

1-1 By: Uresti S.B. No. 1622
1-2 (In the Senate - Filed March 9, 2017; March 21, 2017, read
1-3 first time and referred to Committee on Veteran Affairs & Border
1-4 Security; April 24, 2017, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 6, Nays 0;
1-6 April 24, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Campbell	X		
1-10	Huffines	X		
1-11	Buckingham	X		
1-12	Hall		X	
1-13	Lucio	X		
1-14	Rodríguez	X		
1-15	Uresti	X		

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1622 By: Uresti

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

1-19 relating to the creation of a statewide alert system for missing
1-20 military members.

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

1-22 SECTION 1. Chapter 411, Government Code, is amended by
1-23 adding Subchapter P to read as follows:

1-24 SUBCHAPTER P. CAMO ALERT FOR MISSING MILITARY MEMBERS

1-25 Sec. 411.441. DEFINITIONS. In this subchapter:

1-26 (1) "Alert" means the statewide camo alert for missing
1-27 military members that is developed and implemented under this
1-28 subchapter.

1-29 (2) "Law enforcement agency" means a law enforcement
1-30 agency with jurisdiction over the investigation of a missing
1-31 military member.

1-32 (3) "Military member" means a person who is a current
1-33 or former member of the United States armed forces, including the
1-34 National Guard or a reserve or auxiliary unit of any branch of the
1-35 armed forces.

1-36 Sec. 411.442. CAMO ALERT FOR MISSING MILITARY MEMBERS.
1-37 With the cooperation of the Texas Department of Transportation, the
1-38 office of the governor, and other appropriate law enforcement
1-39 agencies in this state, the department shall develop and implement
1-40 a statewide camo alert to be activated on behalf of a missing
1-41 military member who suffers from a mental illness, including
1-42 post-traumatic stress disorder, or a traumatic brain injury.

1-43 Sec. 411.443. ADMINISTRATION. (a) The director is the
1-44 statewide coordinator of the alert.

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 law enforcement
1-49 agency to verify whether a military member:

1-50 (A) is missing; and

1-51 (B) suffers from a mental illness, including
1-52 post-traumatic stress disorder, or a traumatic brain injury;

1-53 (2) a description of the circumstances under which a
1-54 law enforcement agency is required to report a missing military
1-55 member to the department;

1-56 (3) the procedures to be used by an individual or
1-57 entity to report information about a missing military member to
1-58 designated media outlets in this state;

1-59 (4) guidelines for protecting the privacy of a missing
1-60 military member for whom an alert has been issued; and

2-1 (5) the procedures to be used by a military member to
 2-2 opt out of any activation of the alert system with respect to the
 2-3 member.

2-4 (c) The director shall prescribe forms for use by law
 2-5 enforcement agencies in requesting activation of the alert system.

2-6 Sec. 411.444. DEPARTMENT TO RECRUIT PARTICIPANTS. The
 2-7 department shall recruit public and commercial television and radio
 2-8 broadcasters, private commercial entities, state or local
 2-9 governmental entities, the public, and other appropriate persons to
 2-10 assist in developing and implementing the alert system.

2-11 Sec. 411.445. STATE AGENCIES. (a) A state agency
 2-12 participating in the alert system shall:

2-13 (1) cooperate with the department and assist in
 2-14 developing and implementing the alert system; and

2-15 (2) establish a plan for providing relevant
 2-16 information to its officers, investigators, or employees, as
 2-17 appropriate, once the alert system has been activated.

2-18 (b) In addition to its duties as a state agency under
 2-19 Subsection (a), the Texas Department of Transportation shall
 2-20 establish a plan for providing relevant information to the public
 2-21 through an existing system of dynamic message signs located across
 2-22 the state.

2-23 Sec. 411.446. NOTIFICATION TO DEPARTMENT OF MISSING
 2-24 MILITARY MEMBER. (a) A law enforcement agency shall notify the
 2-25 department if the agency:

2-26 (1) receives notice of a missing military member;

2-27 (2) verifies that at the time the military member is
 2-28 reported missing:

2-29 (A) the person reported missing is a military
 2-30 member;

2-31 (B) the military member's location is unknown;

2-32 (C) the military member's domicile is in this
 2-33 state; and

2-34 (D) the military member suffers from a mental
 2-35 illness, including post-traumatic stress disorder, or a traumatic
 2-36 brain injury; and

2-37 (3) determines that the military member's
 2-38 disappearance poses a credible threat to the military member's
 2-39 health and safety or the health and safety of another.

2-40 (b) The law enforcement agency shall:

2-41 (1) require the family or legal guardian of the
 2-42 missing military member to provide documentation of the military
 2-43 member's mental illness to verify the condition as required by
 2-44 Subsection (a)(2)(D); and

2-45 (2) as soon as practicable, determine whether the
 2-46 military member's disappearance poses a credible threat to the
 2-47 military member's health and safety or the health and safety of
 2-48 another for purposes of Subsection (a)(3).

2-49 Sec. 411.447. ACTIVATION OF CAMO ALERT. (a) When a law
 2-50 enforcement agency notifies the department under Section 411.446,
 2-51 the department shall confirm the accuracy of the information and,
 2-52 if confirmed, immediately issue an alert under this subchapter in
 2-53 accordance with department rules.

2-54 (b) In issuing the alert, the department shall send the
 2-55 alert to designated media outlets in this state. Following receipt
 2-56 of the alert, participating radio stations and television stations
 2-57 and other participating media outlets may issue the alert at
 2-58 designated intervals to assist in locating the missing military
 2-59 member.

2-60 Sec. 411.448. CONTENT OF CAMO ALERT. The alert must
 2-61 include:

2-62 (1) all appropriate information that is provided by
 2-63 the law enforcement agency under Section 411.446 and that may lead
 2-64 to the safe recovery of the missing military member; and

2-65 (2) a statement instructing any person with
 2-66 information related to the missing military member to contact a law
 2-67 enforcement agency.

2-68 Sec. 411.449. TERMINATION OF CAMO ALERT. (a) The director
 2-69 shall terminate any activation of the alert with respect to a

3-1 particular missing military member not later than the earlier of
 3-2 the date on which:
 3-3 (1) the missing military member is located or the
 3-4 situation is otherwise resolved; or
 3-5 (2) the notification period ends, as determined by
 3-6 department rule.
 3-7 (b) A law enforcement agency that locates a missing military
 3-8 member who is the subject of an alert under this subchapter shall
 3-9 notify the department as soon as possible that the missing military
 3-10 member has been located.
 3-11 Sec. 411.450. EXPIRATION OF SUBCHAPTER. This subchapter
 3-12 expires September 1, 2021.
 3-13 SECTION 2. This Act takes effect September 1, 2017.

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