

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 726 Session of 2009

INTRODUCED BY YOUNGBLOOD, CRUZ, BROWN, THOMAS, BAKER, BARRAR, BOYD, BOYLE, COHEN, DONATUCCI, FRANKEL, GOODMAN, HENNESSEY, JOSEPHS, KORTZ, KULA, LONGIETTI, MAHONEY, MANDERINO, MANN, MELIO, MICOZZIE, MOUL, M. O'BRIEN, O'NEILL, PARKER, PAYNE, PHILLIPS, READSHAW, K. SMITH, SOLOBAY, STURLA, VULAKOVICH, WATSON AND WHITE, MARCH 5, 2009

REFERRED TO COMMITTEE ON AGING AND OLDER ADULT SERVICES, MARCH 5, 2009

AN ACT

1 Relating to a silver alert program for missing senior citizens.

2 The General Assembly of the Commonwealth of Pennsylvania

3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Silver Alert
6 for Missing Senior Citizens Act.

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall
9 have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "Alert." The Statewide silver alert for missing senior
12 citizens developed and implemented under this act.

13 "Department." The Department of Aging of the Commonwealth.

14 "Local law enforcement agency." A local law enforcement
15 agency with jurisdiction to enforce the laws of this

1 Commonwealth.

2 "Senior citizen." A person who is 65 years of age or older.

3 Section 3. Silver alert for missing senior citizens.

4 The department will cooperate with the Pennsylvania State
5 Police and shall develop and implement a Statewide silver alert
6 to be activated on behalf of a missing senior citizen.

7 Section 4. Administration.

8 (a) Director.--The Secretary of Aging shall appoint a
9 director to serve as the Statewide coordinator of the alert.

10 (b) Rules and regulations.--The department shall adopt rules
11 and regulations and shall issue directives as necessary to
12 ensure proper implementation of the alert. The rules and
13 regulations must include:

14 (1) The procedures to be used by a local law enforcement
15 agency to verify whether a senior citizen:

16 (i) is missing; and

17 (ii) has an impaired mental condition;

18 (2) a description of the circumstances under which a
19 local law enforcement agency is required to report a missing
20 senior citizen to the department; and

21 (3) the procedures to be used by an individual or entity
22 to report information about a missing senior citizen to
23 designated media outlets in this Commonwealth.

24 Section 5. Department to recruit participants.

25 The department shall recruit public and commercial television
26 and radio broadcasters, private commercial entities, State or
27 local government entities, the public and other appropriate
28 persons to assist in developing and implementing the alert.

29 Section 6. Duties of the Pennsylvania State Police.

30 The Pennsylvania State Police shall:

1 (1) cooperate with the department and assist in
2 developing and implementing the alert; and

3 (2) establish a plan for providing relevant information
4 to the public across this Commonwealth.

5 Section 7. Notification to department of a missing senior
6 citizen.

7 (a) Notification to department.--A local law enforcement
8 agency may notify the department if the agency:

9 (1) receives notice of a missing senior citizen;

10 (2) verifies that at the time the senior citizen is
11 reported missing:

12 (i) the person reported missing is 65 years of age
13 or older;

14 (ii) the senior citizen's location is unknown;

15 (iii) the senior citizen's domicile is in this
16 Commonwealth;

17 (iv) the senior citizen has an impaired mental
18 condition; and

19 (3) determines that the senior citizen's disappearance
20 poses a credible threat to the senior citizen's health and
21 safety.

22 (b) Local law enforcement agency.--The local law enforcement
23 agency shall:

24 (1) require the family or legal guardian of the missing
25 senior citizen to provide documentation of the senior
26 citizen's impaired mental condition to verify the condition
27 as required under subsection (a)(2)(iv); and

28 (2) as soon as practicable, determine whether the senior
29 citizen's disappearance poses a credible threat to the senior
30 citizen's health and safety for purposes of subsection

1 (a) (3) .

2 Section 8. Activation of silver alert.

3 (a) Confirmation by department.--When a local law
4 enforcement agency notifies the department under section 7, the
5 department shall confirm the accuracy of the information and, if
6 confirmed, immediately issue an alert under this act in
7 accordance with department rules.

8 (b) Issuance of alert.--In issuing the alert, the department
9 shall send the alert to designated media outlets in this
10 Commonwealth. Following receipt of the alert, participating
11 radio stations, television stations and other media outlets may
12 issue the alert at designated intervals to assist in locating
13 the missing senior citizen.

14 Section 9. Content of silver alert.

15 The alert must include:

16 (1) all appropriate information that is provided by the
17 local law enforcement agency that may lead to the safe
18 recovery of the missing senior citizen; and

19 (2) a statement instructing any person with information
20 related to the missing senior citizen to contact a local law
21 enforcement agency.

22 Section 10. Termination of silver alert.

23 (a) Director's duties.--The director shall terminate any
24 activation of the alert with respect to a particular missing
25 senior citizen no later than the earlier of the date on which:

26 (1) the missing senior citizen is located or the
27 situation is otherwise resolved; or

28 (2) the notification period ends, as determined by
29 department rule.

30 (b) Local law enforcement agency.--A local law enforcement

1 agency that locates a missing senior citizen who is the subject
2 of an alert shall notify the department as soon as possible that
3 the missing senior citizen has been located.

4 Section 11. This act shall take effect in 180 days.