

By: Uresti

S.B. No. 1622

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a statewide alert system for missing military members.

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

SECTION 1. Chapter 411, Government Code, is amended by adding Subchapter P to read as follows:

SUBCHAPTER P. CAMO ALERT FOR MISSING MILITARY MEMBERS

Sec. 411.441. DEFINITIONS. In this subchapter:

(1) "Alert" means the statewide camo alert for missing military members that is developed and implemented under this subchapter.

(2) "Local law enforcement agency" means a local law enforcement agency with jurisdiction over the investigation of a missing military member.

(3) "Military member" means a person who is a current or former member of the United States armed forces, including the National Guard or a reserve or auxiliary unit of any branch of the armed forces.

Sec. 411.442. CAMO ALERT FOR MISSING MILITARY MEMBERS. With the cooperation of the Texas Department of Transportation, the office of the governor, and other appropriate law enforcement agencies in this state, the department shall develop and implement a statewide camo alert to be activated on behalf of a missing military member who suffers from a mental illness, including

1 post-traumatic stress disorder, or a traumatic brain injury.

2 Sec. 411.443. ADMINISTRATION. (a) The director is the
3 statewide coordinator of the alert.

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

7 (1) the procedures to be used by a local law
8 enforcement agency to verify whether a military member:

9 (A) is missing; and

10 (B) suffers from a mental illness, including
11 post-traumatic stress disorder, or a traumatic brain injury;

12 (2) a description of the circumstances under which a
13 local law enforcement agency is required to report a missing
14 military member to the department; and

15 (3) the procedures to be used by an individual or
16 entity to report information about a missing military member to
17 designated media outlets in Texas.

18 (c) The director shall prescribe forms for use by local law
19 enforcement agencies in requesting activation of the alert system.

20 Sec. 411.444. DEPARTMENT TO RECRUIT PARTICIPANTS. The
21 department shall recruit public and commercial television and radio
22 broadcasters, private commercial entities, state or local
23 governmental entities, the public, and other appropriate persons to
24 assist in developing and implementing the alert system.

25 Sec. 411.445. STATE AGENCIES. (a) A state agency
26 participating in the alert system shall:

27 (1) cooperate with the department and assist in

developing and implementing the alert system; and

(2) establish a plan for providing relevant information to its officers, investigators, or employees, as appropriate, once the alert system has been activated.

(b) In addition to its duties as a state agency under Subsection (a), the Texas Department of Transportation shall establish a plan for providing relevant information to the public through an existing system of dynamic message signs located across the state.

Sec. 411.446. NOTIFICATION TO DEPARTMENT OF MISSING MILITARY MEMBER. (a) A local law enforcement agency shall notify the department if the agency:

(1) receives notice of a missing military member;

(2) verifies that at the time the military member is reported missing:

(A) the person reported missing is a military member;

(B) the military member's location is unknown;

(C) the military member's domicile is in Texas;

and

(D) the military member suffers from a mental illness, including post-traumatic stress disorder, or a traumatic brain injury; and

(3) determines that the military member's disappearance poses a credible threat to the military member's health and safety or the health and safety of another.

(b) The local law enforcement agency shall:

1 (1) require the family or legal guardian of the
2 missing military member to provide documentation of the military
3 member's mental illness to verify the condition as required by
4 Subsection (a)(2)(D); and

5 (2) as soon as practicable, determine whether the
6 military member's disappearance poses a credible threat to the
7 military member's health and safety or the health and safety of
8 another for purposes of Subsection (a)(3).

9 Sec. 411.447. ACTIVATION OF CAMO ALERT. (a) When a local
10 law enforcement agency notifies the department under Section
11 411.446, the department shall confirm the accuracy of the
12 information and, if confirmed, immediately issue an alert under
13 this subchapter in accordance with department rules.

14 (b) In issuing the alert, the department shall send the
15 alert to designated media outlets in Texas. Following receipt of
16 the alert, participating radio stations, television stations, and
17 other media outlets may issue the alert at designated intervals to
18 assist in locating the missing military member.

19 Sec. 411.448. CONTENT OF CAMO ALERT. The alert must
20 include:

21 (1) all appropriate information that is provided by
22 the local law enforcement agency under Section 411.446 and that may
23 lead to the safe recovery of the missing military member; and

24 (2) a statement instructing any person with
25 information related to the missing military member to contact a
26 local law enforcement agency.

27 Sec. 411.449. TERMINATION OF CAMO ALERT. (a) The director

1 shall terminate any activation of the alert with respect to a
2 particular missing military member not later than the earlier of
3 the date on which:

4 (1) the missing military member is located or the
5 situation is otherwise resolved; or

6 (2) the notification period ends, as determined by
7 department rule.

8 (b) A local law enforcement agency that locates a missing
9 military member who is the subject of an alert under this subchapter
10 shall notify the department as soon as possible that the missing
11 military member has been located.

12 SECTION 2. This Act takes effect September 1, 2017.