

1 HB42  
2 203429-3  
3 By Representative Hall  
4 RFD: Children and Senior Advocacy  
5 First Read: 04-FEB-20  
6 PFD: 01/23/2020

1 ENGROSSED

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4 A BILL  
5 TO BE ENTITLED  
6 AN ACT  
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8 Relating to missing and endangered persons; to amend  
9 Sections 26-19A-1, 26-19A-2, 26-19A-3, 26-19A-4, and 26-19A-5,  
10 Code of Alabama 1975, to expand existing law to include  
11 missing and endangered persons living with a mental or  
12 physical disability who are at risk of bodily harm or death.  
13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. Sections 26-19A-1, 26-19A-2, 26-19A-3,  
15 26-19A-4, and 26-19A-5, Code of Alabama 1975, are amended to  
16 read as follows:

17 "§26-19A-1.

18 "This chapter shall be known and may be cited as the  
19 Missing ~~Senior Citizen~~ and Endangered Persons Alert Act.

20 "§26-19A-2.

21 "The Missing ~~Senior Citizen~~ and Endangered Persons  
22 Alert Act is enacted for the following purposes:

23 "(1) To provide a rapid response to missing or lost  
24 ~~senior citizens~~ persons suffering from living with a mental  
25 disability, physical disability, Alzheimer's disease,  
26 dementia, or autism and are at risk of bodily harm or death ~~or~~  
27 ~~persons suffering from Alzheimer's disease or dementia.~~

1           "(2) To gain the voluntary assistance of the  
2 broadcast media to help locate missing ~~senior citizens~~ and  
3 endangered persons.

4           "§26-19A-3.

5           "When used in this chapter, the following words and  
6 terms shall have the following meanings:

7           "~~(1) ACJIC. The Alabama Criminal Justice Information~~  
8 ~~Center.~~

9           "~~(2)~~ (1) BROADCASTER. Any entity that is engaged in  
10 the business of broadcasting video or audio programs, whether  
11 through the public airwaves, by cable, by direct or indirect  
12 satellite transmissions, or by any other means of  
13 communication.

14           "~~(3)~~ (2) DEPARTMENT. The Alabama State Law  
15 Enforcement Agency.

16           "~~(4)~~ (3) MISSING SENIOR CITIZEN AND ENDANGERED  
17 PERSONS ALERT. A voluntary program entered into by the  
18 department and other local and state law enforcement agencies  
19 and the Alabama Association of Broadcasters and broadcasters  
20 licensed to serve in the state, which provides that if the  
21 department verifies that a ~~senior citizen~~ person suffering  
22 from living with a mental disability, physical disability,  
23 Alzheimer's disease, dementia, or autism is missing or lost  
24 and in danger, a media alert is transmitted. The broadcasters  
25 participating in the program then ~~issue a~~ distribute the media  
26 alert.

27           "§26-19A-4.

1           "(a) A missing ~~senior citizen~~ and endangered persons  
2 alert shall be activated by the department when a ~~citizen~~  
3 person is reported missing and an investigation reveals the  
4 following:

5           "(1) The ~~citizen person~~ is ~~suffering from living~~  
6 with a mental disability, physical disability, Alzheimer's  
7 disease, dementia, or autism and is at risk of bodily harm or  
8 death, ~~or suffers from Alzheimer's disease or dementia. An~~  
9 ~~alert may be issued for a person suffering from Alzheimer's~~  
10 ~~disease or dementia regardless of age.~~

11           "(2) There is enough descriptive information about  
12 the ~~senior or person suffering from living with Alzheimer's~~  
13 ~~disease or dementia~~ a mental disability, physical disability,  
14 Alzheimer's disease, dementia, or autism and at risk of bodily  
15 harm or death to believe an immediate media alert would help  
16 investigators locate the person. For persons ~~suffering from~~  
17 living with Alzheimer's disease or dementia a mental  
18 disability, physical disability, Alzheimer's disease,  
19 dementia, or autism, a statement from a caregiver that the  
20 missing person ~~suffers from~~ lives with either disease a mental  
21 disability, physical disability, Alzheimer's disease,  
22 dementia, or autism shall be considered sufficient proof of  
23 the ~~disease~~ mental disability, physical disability,  
24 Alzheimer's disease, dementia, or autism.

25           "(b) A report of a missing ~~senior citizen or missing~~  
26 ~~person suffering from Alzheimer's disease or dementia~~ and  
27 endangered person may be made by a local law enforcement

1 agency to the department as soon as a concerned party or  
2 caregiver believes the person to be missing and the  
3 originating local law enforcement agency has entered  
4 identifying and descriptive information about the missing and  
5 endangered person to the Alabama Center for Missing and  
6 Exploited Children and to the National Crime Information  
7 Center pursuant to Section 26-19-7. Upon the submission of the  
8 report, a search in the missing and endangered person's local  
9 area may begin immediately, and the department may expand the  
10 search to include areas outside of the missing and endangered  
11 person's local area if needed.

12 "(c) The department and local law enforcement  
13 agencies shall require law enforcement officers and other  
14 emergency personnel to complete first responder training for  
15 missing persons with Alzheimer's disease or other forms of  
16 dementia, if such training is available through the  
17 department, the Alabama Peace Officers' Standards and Training  
18 Commission, or the free training and certification program  
19 offered by the Alzheimer's Association. If a missing and  
20 endangered person report is made for a person ~~suffering from~~  
21 living with Alzheimer's disease or dementia, the department  
22 and local law enforcement agencies shall utilize, if  
23 available, personnel who have participated in this training to  
24 assist in conducting the search.

25 "§26-19A-5.

1           "Once a determination has been made to activate the  
2 missing ~~senior citizen~~ and endangered person media alert, the  
3 ~~originating agency~~ department shall do the following:

4           "(1) Issue a local media alert via E-mail ~~and fax~~  
5 indicating that a ~~senior citizen~~ person suffering from living  
6 with a mental disability, physical disability, Alzheimer's  
7 disease, dementia, or autism is missing and believed to be in  
8 danger.

9           "(2) Prepare and send via E-mail ~~and fax~~ the  
10 information and description of the missing ~~senior~~ and  
11 endangered person to the media in the appropriate area.

12           "(3) Supplement the information by descriptions or  
13 photographs of the person to the media and the public through  
14 the following:

15           "a. E-mail description.

16           "b. Post the missing ~~senior's~~ and endangered  
17 person's photograph on the department's website.

18           "(4)a. Once the ~~senior~~ missing and endangered person  
19 is found or the case is closed, the initiating law enforcement  
20 agency shall notify the department which shall distribute a  
21 media alert cancellation.

22           "b. Law enforcement officials shall notify other  
23 agencies of the cancellation."

24           Section 2. This act shall become effective on the  
25 first day of the third month following its passage and  
26 approval by the Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-  
ferred to the House of Representa-  
tives committee on Children and Se-  
nior Advocacy..... 04-FEB-20

Read for the second time and placed  
on the calendar 1 amendment ..... 20-FEB-20

Read for the third time and passed  
as amended..... 25-FEB-20

Yeas 101, Nays 0, Abstains 0

Jeff Woodard  
Clerk