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FISCAL IMPACT REPORT

SPONSOR Vigil DATE TYPED 3/10/05 HB 828/aHJC/aHFL#1

SHORT TITLE Amber Alerts as Cell Phone Text Messages SB _____

ANALYST Peery

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	NFI				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Public Safety (DPS)
 Public Regulation Commission (PRC)
 Attorney General's Office (AGO)

SUMMARY

Synopsis of HFL #1 Amendment

The first House Floor Amendment to House Bill 828 includes paging service companies with cellular service companies in providing notification of an Amber Alert through text messages. The amendment clarifies the cellular service and paging service company's customers will receive the text message at no additional expense to the recipient or to any service that accepts the information from the authorized requester and delivers it to the cellular service or paging service company. The amendment adds language to Section 2 pertaining to the authorized requester being able to designate one or more services to accept notification of an Amber Alert and deliver the notification to each cellular service or paging service company. Also, the connections with the services shall be made in the most technically efficient manner possible, using standard network sharing protocol from authorized agencies or their respective communication contractor.

Synopsis of HJC Amendment

The House Judiciary Committee amendment to House Bill 828 clarifies that a representative of a cellular services company may cause a text message to be sent to its customers that use a text

messaging service, alerting them that an Amber Alert has been declared. The amendment also clarifies that a message may be sent to cellular service company's customers at no additional expense to the recipient.

Synopsis of Bill

House Bill 828 proposes changes to the current Amber Alert Act (Section 29-15A-3 NMSA 1978) to require State Police to develop a procedure to notify representatives of cellular service companies operating in New Mexico of an Amber Alert. The proposed legislation requires each cellular company to designate a representative to be on file with State Police as an agent for notification. Cellular companies are required to post a text message to all ext subscribers with the Amber Alert notification.

PERFORMANCE IMPLICATIONS

DPS states any legitimate advancement and enhancement to the Amber Alert Plan is a positive step in improving performance.

ADMINISTRATIVE IMPLICATIONS

DPS reports there are technical glitches that must be addressed and standard operating procedures must be promulgated by all stakeholders in the process. DPS states this requires regular meetings and includes meetings with private companies to enlist their cooperation and collaboration in this effort.

OTHER SUBSTANTIVE ISSUES

DPS reports with more and more emphasis on technology based information sharing there are still significant issues with multiple platforms that are unable to communicate. DPS states this continues to plague the Amber Alert Plan on many levels, including state and national levels.

DPS states jurisdictions currently using similar systems have noted that cellular companies will elect to make the Amber Alert text messages an option for their customers. Subscription numbers for this service have come in at below expected levels.

AGO states the proposed legislation relies on the good will cooperation of the cellular companies for compliance.

ALTERNATIVES

DPS states consideration should be given to adding a new section of the Cellular Telephone Services Act to include names and telephone numbers of representatives or email addresses that will be available at all times for notification of an Amber Alert.

RLP/lg:yr