DEFINITIONS

* "Missing Child" means a person under 18 years of age whose whereabouts are unknown to the child's legal custodian, and the circumstances of whose absence indicate that:

a) The child did not voluntarily leave the care and control of the custodian, and the taking of the child was not authorized by law; or

b) The child voluntarily left the care and control of the legal custodian without the custodian's consent and without the intent to return; or

c) The child was taken or retained in violation of the terms of a court order for possession of or access to the child; or

d) The child was taken or retained without the permission of the custodian and with the effect of depriving the custodian of possession of or access to the child unless the taking or retention of the child was prompted by the commission or attempted commission of family violence.

* "Missing Person" means a person 18 years of age or older whose disappearance is possibly not voluntary. A "Missing Person" also includes a person of any age who is missing and is:

a) under proven physical or mental disability or is senile; or

b) missing under circumstances indicating that the missing person's safety is in doubt; or

c) unemancipated as defined by the laws of this state; or

d) missing after a catastrophe.
The Missing Persons Clearinghouse serves as a central repository of information about Texas' missing and unidentified persons. Through the Clearinghouse, information is compiled in a centralized database, providing for the exchange and dissemination of information with the aim of helping law enforcement locate missing persons and identify unidentified persons.

All Texas law enforcement agencies, upon receiving a report of a missing child/adult, shall immediately enter the name of the person into the Clearinghouse. These entries are made automatically by entering the information into the National Crime Information Center’s (NCIC) Missing Person File.

Texas law enforcement agencies shall enter unidentified living/deceased into the Clearinghouse and the National Crime Information Center’s (NCIC) Unidentified Person File.

A missing person report should be filed with the local law enforcement agency having jurisdiction over the place where the individual was last seen or the place where the individual was last known to reside.

Under Texas law there is no waiting period before a record of a missing person can be filed. The law requires that a law enforcement agency immediately enter a record of a missing child into the National Crime Information Center’s (NCIC) Missing Person File (Article 63.009, Code of Criminal Procedures).