

CHAPTER 2024-82

House Bill No. 937

An act relating to the Purple Alert; amending s. 937.0205, F.S.; requiring local law enforcement agencies to develop policies for a local activation of a Purple Alert for certain missing adults; specifying requirements for such policies; specifying duties of the Department of Law Enforcement's Missing Endangered Persons Information Clearinghouse in the event of a state Purple Alert; specifying conditions under which a local law enforcement agency may request the clearinghouse to open a case; conforming provisions to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 937.0205, Florida Statutes, is amended to read:

937.0205 Purple Alert.—

(1) The Legislature finds that a standardized state system is necessary to aid in the search for a missing adult identified in ~~subsection (4) paragraph (4)(a)~~. The Legislature also finds that a coordinated local law enforcement and state agency response with prompt and widespread sharing of information will improve the chances of finding the person.

(2) It is the intent of the Legislature to establish the Purple Alert, to be implemented in a manner that, to the extent practicable, safeguards the privacy rights and related health and diagnostic information of such missing adults.

(3) The Department of Law Enforcement, in cooperation with the Department of Transportation, the Department of Highway Safety and Motor Vehicles, the Department of the Lottery, and local law enforcement agencies, shall establish and implement the Purple Alert. At a minimum, the Purple Alert must:

(a) Be the only viable means by which the missing adult is likely to be returned to safety;

(b) Provide, to the greatest extent possible, for the protection of the privacy, dignity, and independence of the missing adult by including standards aimed at safeguarding these civil liberties by preventing the inadvertent or unnecessary broadcasting or dissemination of sensitive health and diagnostic information;

(c) Limit the broadcasting and dissemination of alerts and related information to the geographic areas where the missing adult could reasonably be, considering his or her circumstances and physical and mental condition, the potential modes of transportation available to him or her or

suspected to be involved, and the known or suspected circumstances of his or her disappearance; and

(d) Be activated only when there is sufficient descriptive information about the missing adult and the circumstances surrounding his or her disappearance to indicate that activating the alert is likely to help locate the missing adult.

~~(4)(a) Under a Purple Alert, a local law enforcement agency may broadcast to the media and to persons who subscribe to receive alert notifications under this section information concerning a missing adult is deemed to be an adult:~~

~~(a)1. Who has a mental or cognitive disability that is not Alzheimer's disease or a dementia-related disorder; an intellectual disability or a developmental disability, as those terms are defined in s. 393.063; a brain injury; another physical, mental, or emotional disability that is not related to substance abuse; or a combination of any of these;~~

~~(b)2. Whose disappearance indicates a credible threat of immediate danger or serious bodily harm to himself or herself, as determined by the local law enforcement agency;~~

~~(c)3. Who cannot be returned to safety without law enforcement intervention; and~~

~~(d)4. Who does not meet the criteria for activation of a local Silver Alert or the Silver Alert Plan of the Department of Law Enforcement.~~

(5) For a missing adult on foot or in an unidentified vehicle, local law enforcement agencies shall develop their own policies for activation of a local Purple Alert that meets the requirements set forth in s. 937.021 and shall:

(a) Contact media outlets in the affected area or surrounding jurisdictions;

(b) Inform all on-duty law enforcement officers of the missing adult report; and

(c) Communicate the report to any other law enforcement agency in the county of jurisdiction.

(6) A state Purple Alert may be requested from the Department of Law Enforcement's Missing Endangered Persons Information Clearinghouse when the investigation indicates that there is a motor vehicle with an identified license plate or other vehicle information. The clearinghouse shall:

(a) Coordinate with the Department of Transportation and the Department of Highway Safety and Motor Vehicles for the activation of dynamic message signs on state highways and the immediate distribution of critical

information to the public regarding the missing adult in accordance with the alert;

(b) Coordinate with the Department of the Lottery to have the state Purple Alert broadcast on lottery terminals, including, but not limited to, lottery terminals in gas stations, convenience stores, and supermarkets; and

(c) Notify subscribers.

(7) If a local or state Purple Alert is determined to be necessary and appropriate, the local law enforcement agency having jurisdiction may also request that a case be opened with the Department of Law Enforcement’s Missing Endangered Persons Information Clearinghouse.

~~(b) If a Purple Alert is determined to be necessary and appropriate, the local law enforcement agency having jurisdiction must notify the media and subscribers in the jurisdiction or jurisdictions where the missing adult is believed to or may be located. The local law enforcement agency having jurisdiction may also request that the Purple Alert notification be broadcast on lottery terminals within the geographic regions where the missing adult may reasonably be, including, but not limited to, lottery terminals in gas stations, convenience stores, and supermarkets.~~

~~(c) Under the Purple Alert, the local law enforcement agency having jurisdiction may also request that a case be opened with the Department of Law Enforcement’s Missing Endangered Persons Information Clearinghouse. To enhance local or regional efforts when the investigation indicates that an identifiable vehicle is involved, the clearinghouse must coordinate with the Department of Transportation and the Department of Highway Safety and Motor Vehicles for the activation of dynamic message signs on state highways and the immediate distribution of critical information to the public regarding the missing adult in accordance with the alert.~~

(8)(5) The state Purple Alert process must include procedures to monitor the use, activation, and results of alerts and a strategy for informing and educating law enforcement, the media, and other stakeholders concerning the alert.

(9)(6) The Department of Law Enforcement may adopt rules to implement and administer this section.

Section 2. This act shall take effect July 1, 2024.

Approved by the Governor April 11, 2024.

Filed in Office Secretary of State April 11, 2024.