

By: Pickett

H.B. No. 2522

A BILL TO BE ENTITLED

AN ACT

relating to the circumstances under which the Department of Public Safety may issue a silver alert for a missing senior citizen.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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

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

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

(A) is missing; and

(B) has an impaired mental condition;

(2) a description of the circumstances under which a local law enforcement agency is required or authorized to report a missing senior citizen to the department; and

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

SECTION 2. Subchapter M, Chapter 411, Government Code, is amended by adding Section 411.3865 to read as follows:

Sec. 411.3865. MISSING SENIOR CITIZEN IN IMMINENT DANGER.

The director shall adopt rules authorizing a local law enforcement agency to request the issuance of an alert under this subchapter for

1 a missing senior citizen whose life may be in imminent danger,  
2 regardless of whether the agency is able to verify the information  
3 otherwise required by Section 411.386(a)(2).

4 SECTION 3. Section 411.387(a), Government Code, is amended  
5 to read as follows:

6 (a) When a local law enforcement agency provides notice of a  
7 missing senior citizen to [~~notifies~~] the department under Section  
8 411.386 or 411.3865, the department shall confirm the accuracy of  
9 the information provided with the notice and, if confirmed,  
10 immediately issue an alert under this subchapter in accordance with  
11 department rules.

12 SECTION 4. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2009.