

Regular Session, 2008

ACT No. 662

HOUSE BILL NO. 1378 (Substitute for House Bill No. 611 by Representative Simon)

BY REPRESENTATIVE SIMON

LAW ENFORCEMENT: Provides for a Silver Alert Network for locating missing persons with a mental impairment

1 AN ACT

2 To enact Chapter 24-D of Title 40 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 40:2529, relative to a Silver Alert Network for reporting and
4 locating missing persons with a mental impairment; to provide for a Silver Alert
5 Steering Committee; to provide for authority and duties of the committee; to provide
6 for recommendations to the legislature; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Chapter 24-D of Title 40 of the Louisiana Revised Statutes of 1950,
9 comprised of R.S. 40:2529, is hereby enacted to read as follows:

10 CHAPTER 24-D. SILVER ALERT NETWORK

11 §2529. Silver Alert Network; Silver Alert Steering Committee

12 A. There is hereby created a Silver Alert Network for issuing a "Silver Alert"
13 for a person with a verified mental impairment who is missing from his residence or
14 from the supervision of his caretaker, whose whereabouts are unknown, and which
15 poses a credible threat to the person's health and safety.

16 B. There is hereby created a Silver Alert Steering Committee, composed of
17 the following members:

18 (1) The deputy secretary for public safety services of the Louisiana
19 Department of Public Safety and Corrections, or his designee, who shall serve as
20 chairman.

1 (2) The secretary of the Louisiana Department of Transportation and
2 Development or his designee.

3 (3) The presiding officers or their designees of each the following:
4 Louisiana State Troopers Association, Louisiana Association of Chiefs of Police, and
5 the Louisiana Sheriffs' Association.

6 (4) A representative or designee of each of the following: Louisiana
7 Association of Broadcasters and the Louisiana Cable and Telecommunications
8 Association.

9 (5) A representative or designee of each of the following: Louisiana Chapter
10 of the Alzheimer's Association and the director of the Governor's Office of Elderly
11 Affairs.

12 C. The Silver Alert Steering Committee shall study and make
13 recommendations to the legislature on all of the following:

14 (1) Criteria for activation of a "Silver Alert" and guidelines for determining
15 whether the alert shall be issued on a local, regional, or statewide basis.

16 (2) The appropriate alert, including the use of the Louisiana State Police
17 Level II notification system, but excluding the use of the Amber Alert System or the
18 Emergency Alert System.

19 (3) Providing procedures for determination by the law enforcement agency
20 receiving information that a person with a mental impairment is missing, and
21 verification that the person is in fact missing, has a diagnosed mental impairment,
22 and that the person's disappearance poses a credible threat to his health and safety.

23 (4) Specific information to be provided to the public and the media which
24 will assist in the safe recovery of the missing person with a mental impairment,
25 recognizing that the participation by the media is voluntary and that collaboration
26 with media is integral to the recovery of missing persons with a mental impairment.

1 (5) A plan for activating the dynamic highway message signs under the
2 jurisdiction of the Louisiana Department of Transportation and Development with
3 a "Silver Alert", if the person with a mental impairment was driving a vehicle at the
4 time of his disappearance and accurate vehicle information is available.

5 (6) Recommendations on an educational training video for use by all law
6 enforcement agencies in the state which shall be made available on a Louisiana State
7 Police web site designated for the "Silver Alert" Network.

8 (7) Any other recommendations necessary for the implementation of the
9 Silver Alert Network.

10 D. As used in this Section:

11 (1) "Media" means print, radio, television, Internet-based communication
12 systems, or other methods of communicating information to the public.

13 (2) "Mental impairment" means any psychological, cognitive, or mental
14 impairment, decline, disorder, or condition, including but not limited to Alzheimer's
15 disease or dementia but excluding chronic alcoholism or any other form of active
16 drug addiction.

17 (3) "Person" means a person eighteen years of age or older who is domiciled
18 in Louisiana.

19 (4) "Silver Alert" means the notice provided to the public through law
20 enforcement and the media that a person with a verified mental impairment is
21 missing from his residence or from the supervision of his caretaker, his whereabouts
22 are unknown, and that the person's health and safety may be in danger.

23 Section 2. The deputy secretary for public safety services of the Louisiana
24 Department of Public Safety and Corrections shall hold at least three meetings of the Silver
25 Alert Steering Committee prior to the convening of the 2009 Regular Session of the
26 Louisiana Legislature, with the first meeting to be called on or before September 2, 2008.
27 The committee shall submit its recommendations to the legislature sixty days prior to the
28 convening of the 2009 Regular Session.

1 Section 3. This Act shall become effective on July 1, 2008; if vetoed by the governor
2 and subsequently approved by the legislature, this Act shall become effective on July 1,
3 2008, or on the day following such approval by the legislature, whichever is later.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____