2027 LEGISLATIVE PROPOSAL

The Bryan Act

Immediate response and a statewide Bryan Alert for missing children

Submitted for consideration by the Indiana General Assembly

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REQUEST FOR LEGISLATIVE ACTION

Sponsor The Bryan Act, grant it a committee hearing, bring it to the floor for a recorded vote, and pass it.

Legislative brief

Every missing child deserves immediate action. A teenager is still a child. Leaving voluntarily says how a child left. Police still need to find out whether the child is safe.

Indiana law today. House Enrolled Act 1303 (2026), enacted after the death of Hailey Buzbee, expanded the Silver Alert program to include missing children. The law allows Indiana State Police guidelines to provide for immediate dissemination. The Bryan Act makes immediate issuance mandatory when the statutory criteria are met.

What the bill requires. Every report involving a child under 18 triggers immediate intake, a safety assessment, and initial investigative action. A runaway label can never, by itself, justify delay or denial.

When a statewide alert goes out. Local police, sheriffs, and Indiana State Police can activate a statewide Bryan Alert immediately when a child's safety cannot be verified, specific facts indicate substantial risk, and public help could aid safe recovery. Indiana State Police coordinates distribution without requiring advance approval. Authorized originators send wireless alerts within federal permissions.

Accountability. The bill requires documented reasons for denials, immediate reassessment when material information changes, privacy protections, and public reporting on alert decisions and response times.

Implementation. The draft establishes the Bryan Alert as a separate statewide program administered by Indiana State Police. The proposed effective date is July 1, 2027. The Legislative Services Agency can assign the chapter number and prepare a fiscal analysis of around-the-clock operations and training.

Emergency phone location. Gives parents and guardians a direct, around-the-clock carrier intake path. Carriers must immediately provide available, narrowly scoped location information when the requester is verified, serious danger is present, and federal law permits disclosure. If direct disclosure is unsafe or unavailable under law, carriers must immediately coordinate with police. The proposal builds on the existing police request process in IC 35-33-5-15.

REFERENCES

House Enrolled Act 1303 (2026), enrolled text

Indiana AMBER Alert Plan | Indiana Silver Alert criteria | FEMA wireless alert guidance

IC 35-33-5-15 | 47 U.S.C. 222 | 18 U.S.C. 2702 | 18 U.S.C. 2703

Proposed statutory language

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

SECTION 1. This act may be cited as The Bryan Act. [EFFECTIVE JULY 1, 2027]

SECTION 2. IC 10-13 IS AMENDED BY ADDING A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2027]:

New chapter. Bryan Alert and emergency wireless location.

Sec. 1. Missing-child response and Bryan Alert.

(a) This section applies to a report that a person younger than eighteen (18) years of age is missing. A law enforcement agency shall immediately accept and record the report, assess the child's safety, and undertake or coordinate initial investigative action. An agency transferring responsibility shall promptly confirm acceptance by the receiving agency.

(b) No minimum period of absence applies to accepting a report, investigating, assessing risk, or requesting or issuing an alert under this section. Age within the covered range, prior missing episodes, voluntary departure, or classification as a runaway may not, standing alone, justify delay or denial.

(c) A municipal police department, county sheriff’s department, or Indiana State Police agency investigating the report shall immediately activate a statewide Bryan Alert if the child's safety cannot be verified, specific facts give reasonable grounds to believe the child faces a substantial risk of harm, and available descriptive information gives reasonable grounds to believe public dissemination could help locate the child safely. Evidence of abduction, a diagnosed disability, a medical condition, or lack of medication is not required.

(d) The agency shall consider reasonably available information, including indications of grooming or enticement, contact with an adult presenting a safety concern, exploitation, threats, coercion, unsafe travel, environmental conditions, and medical or developmental vulnerability. No single factor is required. The agency and clearinghouse shall pursue additional information and required database entries concurrently with alert review.

