

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 2030

By: Steele

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5
6 AS INTRODUCED

7 An Act relating to public safety, creating the Silver
8 Alert Act; defining terms; requiring the Department
9 of Public Safety to develop and implement a statewide
10 silver alert system; providing for the administration
11 of the system; providing duties of the Commissioner
12 of Public Safety; requiring rules and directives to
13 include certain information; providing criteria for
14 activation of silver alert; providing requirements
15 for local law enforcement agencies; providing
16 information to be included in the silver alert;
17 providing for termination of a silver alert;
18 requiring certain notification; providing for
19 codification; and providing an effective date.

20 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

21 SECTION 1. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 1-1990.1 of Title 63, unless
23 there is created a duplication in numbering, reads as follows:

24 This act shall be known and may be cited as the "Silver Alert
Act".

SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 1-1990.2 of Title 63, unless
there is created a duplication in numbering, reads as follows:

1 As used in the Silver Alert Act:

2 1. "Alert" means the statewide silver alert for missing senior
3 citizens;

4 2. "Local law enforcement agency" includes, but is not limited
5 to, a county sheriff's office, a police department of a municipality
6 or city, or the state highway patrol;

7 3. "Media outlets" includes but is not limited to, radio
8 stations, television stations, newspapers and local support
9 organizations; and

10 4. "Missing senior citizen" means a person:

11 a. whose whereabouts are unknown,

12 b. whose age at the time the person is first reported
13 missing is sixty (60) years of age or older and who is
14 believed to be suffering from dementia or other
15 cognitive impairment, and

16 c. whose disappearance poses a credible threat to the
17 safety and health of the person, as determined by a
18 local law enforcement agency.

19 SECTION 3. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 1-1990.3 of Title 63, unless
21 there is created a duplication in numbering, reads as follows:

22 The Department of Public Safety shall develop and implement a
23 statewide silver alert system to be activated on behalf of a missing
24 senior citizen in cooperation with the Department of Transportation,

1 the Department of Human Services, any local law enforcement agency,
2 the Oklahoma Association of Broadcasters and any other appropriate
3 state or local agencies.

4 SECTION 4. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 1-1990.4 of Title 63, unless
6 there is created a duplication in numbering, reads as follows:

7 The Commissioner of Public Safety is the statewide coordinator
8 of the silver alert system and shall:

9 1. Adopt rules and issue directives as necessary to ensure
10 proper implementation of the alert. The rules and directives shall
11 include:

12 a. the procedures to be used by a local law enforcement
13 agency to verify whether a senior citizen:

14 (1) is missing,

15 (2) is believed to be suffering from dementia or
16 other cognitive impairment, and

17 (3) whose disappearance is believed to pose a
18 credible risk to the health and safety of the
19 missing person,

20 b. the procedures for local law enforcement agencies to
21 follow in initiating a statewide silver alert,

22 c. the method whereby information is distributed to
23 statewide media outlets, including the State Emergency
24 Alert System,

1 d. the procedures for the receipt and evaluation of
2 information received from the public about the missing
3 senior citizen, and

4 e. the procedure for the termination of a silver alert;
5 and

6 2. Coordinate with local and statewide media outlets for the
7 rapid and accurate announcement of a silver alert to the public.

8 SECTION 5. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 1-1990.5 of Title 63, unless
10 there is created a duplication in numbering, reads as follows:

11 A. A silver alert shall be activated if a local law enforcement
12 agency:

13 1. Receives notice of a missing senior citizen;

14 2. Verifies that at the time the senior citizen is reported
15 missing:

16 a. the person reported missing is sixty (60) years of age
17 or older,

18 b. the location of the senior citizen is unknown, or

19 c. the senior citizen has dementia or other cognitive
20 impairment;

21 3. Determines that the disappearance of the senior citizen
22 poses a credible threat to the health and safety of the senior
23 citizen; and
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1 4. Determines that information which may assist in the safe
2 recovery of the missing senior citizen is available.

3 B. The local law enforcement agency shall:

4 1. Require the family or legal guardian of the missing senior
5 citizen to provide documentation of the impaired mental condition of
6 the senior citizen;

7 2. Determine identifying information about the missing senior
8 citizen and any other information which might be useful to the
9 general public in the safe recovery of the missing senior citizen;
10 and

11 3. Report the individual through the national crime information
12 center not later than twenty-four (24) hours after the local law
13 enforcement agency received report of the missing senior citizen.

14 SECTION 6. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 1-1990.6 of Title 63, unless
16 there is created a duplication in numbering, reads as follows:

17 The silver alert shall include:

18 1. All appropriate information that is provided by the local
19 law enforcement agency that may lead to the safe recovery of the
20 missing senior citizen; and

21 2. A statement instructing any person with information related
22 to the missing senior citizen to contact a local law enforcement
23 agency.

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1 SECTION 7. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1-1990.7 of Title 63, unless
3 there is created a duplication in numbering, reads as follows:

4 A. The Commissioner of Public safety shall terminate any silver
5 alert with respect to a particular missing senior citizen not later
6 than the earlier of the date on which:

7 1. The missing senior citizen is located or the situation is
8 otherwise resolved; or

9 2. The notification period ends, as determined by Department
10 rule.

11 B. A local law enforcement agency that locates a missing senior
12 citizen who is the subject of a silver alert shall immediately
13 notify the Department of Public Safety.

14 SECTION 8. This act shall become effective November 1, 2009.

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