

SENATE BILL 2940

By Norris

AN ACT to amend Tennessee Code Annotated, Section
38-6-121, relative to certain vulnerable persons.

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

SECTION 1. Tennessee Code Annotated, Section 38-6-121, is amended by deleting the section in its entirety and by substituting instead the following:

(a) The general assembly finds that, in the case of a missing elderly or mentally or physically disabled person, the first few hours are critical in finding such missing person. To aid in the identification and location of such endangered missing persons, there is created an endangered missing persons alert program. This program shall be coordinated by local law enforcement agencies. Every local law enforcement agency shall establish protocols for the development of an endangered missing persons alert program, which shall include, at a minimum, the requirements set forth in this section.

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

(1) Whose whereabouts are unknown and is missing under unexplained, involuntary or suspicious circumstances; and

(2) Who is believed to be in danger because of advanced age, declining health, or mental or physical disability, in combination with environmental or weather conditions, or is believed to be unable to return to safety without assistance.

(c) When a local law enforcement agency receives notice that an endangered person is missing, the agency shall enter the report into the National Crime Information

Center (NCIC) database immediately, without delay. An investigation by the local law enforcement agency shall commence immediately.

(d) Once the local law enforcement agency has confirmed that it is a case of an endangered missing person, and an NCIC record has been created, such local law enforcement agency shall issue an alert notification to designated media outlets. A designated list of media outlets shall be developed by the local law enforcement agency. Media outlets shall be strongly encouraged to promptly publicize the information provided in order to promote the safe recovery of the endangered missing person. The alert shall contain all appropriate, descriptive information available, including, but not limited to, the location last seen, vehicle information, clothing worn, and photo, that may assist in the safe recovery of the endangered missing person. The alert shall also contain a statement instructing anyone with information related to such endangered missing person to immediately contact their local law enforcement agency.

(e) Additional local resources that can be utilized, including, but not limited to, reserve units, emergency service units, air support, K-9 units, or automated phone dialer capabilities, shall be identified and maintained as part of the local law enforcement agency's program. Local law enforcement agencies are strongly encouraged to collaborate with surrounding law enforcement agencies to identify additional resources available that will help aid in the safe recovery of endangered missing persons. Local law enforcement agencies may choose to seek the assistance of nonprofit organizations including, but not limited to, A Child is Missing, the Alzheimer's Association, or the Center for Human Identification.

(f) The alert shall be cancelled by the local law enforcement agency, including cancellation of the endangered missing person entry into the NCIC database, upon verified notification that the endangered missing person has been found.

SECTION 2. This act shall take effect on July 1, 2010, the public welfare requiring it.