

SENATE BILL 1748

By Marrero B

AN ACT to amend Tennessee Code Annotated, Title 38,
relative to the endangered missing senior citizen
alert program.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 6, Part 1, is amended by adding the following as a new section:

Section 38-6-121.

(a) The general assembly finds that, in the case of an endangered missing senior citizen, the first few hours are critical in finding the senior citizen. To aid in the identification and location of endangered missing senior citizens, there is created the endangered missing senior citizen alert program, referred to in this section as the "program", to be implemented by the Tennessee bureau of investigation. The program shall be a coordinated effort among the bureau, local law enforcement agencies, and the states public and commercial television and radio broadcasters.

(b) For the purposes of this section, "endangered missing senior citizen" means a person:

(1) Whose whereabouts are unknown;

(2) Whose age at the time the person is first reported missing is sixty (60) years of age or older; and

(3) Whose disappearance poses a credible threat to the safety and health of the person, as determined by a local law enforcement agency.

(c)

(1) The bureau shall implement the program as provided in this subsection (c) and pursuant to rules promulgated as provided in subsection (d).

(2) When a local law enforcement agency receives notice that a senior citizen is missing, the agency may request the senior citizen's family or legal guardian provide documentation of the senior citizen's impaired mental or other relevant medical condition as part of the criteria for determining if the senior citizen is endangered. The agency may follow a procedure established by rule to verify the senior citizen is missing and is endangered. Once the local law enforcement agency verifies the senior citizen is missing and endangered, the local law enforcement agency may notify the bureau.

(3) When notified by a local law enforcement agency that a senior citizen is missing and endangered the bureau shall confirm the accuracy of the information and then issue an alert.

(4) The alert shall be sent to designated media outlets in Tennessee. Participating radio stations, television stations, and other media outlets may issue the alert at designated intervals as specified by rule.

(5) The alert shall include all appropriate information from the local law enforcement agency that may assist in the safe recovery of the missing senior citizen and a statement instructing anyone with information related to the missing senior citizen to contact such person's local law enforcement agency.

(6) The alert shall be cancelled upon bureau notification that the missing senior citizen has been found or at the end of the notification period, whichever occurs first. A local law enforcement agency that locates a missing senior citizen who is the subject of an alert shall notify the bureau as soon as possible that the missing senior citizen has been located.

(d) The executive director of the bureau shall promulgate rules in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, for the implementation of the program. The rules shall include, but need not be limited to:

(1) Procedures for a local law enforcement agency to use to verify whether a senior citizen is missing and to verify whether a senior citizen is endangered and the circumstances under which the agency shall report the missing senior citizen to the bureau;

(2) The process to be followed by the bureau in confirming the local law enforcement agency's information;

(3) The process for reporting the information to designated media outlets in Tennessee; and

(4) Any additional processes concerning implementation of the program.

SECTION 2. This act shall take effect July 1, 2009, the public welfare requiring it.