(e) The Indiana State Police shall administer the standalone statewide Bryan Alert program through the clearinghouse. An investigating agency listed in subsection (c) may originate a statewide Bryan Alert without prior state approval. The agency shall record its findings and notify the clearinghouse concurrently with activation. The clearinghouse shall provide twenty-four-hour statewide distribution and immediately relay authenticated local activations without a second eligibility review. Indiana State Police shall maintain a backup distribution route and coordinate duplicate alerts. Wireless emergency alerts may be used by an authorized originator within applicable federal permissions. If the local originator lacks the necessary permissions, an authorized state originator shall promptly transmit on its behalf when federally permissible. An alert is independent of AMBER and Silver Alert eligibility.

(f) An investigating agency that declines to activate an alert shall record the time and specific reason, promptly inform the appropriate reporting person when safe and lawful, and reassess immediately upon receiving material new information. A decision declining activation does not suspend investigative duties.

(g) The originating agency and clearinghouse shall disseminate only information reasonably necessary for safe recovery and withhold protected recovery locations and unnecessary medical or family information. The originating agency shall promptly issue updates or cancel the alert as warranted. The clearinghouse shall immediately relay updates and cancellations.

(h) The Indiana State Police shall issue protocols and training for dispatchers, law enforcement agencies, and clearinghouse personnel. The department shall publish annual aggregate data on activations by originating agency, decisions against activation and reasons, time to activation, and known recovery outcomes without identifying individual children.

Emergency phone location

Sec. 2. Emergency phone location.

(a) A wireless carrier serving Indiana shall maintain a continuously staffed emergency channel that a parent or legal guardian may initiate by telephone, without fee. The carrier shall immediately route a missing-child location request to trained emergency personnel. A request may be opened while police intake is underway. The carrier shall verify the requester's identity and legal authority, the child's connection to the line, and the reported emergency through a public safety answering point or investigating agency.

(b) If the requester is a verified parent with legal authority or legal guardian, the carrier has a good-faith basis to believe there is a risk of death or serious physical harm, and disclosure is authorized under applicable federal law, the carrier shall immediately provide the minimum reasonably necessary current or last available location, including cell-site-derived location where available and lawful. A separate court order may not be imposed by the carrier where this subsection authorizes disclosure without one. Account ownership alone does not establish legal authority. The carrier shall include the observation time and any known accuracy limitation.

(c) If direct disclosure cannot safely or lawfully occur, including when authority cannot be verified or disclosure could endanger the child, the carrier shall immediately coordinate with the public safety answering point or investigating agency. The investigating agency shall promptly assess and initiate a lawful emergency geolocation request under IC 35-33-5-15 when its criteria are met, and promptly seek appropriate judicial process when required. A carrier shall promptly preserve responsive records upon a lawful governmental preservation request under 18 U.S.C. 2703(f). An alert activation is not a prerequisite to emergency review.

(d) Within thirty (30) minutes after receiving the call, the carrier shall provide a response confirming disclosure, referral, unavailability of responsive data, or the reason verification or review remains pending, to the extent safe and lawful. This deadline does not authorize delay when earlier action is possible. The carrier shall document time, verification, disposition, and disclosure recipient. Disclosure under this section excludes communication contents, unrelated records, and ongoing tracking by the requester.

(e) The Indiana State Police shall publish the emergency intake procedure and coordinate uniform verification and escalation protocols with providers and public safety agencies. This section shall be implemented consistent with applicable federal law and constitutional requirements.

Sec. 3. Account-holder access.

(a) A wireless carrier shall provide authenticated account holders on-demand electronic access to billing, plan, line, and usage records the carrier maintains and may lawfully disclose to the account holder. Records must be made available promptly as they become available to the carrier.

(b) A carrier shall offer an authenticated account holder immediate access to available current or last-known location for a line to the extent disclosure is lawful and any required express authorization has been obtained. For a line used by another person, the carrier shall offer a line-specific opt-in and prompt revocation. A person legally authorized to consent on behalf of the line user may do so where applicable law permits.

(c) A carrier shall accept lawful written requests, including authenticated electronic requests where legally sufficient, for additional customer proprietary network information under 47 U.S.C. 222(c)(2). The carrier shall identify the legal or factual basis for withholding any requested category.

(d) This section does not authorize access to communication contents, require a carrier to generate unavailable information, or supersede applicable federal law.