



General Assembly

January Session, 2003

Committee Bill No. 5073

LCO No. 3680

Referred to Committee on Judiciary

Introduced by:
(JUD)

**AN ACT CONCERNING THE ESCAPE OF WANTED PERSONS BY
COMMERCIAL AIRLINER.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2003*) (a) As used in this
2 section, "air carrier" means any person, firm, partnership, corporation,
3 limited liability company, association, trustee, receiver or assignee that
4 engages in air transportation of persons to or from this state and makes
5 regularly scheduled landings or takeoffs in this state.

6 (b) Each air carrier, before allowing any passenger to board an
7 aircraft operated by such air carrier, shall screen such passenger to
8 determine if the name of such passenger appears on (1) a current list of
9 persons for whom an arrest or rearrest warrant has been issued that is
10 furnished to the air carrier by the Judicial Department, or (2) a current
11 list of persons known to be fleeing to avoid criminal prosecution or
12 custody or confinement after conviction in this state that is furnished
13 to the air carrier by the Division of State Police within the Department
14 of Public Safety. If the air carrier determines that the passenger's name
15 appears on one or both of such lists, the air carrier shall immediately
16 notify law enforcement authorities prior to allowing such passenger to

17 board such aircraft. Any air carrier that fails to notify law enforcement
18 authorities in accordance with this subsection shall be liable for treble
19 damages to any person who is harmed by such passenger after such
20 passenger is allowed to board such aircraft.

21 Sec. 2. (NEW) (Effective October 1, 2003) The Judicial Department
22 shall provide each air carrier, as defined in section 1 of this act, with a
23 list containing the name of each person for whom an arrest or rearrest
24 warrant has been issued in this state and who has not been taken into
25 custody. Such list shall be updated and provided not less frequently
26 than once every month.

27 Sec. 3. (NEW) (Effective October 1, 2003) The Division of State Police
28 within the Department of Public Safety shall provide each air carrier,
29 as defined in section 1 of this act, with a list containing the name of
30 each person known to be fleeing to avoid criminal prosecution or
31 custody or confinement after conviction in this state and who has not
32 been taken into custody. Such list shall be updated and provided not
33 less frequently than once every month.

This act shall take effect as follows:	
Section 1	October 1, 2003
Sec. 2	October 1, 2003
Sec. 3	October 1, 2003

Statement of Purpose:

To require airlines to screen for persons known to be fleeing to avoid criminal prosecution, or custody or confinement after conviction, and to prevent such persons from leaving the state on commercial airliners.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. FARR, 19th Dist.

H.B. 5073