

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 ENGROSSED SENATE
5 BILL NO. 823

By: Pugh of the Senate

and

Martinez of the House

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9 [public health and safety - definitions -
10 implementation - effective date]

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

13 SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-1990.2, is
14 amended to read as follows:

15 Section 1-1990.2. As used in the Silver Alert Act:

16 1. "Alert" means the statewide silver alert for missing senior
17 citizens or distressed individuals;

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

21 3. "Media outlet" includes but is not limited to radio
22 stations, television stations, newspapers and local support
23 organizations; and
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1 4. "Missing senior citizen or distressed individual" means a
2 person:

3 a. whose whereabouts are unknown,

4 b. whose age at the time the person is first reported
5 missing is sixty (60) years of age or older and who is
6 believed to be suffering from dementia or other
7 cognitive impairment, ~~and~~

8 c. whose disappearance poses a credible threat to the
9 safety and health of the person, as determined by a
10 local law enforcement agency, or

11 d. whose current mental health status prohibits them from
12 reasonable and prudent judgment.

13 SECTION 2. AMENDATORY 63 O.S. 2011, Section 1-1990.3, is
14 amended to read as follows:

15 Section 1-1990.3. The Department of Public Safety shall develop
16 and implement a statewide silver alert system to be activated on
17 behalf of a missing senior citizen or distressed individual in
18 cooperation with the Department of Transportation, the Department of
19 Human Services, any local law enforcement agency, the Oklahoma
20 Association of Broadcasters and any other appropriate state or local
21 agencies.

22 SECTION 3. AMENDATORY 63 O.S. 2011, Section 1-1990.4, is
23 amended to read as follows:

1 Section 1-1990.4. The Commissioner of Public Safety is the
2 statewide coordinator of the silver alert system and shall:

3 1. Adopt rules and issue directives as necessary to ensure
4 proper implementation of the alert. The rules and directives shall
5 include:

6 a. the procedures to be used by a local law enforcement
7 agency to verify whether a senior citizen or an
8 individual:

9 (1) is missing,

10 (2) is believed to be suffering from dementia or
11 other cognitive impairment, ~~and~~

12 (3) is one whose disappearance is believed to pose a
13 credible risk to the health and safety of the
14 missing person, or

15 (4) is currently undergoing a mental health crisis,

16 b. the criteria for local law enforcement agencies to
17 consider in circumstances in which a missing person
18 may not meet the age requirements of a silver alert
19 but whose safety would be best protected by the
20 issuance of a silver alert,

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

23 d. the method whereby information is distributed to
24 statewide media outlets,

- 1 e. the procedures for the receipt and evaluation of
2 information received from the public about the missing
3 senior citizen or individual, and
4 f. 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 4. This act shall become effective November 1, 2017.

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10 COMMITTEE REPORT BY: COMMITTEE ON HEALTH SERVICES AND LONG-TERM
11 CARE, dated 04/12/2017 - DO PASS.
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