

BILL ANALYSIS

Senate Research Center
85R10512 LHC-F

H.B. 2639
By: Pickett et al. (Buckingham)
Administration
5/22/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Relating to an alert for a missing senior citizen or person with Alzheimer's disease.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the public safety director is modified in SECTION 4 (Section 411.383, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Subchapter M, Chapter 411, Government Code, to read as follows:

SUBCHAPTER M. SILVER ALERT FOR MISSING SENIOR CITIZENS AND PERSONS
WITH ALZHEIMER'S DISEASE

SECTION 2. Amends Sections 411.381(1) and (2), Government Code, to redefine "alert" and "local law enforcement agency."

SECTION 3. Amends Section 411.382, Government Code, as follows:

Sec. 411.382. New heading: SILVER ALERT FOR MISSING SENIOR CITIZENS AND PERSONS WITH ALZHEIMER'S DISEASE. Changes a reference to a missing senior citizen to a missing senior citizen or person with Alzheimer's disease.

SECTION 4. Amends Section 411.383(b), Government Code, as follows:

(b) Requires that the rules and directives adopted by the public safety director include:

(1) the procedures to be used by a local law enforcement agency to verify whether a person reported missing is a senior citizen with an impaired mental condition or a person with Alzheimer's disease and whether the person's location is unknown, rather than the procedures to be used by a local law enforcement agency to verify whether a senior citizen is missing and has an impaired mental condition. Makes nonsubstantive changes;

(2) and (3) makes conforming changes.

SECTION 5. Amends Section 411.386, Government Code, as follows:

Sec. 411.386. New heading: NOTIFICATION TO DEPARTMENT OF MISSING SENIOR CITIZEN OR PERSON WITH ALZHEIMER'S DISEASE. (a) Authorizes a local law enforcement agency to notify the Texas Department of Public Safety (DPS) if the agency:

(1) makes a conforming change;

(2) verifies that at the time the senior citizen or person with Alzheimer's disease is reported missing, rather than the senior citizen is reported missing:

(A) the person reported missing:

(i) creates this subparagraph from existing text to include a person who is 65 years of age or older and has an impaired mental condition; or

(ii) is a person with Alzheimer's disease; and

(B) the person's, rather than senior citizen's, location is unknown; and

(C) deletes this paragraph.

(3) makes conforming changes.

(b) Requires the local law enforcement agency to:

(1) require the family or legal guardian of the missing senior citizen or person with Alzheimer's disease to provide documentation of the person's age and condition to verify the person's status as described by Subsection (a)(2)(A), rather than require the family or legal guardian of the missing senior citizen to provide documentation of the senior citizen's impaired mental condition to verify the condition as required by Subsection (a)(2)(C); and

(2) makes conforming changes.

SECTION 6. Amends Section 411.387(b), Government Code, to make nonsubstantive changes and a conforming change.

SECTION 7. Amends Section 411.388, Government Code, to make conforming changes to the content of a silver alert.

SECTION 8. Amends Section 411.389, Government Code, to make conforming changes.

SECTION 9. Effective date: upon passage or September 1, 2017.