Was, or is, in the company of another person under  
7 circumstances indicating that the missing person's safety  
8 may be in danger.
- 9 3. Is missing under circumstances indicating that the  
10 disappearance was not voluntary.
- 11 4. Is an unemancipated minor.

12 For purposes of this chapter an "unemancipated minor" means  
13 a minor who has not married and who resides with a parent  
14 or other legal guardian.

15 Sec. 2. NEW SECTION. 694.2 DISSEMINATION OF INFORMATION.

16 When a report of a missing person has been received by a law  
17 enforcement agency having jurisdiction, the agency shall  
18 notify:

- 19 1. On duty personnel of the agency, as soon as practicable,  
20 through internal means and over the appropriate police radio  
21 network.
- 22 2. All law enforcement agencies considered to be involved  
23 by the law enforcement agency having jurisdiction.
- 24 3. All law enforcement agencies to which the person filing  
25 the report requests that the information be sent, if the  
26 request is reasonable in light of the information contained  
27 in the report.

28 4. All law enforcement agencies requesting the information.

29 Sec. 3. NEW SECTION. 694.3 UNEMANCIPATED MINORS.

30 1. If a report of missing person involves an unemancipated  
31 minor, the law enforcement agency shall immediately transmit  
32 the proper information for inclusion in the national crime  
33 information center computer.

34 2. If a report of missing person involves an unemancipated  
35 minor, a law enforcement agency shall not prevent an immediate

1 active investigation on the basis of an agency rule which  
2 specifies an automatic time limitation for a missing person  
3 investigation.

4 Sec. 4. NEW SECTION. 694.4 FALSE INFORMATION--PENALTY.  
5 A person who knowingly makes a false report of missing person,  
6 or knowingly makes a false statement in the report, to a law  
7 enforcement agency is guilty of a simple misdemeanor.

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SF 517  
dl/slc/26a

H-5826

1 Amend Senate File 517 as amended, passed and  
2 reprinted by the Senate as follows:

3 1. Page 1, by striking lines 15 through 28 and  
4 inserting in lieu thereof the following:

5 "Sec. 2. NEW SECTION. COMPLAINT OF MISSING PERSON.

6 1. A person may file a complaint of a missing  
7 person with a law enforcement agency having  
8 jurisdiction. The complaint shall include, but is  
9 not limited to, the following information:

10 a. The name of the complainant.

11 b. The relationship of the complainant to the  
12 missing person.

13 c. The name, age, address, and all identifying  
14 characteristics of the missing person.

15 d. The length of time the person has been missing.

16 e. All other information deemed relevant by either  
17 the complainant or the law enforcement agency.

18 2. A report of the complaint of missing person  
19 shall be given to all law enforcement personnel  
20 currently on active duty for that agency through  
21 internal means and over the law enforcement  
22 administration network immediately upon its being  
23 filed.

24 Sec. 3. NEW SECTION. REPORT ON MISSING PERSON.

25 1. A law enforcement agency in which a complaint  
26 of a missing person has been filed shall prepare,  
27 as soon as practicable, a report on a missing person.  
28 That report shall include, but is not limited to,  
29 the following:

30 a. All information contained in the complaint  
31 on a missing person.

32 b. All information or evidence gathered by a  
33 preliminary investigation, if one was made.

34 c. A statement, by the law enforcement officer  
35 in charge, setting forth that officer's assessment  
36 of the case based upon all evidence and information  
37 received.

38 d. An explanation of the next steps to be taken  
39 by the law enforcement agency filing the report.

40 Sec. 4. NEW SECTION. DISSEMINATION OF REPORT.

41 Upon completion of the report, a copy of the report  
42 shall be forwarded to:

43 1. All law enforcement agencies having jurisdiction  
44 of the location in which the missing person lives  
45 or was last seen.

46 2. All law enforcement agencies considered to  
47 be potentially involved by the law enforcement agency  
48 filing the report.

49 3. All law enforcement agencies which the  
50 complainant requests the report to be sent to, if

1 the request is reasonable in light of the information  
2 contained in the report.

3 4. Any law enforcement agency requesting a copy  
4 of the missing person report."

5 2. Renumber as necessary.

S-5696

1 Amend Senate File 517 as amended, passed and  
2 reprinted by the Senate as follows:

3 1. Page 1, by striking lines 15 through 28 and  
4 inserting in lieu thereof the following:

5 "Sec. 2. NEW SECTION. COMPLAINT OF MISSING PERSON.

6 1. A person may file a complaint of a missing  
7 person with a law enforcement agency having  
8 jurisdiction. The complaint shall include, but is  
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12 missing person.

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14 characteristics of the missing person.

