

1-1 By: Buckingham, Garcia S.B. No. 1192
 1-2 (In the Senate - Filed March 1, 2017; March 9, 2017, read
 1-3 first time and referred to Committee on Criminal Justice;
 1-4 April 20, 2017, reported favorably by the following vote: Yeas 7,
 1-5 Nays 0; April 20, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9			X	
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to an alert for a missing senior citizen or person with
 1-20 Alzheimer's disease.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. The heading to Subchapter M, Chapter 411,
 1-23 Government Code, is amended to read as follows:

1-24 SUBCHAPTER M. SILVER ALERT FOR MISSING SENIOR CITIZENS AND PERSONS
 1-25 WITH ALZHEIMER'S DISEASE

1-26 SECTION 2. Sections 411.381(1) and (2), Government Code,
 1-27 are amended to read as follows:

1-28 (1) "Alert" means the statewide silver alert for
 1-29 missing senior citizens and persons with Alzheimer's disease, as
 1-30 developed and implemented under this subchapter.

1-31 (2) "Local law enforcement agency" means a local law
 1-32 enforcement agency with jurisdiction over the investigation of a
 1-33 missing senior citizen or person with Alzheimer's disease.

1-34 SECTION 3. Section 411.382, Government Code, is amended to
 1-35 read as follows:

1-36 Sec. 411.382. SILVER ALERT FOR MISSING SENIOR CITIZENS AND
 1-37 PERSONS WITH ALZHEIMER'S DISEASE. With the cooperation of the
 1-38 Texas Department of Transportation, the office of the governor, and
 1-39 other appropriate law enforcement agencies in this state, the
 1-40 department shall develop and implement a statewide silver alert to
 1-41 be activated on behalf of a missing senior citizen or person with
 1-42 Alzheimer's disease.

1-43 SECTION 4. Section 411.383(b), Government Code, is amended
 1-44 to read as follows:

1-45 (b) The director shall adopt rules and issue directives as
 1-46 necessary to ensure proper implementation of the alert. The rules
 1-47 and directives must include:

1-48 (1) the procedures to be used by a local law
 1-49 enforcement agency to verify whether a person reported missing is a
 1-50 senior citizen with[+]

1-51 [~~(A)~~ is missing, and
 1-52 [~~(B)~~ has] an impaired mental condition or a
 1-53 person with Alzheimer's disease and whether the person's location
 1-54 is unknown;

1-55 (2) a description of the circumstances under which a
 1-56 local law enforcement agency is required to report a missing senior
 1-57 citizen or person with Alzheimer's disease to the department; and

1-58 (3) the procedures to be used by an individual or
 1-59 entity to report information about a missing senior citizen or
 1-60 person with Alzheimer's disease to designated media outlets in
 1-61 Texas.

2-1 SECTION 5. Section 411.386, Government Code, is amended to
 2-2 read as follows:

2-3 Sec. 411.386. NOTIFICATION TO DEPARTMENT OF MISSING SENIOR
 2-4 CITIZEN OR PERSON WITH ALZHEIMER'S DISEASE. (a) A local law
 2-5 enforcement agency may notify the department if the agency:

2-6 (1) receives notice of a missing senior citizen or
 2-7 person with Alzheimer's disease;

2-8 (2) verifies that at the time the senior citizen or
 2-9 person with Alzheimer's disease is reported missing:

2-10 (A) the person reported missing:

2-11 (i) is 65 years of age or older and has an
 2-12 impaired mental condition; or

2-13 (ii) is a person with Alzheimer's disease;

2-14 and

2-15 (B) the person's [~~senior citizen's~~] location is
 2-16 unknown; and

2-17 [~~(C) the senior citizen has an impaired mental~~
 2-18 ~~condition; and]~~

2-19 (3) determines that the person's [~~senior citizen's~~]
 2-20 disappearance poses a credible threat to the person's [~~senior~~
 2-21 ~~citizen's~~] health and safety.

2-22 (b) The local law enforcement agency shall:

2-23 (1) require the family or legal guardian of the
 2-24 missing senior citizen or person with Alzheimer's disease to
 2-25 provide documentation of the person's age and [~~senior citizen's~~
 2-26 ~~impaired mental~~] condition to verify the person's status
 2-27 [~~condition~~] as described [~~required~~] by Subsection (a)(2)(A)
 2-28 [~~(a)(2)(C)~~]; and

2-29 (2) as soon as practicable, determine whether the
 2-30 person's [~~senior citizen's~~] disappearance poses a credible threat
 2-31 to the person's [~~senior citizen's~~] health and safety for purposes of
 2-32 Subsection (a)(3).

2-33 SECTION 6. Section 411.387(b), Government Code, is amended
 2-34 to read as follows:

2-35 (b) In issuing the alert, the department shall send the
 2-36 alert to designated media outlets in Texas. Following receipt of
 2-37 the alert, participating radio stations and [~~7~~] television
 2-38 stations [~~7~~] and other participating media outlets may issue the
 2-39 alert at designated intervals to assist in locating the missing
 2-40 senior citizen or person with Alzheimer's disease.

2-41 SECTION 7. Section 411.388, Government Code, is amended to
 2-42 read as follows:

2-43 Sec. 411.388. CONTENT OF SILVER ALERT. The alert must
 2-44 include:

2-45 (1) all appropriate information that is provided by
 2-46 the local law enforcement agency and that may lead to the safe
 2-47 recovery of the missing senior citizen or person with Alzheimer's
 2-48 disease; and

2-49 (2) a statement instructing any person with
 2-50 information related to the missing senior citizen or person with
 2-51 Alzheimer's disease to contact a local law enforcement agency.

2-52 SECTION 8. Section 411.389, Government Code, is amended to
 2-53 read as follows:

2-54 Sec. 411.389. TERMINATION OF SILVER ALERT. (a) The
 2-55 director shall terminate any activation of the alert with respect
 2-56 to a particular missing senior citizen or person with Alzheimer's
 2-57 disease not later than the earlier of the date on which:

2-58 (1) the missing person [~~senior citizen~~] is located or
 2-59 the situation is otherwise resolved; or

2-60 (2) the notification period ends, as determined by
 2-61 department rule.

2-62 (b) A local law enforcement agency that locates a missing
 2-63 senior citizen or person with Alzheimer's disease who is the
 2-64 subject of an alert under this subchapter shall notify the
 2-65 department as soon as possible that the missing person [~~senior~~
 2-66 ~~citizen~~] has been located.

2-67 SECTION 9. This Act takes effect immediately if it receives
 2-68 a vote of two-thirds of all the members elected to each house, as
 2-69 provided by Section 39, Article III, Texas Constitution. If this

3-1 Act does not receive the vote necessary for immediate effect, this
3-2 Act takes effect September 1, 2017.

3-3

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