

By: Hernandez

H.B. No. 834

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the criteria for issuing a silver alert for a missing  
3 senior citizen.

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

5 SECTION 1. Section 411.386, Government Code, is amended to  
6 read as follows:

7 Sec. 411.386. NOTIFICATION TO DEPARTMENT OF MISSING SENIOR  
8 CITIZEN. (a) A local law enforcement agency may notify the  
9 department if the agency:

10 (1) receives notice of a missing senior citizen;  
11 (2) verifies that at the time the senior citizen is  
12 reported missing:

13 (A) the person reported missing is 65 years of  
14 age or older;

15 (B) the senior citizen's location is unknown; and

16 (C) ~~[the senior citizen's domicile is in Texas,~~  
17 ~~and~~

18 ~~[(D)]~~ the senior citizen has an impaired mental  
19 condition; and

20 (3) determines that the senior citizen's disappearance  
21 poses a credible threat to the senior citizen's health and safety.

22 (b) The local law enforcement agency shall:

23 (1) require the family or legal guardian of the  
24 missing senior citizen to provide documentation of the senior

1 citizen's impaired mental condition to verify the condition as  
2 required by Subsection (a)(2)(C) [~~(a)(2)(D)~~]; and

3 (2) as soon as practicable, determine whether the  
4 senior citizen's disappearance poses a credible threat to the  
5 senior citizen's health and safety for purposes of Subsection  
6 (a)(3).

7 SECTION 2. This Act takes effect immediately if it receives  
8 a vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2015.