15 d. The length of time the person has been missing.

16 e. All other information deemed relevant by either  
17 the complainant or the law enforcement agency.

18 2. A report of the complaint of missing person  
19 shall be given to all law enforcement personnel  
20 currently on active duty for that agency through  
21 internal means and over the law enforcement  
22 administration network immediately upon its being  
23 filed.

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26 of a missing person has been filed shall prepare,  
27 as soon as practicable, a report on a missing person.  
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29 the following:

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31 on a missing person.

32 b. All information or evidence gathered by a  
33 preliminary investigation, if one was made.

34 c. A statement, by the law enforcement officer  
35 in charge, setting forth that officer's assessment  
36 of the case based upon all evidence and information  
37 received.

38 d. An explanation of the next steps to be taken  
39 by the law enforcement agency filing the report.

40 Sec. 4. NEW SECTION. DISSEMINATION OF REPORT.

41 Upon completion of the report, a copy of the report  
42 shall be forwarded to:

43 1. All law enforcement agencies having jurisdiction  
44 of the location in which the missing person lives  
45 or was last seen.

46 2. All law enforcement agencies considered to  
47 be potentially involved by the law enforcement agency  
48 filing the report.

49 3. All law enforcement agencies which the  
50 complainant requests the report to be sent to, if

PAGE 2

1 the request is reasonable in light of the information  
2 contained in the report.

3 4. Any law enforcement agency requesting a copy  
4 of the missing person report."

5 2. Renumber as necessary.

SENATE FILE 517

AN ACT

RELATING TO MISSING PERSONS AND THE TIME AND MANNER IN WHICH MISSING PERSON INVESTIGATIONS ARE TO BE PERFORMED, AND PROVIDING A PENALTY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 694.1 MISSING PERSONS. As used in this chapter, unless the context otherwise indicates, "missing person" means a person who is missing and meets one of the following characteristics:

1. Is physically or mentally disabled.
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3. Is missing under circumstances indicating that the disappearance was not voluntary.
4. Is an unemancipated minor.

For purposes of this chapter an "unemancipated minor" means a minor who has not married and who resides with a parent or other legal guardian.

Sec. 2. NEW SECTION. COMPLAINT OF MISSING PERSON.

1. A person may file a complaint of a missing person with a law enforcement agency having jurisdiction. The complaint shall include, but is not limited to, the following information:

- a. The name of the complainant.
- b. The relationship of the complainant to the missing person.
- c. The name, age, address, and all identifying characteristics of the missing person.
- d. The length of time the person has been missing.
- e. All other information deemed relevant by either the complainant or the law enforcement agency.

2. A report of the complaint of missing person shall be given to all law enforcement personnel currently on active duty for that agency through internal means and over the law enforcement administration network immediately upon its being filed.

Sec. 3. NEW SECTION. REPORT ON MISSING PERSON.

1. A law enforcement agency in which a complaint of a missing person has been filed shall prepare, as soon as practicable, a report on a missing person. That report shall include, but is not limited to, the following:
  - a. All information contained in the complaint on a missing person.
  - b. All information or evidence gathered by a preliminary investigation, if one was made.
  - c. A statement, by the law enforcement officer in charge, setting forth that officer's assessment of the case based upon all evidence and information received.
  - d. An explanation of the next steps to be taken by the law enforcement agency filing the report.

Sec. 4. NEW SECTION. DISSEMINATION OF REPORT. Upon completion of the report, a copy of the report shall be forwarded to:

1. All law enforcement agencies having jurisdiction of the location in which the missing person lives or was last seen.
2. All law enforcement agencies considered to be potentially involved by the law enforcement agency filing the report.
3. All law enforcement agencies which the complainant requests the report to be sent to, if the request is reasonable in light of the information contained in the report.
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Sec. 5. NEW SECTION. 694.3 UNEMANCIPATED MINORS.

1. If a report of missing person involves an unemancipated minor, the law enforcement agency shall immediately transmit

the proper information for inclusion in the national crime information center computer.

2. If a report of missing person involves an unemancipated minor, a law enforcement agency shall not prevent an immediate active investigation on the basis of an agency rule which specifies an automatic time limitation for a missing person investigation.

Sec. 6. NEW SECTION. 694.4 FALSE INFORMATION--PENALTY.

A person who knowingly makes a false report of missing person, or knowingly makes a false statement in the report, to a law enforcement agency is guilty of a simple misdemeanor.

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ROBERT T. ANDERSON  
President of the Senate

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DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 517, Seventieth General Assembly.

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K. MARIE THAYER  
Secretary of the Senate

Approved April 13, 1984

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TERRY E. BRANSTAD  
Governor