

1-1 By: Uresti S.B. No. 1315  
1-2 (In the Senate - Filed March 7, 2007; March 19, 2007, read  
1-3 first time and referred to Committee on Criminal Justice;  
1-4 April 10, 2007, reported favorably by the following vote: Yeas 4,  
1-5 Nays 0; April 10, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to a silver alert for missing senior citizens.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Chapter 411, Government Code, is amended by  
1-11 adding Subchapter M to read as follows:

1-12 SUBCHAPTER M. SILVER ALERT FOR MISSING SENIOR CITIZENS

1-13 Sec. 411.381. DEFINITIONS. In this subchapter:

1-14 (1) "Alert" means the statewide silver alert for  
1-15 missing senior citizens developed and implemented under this  
1-16 subchapter.

1-17 (2) "Local law enforcement agency" means a local law  
1-18 enforcement agency with jurisdiction over the investigation of a  
1-19 missing senior citizen.

1-20 (3) "Senior citizen" means a person who is 65 years of  
1-21 age or older.

1-22 Sec. 411.382. SILVER ALERT FOR MISSING SENIOR CITIZENS.  
1-23 With the cooperation of the Texas Department of Transportation, the  
1-24 office of the governor, and other appropriate law enforcement  
1-25 agencies in this state, the department shall develop and implement  
1-26 a statewide silver alert to be activated on behalf of a missing  
1-27 senior citizen.

1-28 Sec. 411.383. ADMINISTRATION. (a) The director is the  
1-29 statewide coordinator of the alert.

1-30 (b) The director shall adopt rules and issue directives as  
1-31 necessary to ensure proper implementation of the alert. The rules  
1-32 and directives must include:

1-33 (1) the procedures to be used by a local law  
1-34 enforcement agency to verify whether a senior citizen:

1-35 (A) is missing; and

1-36 (B) has an impaired mental condition;

1-37 (2) a description of the circumstances under which a  
1-38 local law enforcement agency is required to report a missing senior  
1-39 citizen to the department; and

1-40 (3) the procedures to be used by an individual or  
1-41 entity to report information about a missing senior citizen to  
1-42 designated media outlets in Texas.

1-43 Sec. 411.384. DEPARTMENT TO RECRUIT PARTICIPANTS. The  
1-44 department shall recruit public and commercial television and radio  
1-45 broadcasters, private commercial entities, state or local  
1-46 governmental entities, the public, and other appropriate persons to  
1-47 assist in developing and implementing the alert.

1-48 Sec. 411.385. DUTIES OF TEXAS DEPARTMENT OF TRANSPORTATION.  
1-49 The Texas Department of Transportation shall:

1-50 (1) cooperate with the department and assist in  
1-51 developing and implementing the alert; and

1-52 (2) establish a plan for providing relevant  
1-53 information to the public through an existing system of dynamic  
1-54 message signs located across the state.

1-55 Sec. 411.386. NOTIFICATION TO DEPARTMENT OF MISSING SENIOR  
1-56 CITIZEN. (a) A local law enforcement agency may notify the  
1-57 department if the agency:

1-58 (1) receives notice of a missing senior citizen;

1-59 (2) verifies that at the time the senior citizen is  
1-60 reported missing:

1-61 (A) the person reported missing is 65 years of  
1-62 age or older;

1-63 (B) the senior citizen's location is unknown;

1-64 (C) the senior citizen's domicile is in Texas;

2-1 and  
2-2 (D) the senior citizen has an impaired mental  
2-3 condition; and

2-4 (3) determines that the senior citizen's disappearance  
2-5 poses a credible threat to the senior citizen's health and safety.

2-6 (b) The local law enforcement agency shall:

2-7 (1) require the family or legal guardian of the  
2-8 missing senior citizen to provide documentation of the senior  
2-9 citizen's impaired mental condition to verify the condition as  
2-10 required by Subsection (a)(2)(D); and

2-11 (2) as soon as practicable, determine whether the  
2-12 senior citizen's disappearance poses a credible threat to the  
2-13 senior citizen's health and safety for purposes of Subsection  
2-14 (a)(3).

2-15 Sec. 411.387. ACTIVATION OF SILVER ALERT. (a) When a  
2-16 local law enforcement agency notifies the department under Section  
2-17 411.386, the department shall confirm the accuracy of the  
2-18 information and, if confirmed, immediately issue an alert under  
2-19 this subchapter in accordance with department rules.

2-20 (b) In issuing the alert, the department shall send the  
2-21 alert to designated media outlets in Texas. Following receipt of  
2-22 the alert, participating radio stations, television stations, and  
2-23 other media outlets may issue the alert at designated intervals to  
2-24 assist in locating the missing senior citizen.

2-25 Sec. 411.388. CONTENT OF SILVER ALERT. The alert must  
2-26 include:

2-27 (1) all appropriate information that is provided by  
2-28 the local law enforcement agency and that may lead to the safe  
2-29 recovery of the missing senior citizen; and

2-30 (2) a statement instructing any person with  
2-31 information related to the missing senior citizen to contact a  
2-32 local law enforcement agency.

2-33 Sec. 411.389. TERMINATION OF SILVER ALERT. (a) The  
2-34 director shall terminate any activation of the alert with respect  
2-35 to a particular missing senior citizen not later than the earlier of  
2-36 the date on which:

2-37 (1) the missing senior citizen is located or the  
2-38 situation is otherwise resolved; or

2-39 (2) the notification period ends, as determined by  
2-40 department rule.

2-41 (b) A local law enforcement agency that locates a missing  
2-42 senior citizen who is the subject of an alert under this subchapter  
2-43 shall notify the department as soon as possible that the missing  
2-44 senior citizen has been located.

2-45 SECTION 2. This Act takes effect September 1, 2007.

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