

1 HB366
2 96305-1
3 By Representatives Oden, Thomas (E), Bentley, Collier, Graham,
4 Letson, Dukes, Spicer, Galliher, Newton (D), Boothe, Vance,
5 Martin, Clouse, Millican, Bridges, Moore (M), Rogers, Dunn,
6 McClurkin, Williams, Newton (C), Grantland, White, Todd, Ward,
7 Hill, Schmitz, Robinson (J), Taylor, Coleman, Hilliard, Page,
8 Johnson, DeMarco, Guin, Gaston, Barton, Ison, McMillan,
9 Fincher, Davis, Fields, England, Warren, McCampbell, Greeson,
10 Wood, Hurst, Buskey, Baker (A), Gipson and Jackson
11 RFD: Public Safety
12 First Read: 07-FEB-08

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8 SYNOPSIS: This bill would establish the Emergency
9 Missing Senior Citizen Alert program to provide for
10 broadcast alerts when a senior citizen is missing.

11 This bill would establish the requirements
12 of the program and would require the Department of
13 Public Safety to adopt rules necessary to implement
14 the act and for cooperation with broadcast agencies
15 to broadcast alerts.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT

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21 To create the Emergency Missing Senior Citizen Alert
22 Program; to provide for the broadcasting of alerts when senior
23 citizens are missing; and to require the Department of Public
24 Safety to adopt rules to broadcast an alert.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. This act shall be known and may be cited
27 as the "Emergency Missing Senior Citizen Alert Act."

1 Section 2. The Emergency Missing Senior Citizen
2 Alert Act is enacted for the following purposes:

3 (1) To provide a rapid response to missing or lost
4 senior citizens.

5 (2) To gain the assistance of television viewers and
6 radio listeners throughout the coverage area in locating
7 missing senior citizens.

8 Section 3. When used in this act, the following
9 words and terms shall have the following meanings:

10 (1) ACJIC. The Alabama Criminal Justice Information
11 Center.

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

17 (3) DEPARTMENT. The Alabama Department of Public
18 Safety.

19 (4) EAS. Emergency Alert System.

20 (5) EMERGENCY MISSING SENIOR CITIZEN ALERT. A
21 voluntary program entered into by the department and other
22 local and state law enforcement agencies and the Alabama
23 Association of Broadcasters and certain broadcasters licensed
24 to serve in the state, which provides that if the department
25 verifies that a senior citizen is missing or lost and in
26 danger, an alert is transmitted to the department, which is
27 then transmitted to broadcasters in Alabama. The broadcasters

1 participating in the program then broadcast the alert to
2 listeners, viewers, or subscribers for a period of four hours.

3 Section 4. An emergency missing senior citizen alert
4 shall be activated by one of the cooperating law enforcement
5 agencies when a senior citizen is reported missing and an
6 investigation reveals the following:

7 (1) The senior citizen is at risk of bodily harm or
8 death.

9 (2) There is enough descriptive information about
10 the senior to believe an immediate broadcast alert would help
11 investigators locate the person.

12 Section 5. Once a determination has been made to
13 activate the emergency missing senior citizen alert, the
14 originating agency shall do the following:

15 (1) Broadcast a statewide teletype through ACJIC
16 indicating that a senior citizen is missing and an alert is
17 forthcoming.

18 (2) Transmit an administrative message by ACJIC to
19 the department to advise that an alert facsimile is
20 forthcoming.

21 (3) Prepare and send electronically the information
22 and description of the missing senior to the department.

23 (4) Assign personnel to receive telephone calls
24 regarding the alert for 24 hours following the alert or until
25 the alert is cancelled.

1 (5) Supplement the alert information by descriptions
2 or photographs of the person to the broadcasters and the
3 public through the following:

4 a. E-mail description to broadcasters.

5 b. Post the missing senior's photograph on an
6 advertised website.

7 (6)a. Once the senior is found or the case is
8 closed, the initiating law enforcement agency shall notify the
9 department which shall distribute a cancellation notice using
10 the EAS broadcasting system.

11 b. Law enforcement officials shall notify other
12 agencies of the cancellation by sending a statewide teletype.

13 Section 6. The department shall adopt any rules
14 necessary to implement this act.

15 Section 7. This act shall become effective on the
16 first day of the third month following its passage and
17 approval by the Governor, or its otherwise becoming law.