

ASSEMBLY HOMELAND SECURITY AND STATE  
PREPAREDNESS COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 3147**

with committee amendments

**STATE OF NEW JERSEY**

DATED: MARCH 16, 2023

The Assembly Homeland Security and State Preparedness Committee reports favorably and with committee amendments Assembly Bill No. 3147.

As amended and reported by the committee, Assembly Bill No. 3147 concerns the investigation of missing persons cases.

The amended bill expands the powers and duties of the Missing Persons Unit in the Division of State Police to include: 1) being authorized to issue administrative subpoenas concerning any case involving a missing person or unidentified body to obtain information necessary to conduct an investigation; and 2) being authorized to seek or obtain from an appropriate court, legal process, including but not limited to, subpoenas, warrants, and court orders concerning any case involving a high-risk missing person.

In addition, under the provisions of the amended bill, if a law enforcement agency has reason to believe that a person reported missing is a high risk missing person pursuant to current law, the agency is required to contact the appropriate county prosecutor who is to determine whether the person reported missing is a high risk missing person. If the prosecutor determines that the person is a high risk missing person, there is to be a rebuttable presumption that the person is missing as a result of, or in association with, criminal activity, and the Missing Persons Unit may seek or obtain legal process.

Further, the amended bill provides that if the Missing Persons Unit discovers evidence during the investigation which indicates that the missing person does not meet the definition of a high risk missing person, there is no longer a rebuttable presumption that the person is missing as a result of, or in association with, criminal activity and the Missing Persons Unit shall not seek or obtain legal process under the amended bill's provisions.

Finally, the amended bill provides that the Superior Court, Law Division may release any records that are obtained by the Missing Persons Unit to a governmental entity upon showing of good cause by the governmental entity.

As amended and reported by the committee, Assembly Bill No. 3147 is identical to Senate Bill No. 2081 (1R) which also was reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to make clarifying and technical changes.