

**CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 36(JUD)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 4/2/13

Referred: Rules

Sponsor(s): SENATORS ELLIS, Wielechowski, Dyson, French

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to missing vulnerable adult prompt response and notification plans."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 \* **Section 1.** AS 44.35.020(a) is amended to read:

4 (a) The Department of Military and Veterans' Affairs shall

5 (1) conduct the military affairs of the state as prescribed by the  
6 Military Code;

7 (2) cooperate with the federal government in matters of mutual  
8 concern pertaining to the welfare of Alaskan veterans, including establishing,  
9 extending, or strengthening services for veterans in the state; [AND]

10 (3) annually, not later than February 1, make available a report to the  
11 legislature, through the governor, outlining the department's activities during the  
12 previous calendar year; the department shall notify the legislature that the report is  
13 available; **and**

14 **(4) cooperate with the Department of Public Safety to develop and**  
15 **implement missing vulnerable adult prompt response and notification plans**

1           under AS 44.41.060.

2           \* **Sec. 2.** AS 44.41 is amended by adding a new section to read:

3                   **Sec. 44.41.060. Missing vulnerable adult prompt response and notification**  
 4           **plans.** (a) The Department of Public Safety, in cooperation with the Department of  
 5           Military and Veterans' Affairs, shall, using statewide and local radio and television  
 6           broadcasts, newspapers, and other communications media,

7                           (1) develop and implement missing vulnerable adult prompt response  
 8           and notification plans for use by law enforcement agencies, groups, and persons to  
 9           locate a vulnerable adult who is missing; and

10                           (2) coordinate the use of those plans.

11                   (b) The plans required by (a) of this section must at least include standards for

12                           (1) determining when and where to implement a plan; standards  
 13           developed under this paragraph must at least address

14                                   (A) when a vulnerable adult will be considered missing; and

15                                   (B) the format, contents, and distribution of reports prepared by  
 16           participating law enforcement agencies and others searching for a missing  
 17           vulnerable adult; and

18                           (2) voluntary participation in the plan by radio and television  
 19           broadcasters, newspaper publishers, and owners and operators of other  
 20           communications media.

21                   (c) Notwithstanding another provision of law,

22                           (1) a law enforcement agency, an officer or employee of a law  
 23           enforcement agency, a person, or a group is not civilly liable for

24                                   (A) failing to participate in a missing vulnerable adult prompt  
 25           response and notification plan;

26                                   (B) failing to implement a missing vulnerable adult prompt  
 27           response and notification plan; or

28                                   (C) activating a missing vulnerable adult prompt response and  
 29           notification plan if implementation is undertaken in good faith;

30                           (2) a radio or television broadcaster or newspaper publisher is not  
 31           civilly liable for participating in a missing vulnerable adult prompt response and

1 notification plan or for participating in the actual implementation of a plan if the  
2 broadcaster or publisher has verified the authenticity of that implementation with the  
3 law enforcement agency.

4 (d) In this section, "vulnerable adult" means a person 18 years of age or older  
5 who, because of physical or mental impairment, is unable to meet the person's own  
6 needs or to seek help without assistance.