

HOUSE BILL NO. 21

INTRODUCED BY R. PEPPERS, DUDIK

BY REQUEST OF THE STATE-TRIBAL RELATIONS COMMITTEE

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5 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING "HANNA'S ACT"; AUTHORIZING THE
6 DEPARTMENT OF JUSTICE TO ASSIST WITH THE INVESTIGATION OF ALL MISSING PERSONS CASES;
7 ~~REQUIRING~~ ALLOWING ~~REQUIRING~~ THE EMPLOYMENT OF A MISSING PERSONS SPECIALIST;
8 PROVIDING DUTIES; PROVIDING DIRECTION ON FUNDING FOR POSITION; PROVIDING LEGISLATIVE
9 INTENT; PROVIDING SPENDING AUTHORIZATION; PROVIDING DUTIES; PROVIDING AN APPROPRIATION;
10 AND PROVIDING AN EFFECTIVE DATE."

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12 WHEREAS, this act is to be known as "Hanna's Act" in remembrance of Hanna Harris, a Lame Deer
13 woman who was murdered in 2013 on the Northern Cheyenne Reservation.

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15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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17 NEW SECTION. Section 1. Department of justice missing persons response -- missing persons
18 **specialist.** (1) The department of justice may assist with the investigation of all missing persons cases,
19 regardless of the age of the missing person, in accordance with Title 44, chapter 2, parts 4 and 5.

20 (2) (A) (a) The department ~~shall~~ MAY SHALL employ a missing persons specialist responsible for working
21 closely with local, state, federal, and tribal law enforcement authorities on missing persons cases. THE SPECIALIST
22 SHALL:

23 (I) PROVIDE GUIDANCE AND SUPPORT TO LAW ENFORCEMENT AUTHORITIES AND FAMILIES IN THE SEARCH FOR
24 MISSING PERSONS;

25 (II) OVERSEE ENTRIES INTO THE DATABASE OF THE NATIONAL CRIME INFORMATION CENTER OF THE UNITED
26 STATES DEPARTMENT OF JUSTICE AND OTHER DATABASES TO ENSURE RECORDS OF MISSING PERSONS ARE ACCURATE,
27 COMPLETE, AND MADE IN A TIMELY FASHION;

28 (III) MANAGE THE STATE MISSING PERSONS DATABASE AND MISSING PERSONS PUBLIC INFORMATION WEBSITE;

29 (IV) NETWORK WITH OTHER STATE AND INTERNATIONAL MISSING PERSONS PROGRAMS AND THE NATIONAL CENTER
30 FOR MISSING AND EXPLOITED CHILDREN TO AID IN LOCATING CHILDREN WHO ARE UNLAWFULLY TAKEN OUT OF OR

1 UNLAWFULLY BROUGHT INTO MONTANA;

2 (V) PROVIDE PUBLIC OUTREACH AND EDUCATION ON MISSING PERSONS ISSUES AND THE PREVENTION OF CHILD
3 ABDUCTIONS;

4 (VI) ISSUE ALERTS AND ADVISORIES AT THE REQUEST OF LAW ENFORCEMENT AUTHORITIES TO ACTIVATE PUBLIC
5 ASSISTANCE IN LOCATING AN ENDANGERED MISSING PERSON; AND

6 (VII) FACILITATE TRAINING FOR LAW ENFORCEMENT AUTHORITIES RELATED TO MISSING PERSONS CASES,
7 INCLUDING RESOURCES AVAILABLE TO ASSIST WITH MISSING PERSONS INVESTIGATIONS.

8 (B) THE MISSING PERSONS SPECIALIST SHALL COMPLETE CULTURAL COMPETENCY TRAINING. The specialist
9 shall:

10 ~~—— (i) provide guidance and support to law enforcement authorities and families in the search for missing~~
11 ~~persons;~~

12 ~~—— (ii) oversee entries into the database of the national crime information center of the United States~~
13 ~~department of justice and other databases to ensure records of missing persons are accurate, complete, and~~
14 ~~made in a timely fashion;~~

15 ~~—— (iii) manage the state missing persons database and missing persons public information website;~~

16 ~~—— (iv) network with other state and international missing persons programs and the national center for~~
17 ~~missing and exploited children to aid in locating children who are unlawfully taken out of or unlawfully brought into~~
18 ~~Montana;~~

19 ~~—— (v) provide public outreach and education on missing persons issues and the prevention of child~~
20 ~~abductions;~~

21 ~~—— (vi) issue alerts and advisories at the request of law enforcement authorities to activate public assistance~~
22 ~~in locating an endangered missing person; and~~

23 ~~—— (vii) facilitate training for law enforcement authorities related to missing persons cases, including~~
24 ~~resources available to assist with missing persons investigations.~~

25 ~~—— (b) The missing persons specialist shall complete cultural competency training.~~

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27 ~~—— **NEW SECTION. Section 2. Appropriation.** (1) There is appropriated \$100,000 from the general fund~~
28 ~~to the department of justice for each year of the biennium beginning July 1, 2019, for missing persons response~~
29 ~~pursuant to [section 1].~~

30 ~~—— (2) The legislature intends that the appropriation in this section be considered a part of the ongoing base~~

1 for the 2021 legislative session.

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3 NEW SECTION. SECTION 2. AUTHORIZATION -- LEGISLATIVE INTENT. (1) FOR THE BIENNIUM BEGINNING JULY
4 1, 2019, THE DEPARTMENT OF JUSTICE IS AUTHORIZED TO SPEND \$205,000 FROM THE STATE SPECIAL REVENUE ACCOUNT
5 ESTABLISHED IN 44-5-306 TO FUND THE PERSONAL SERVICES OF 1 FTE TO PERFORM THE SERVICES REQUIRED BY [THIS
6 ACT].

7 (2) THE LEGISLATURE INTENDS THAT THE APPROPRIATION IN THIS SECTION BE CONSIDERED A PART OF THE
8 ONGOING BASE FOR THE 2021 LEGISLATIVE SESSION.

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10 NEW SECTION. Section 3. Notification to tribal governments. The secretary of state shall send a
11 copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell
12 Chippewa tribe.

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14 NEW SECTION. Section 4. Codification instruction. [Section 1] is intended to be codified as an
15 integral part of Title 44, chapter 2, part 4, and the provisions of Title 44, chapter 2, part 4, apply to [section 1].

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17 COORDINATION SECTION. SECTION 5. COORDINATION INSTRUCTION. IF SENATE BILL NO. 312 IS NOT
18 PASSED AND APPROVED, [THIS ACT] IS VOID.

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20 NEW SECTION. Section 6. Effective date. [This act] is effective July 1, 2019.

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