

ADOPTED SENATE

1 Senators Rogers of the 21st and Wiles of the 37th offered the following amendment:

2 *Amend the committee substitute to HB 728 (LC 37 0139S) by inserting "to provide for a*
 3 *state-wide alert for certain criminal suspects;" following "alert;" on line 8 on page 1.*

4 *By deleting the quotation marks at the end of line 3 on page 4 and inserting the following*
 5 *between lines 3 and 4 on page 4:*

6 38-3-120.

7 (a) In addition to the state-wide alert system known as 'Mattie's Call,' there is established
 8 a state-wide alert system known as 'Kimberly's Call.'

9 (b) The director shall develop and implement a state-wide alert system to be activated
 10 when a suspect for the crime of murder as defined in Code Section 16-5-1 or rape as
 11 defined in Code Section 16-6-1 has not been apprehended and law enforcement personnel
 12 have determined that the suspect may be a serious threat to the public.

13 (c) The provisions of Code Sections 38-3-113, 38-3-114, and 38-3-117 shall also apply to
 14 'Kimberly's Call' as set forth in this Code section.

15 (d) On notification by a local law enforcement agency that a suspect in a case of murder
 16 or rape has not been apprehended and may be a serious threat to the public, the director
 17 shall activate the alert system and notify appropriate participants in the alert system, as
 18 established by rule, if:

19 (1) A local law enforcement agency believes that a suspect has not been apprehended;

20 (2) A local law enforcement agency believes that the suspect may be a serious threat to
 21 the public; and

22 (3) Sufficient information is available to disseminate to the public that could assist in
 23 locating the suspect.

24 (e) The area of the alert may be less than state wide if the director determines that the
 25 nature of the event makes it probable that the suspect did not leave a certain geographic
 26 location.

27 (f) Before requesting activation of the alert system, a local law enforcement agency must
 28 verify that the criteria described by subsection (d) have been satisfied. The local law
 29 enforcement agency shall assess the appropriate boundaries of the alert based on the nature
 30 of the suspect and the circumstances surrounding the crime.

31 (g) The director shall terminate any activation of the alert system with respect to a
 32 particular suspect if:

33 (1) The suspect is located or the incident is otherwise resolved; or

1 (2) The director determines that the alert system is no longer an effective tool for
2 locating the suspect.

3 (h) Any entity or individual participating in the 'Kimberly's Call' alert system pursuant to
4 this Code section shall not be liable for any civil damages arising from the dissemination
5 of any alert generated pursuant to the 'Kimberly's Call' alert system."