

Senate File 2041 - Introduced

SENATE FILE 2041

BY ANDERSON

A BILL FOR

1 An Act creating a silver alert program within the department of
2 public safety for missing cognitively impaired persons.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 80G.1 Silver alert program —
2 creation.

3 A silver alert program is created as a cooperative
4 effort between the department of public safety and local law
5 enforcement agencies to aid in the identification and location
6 of cognitively impaired persons who are missing.

7 Sec. 2. NEW SECTION. 80G.2 Definitions.

8 As used in this chapter, the following definitions apply:

9 1. "*Cognitively impaired person*" means a person sixty-five
10 years of age or older who is deficient in short-term or
11 long-term memory; orientation as to person, place, and time;
12 deductive or abstract reasoning; or judgment as it relates to
13 safety awareness.

14 2. "*Department*" means the department of public safety.

15 Sec. 3. NEW SECTION. 80G.3 Criteria.

16 A silver alert shall be issued by Iowa state patrol
17 communications upon receipt of a request from a law enforcement
18 agency if the following criteria apply:

19 1. The law enforcement agency has confirmed that a
20 cognitively impaired person has been missing for less than
21 seventy-two hours and an entry has been made into the Iowa
22 online articles and warrants system identifying the person
23 as missing. The law enforcement agency shall submit to the
24 department sufficient information to confirm the person is
25 missing on a form prescribed by the department prior to a
26 silver alert being transmitted.

27 2. The law enforcement agency believes the circumstances
28 surrounding the disappearance indicate the person is in danger
29 of serious injury or death.

30 3. There is enough descriptive information about the
31 disappearance to ensure that an immediate broadcast of the
32 information will aid in the discovery of the person.

33 Sec. 4. NEW SECTION. 80G.4 Activation and termination.

34 1. Upon establishment of the silver alert criteria in
35 section 80G.3, the department shall transmit a silver alert

1 through the emergency alert system to Iowa broadcasters.

2 2. Upon the transmission of a silver alert the department
3 shall post the alert on an internet site accessible by the
4 public.

5 3. After an initial silver alert transmission, additional
6 information may be submitted by the participating law
7 enforcement agency by facsimile transmission, electronic mail,
8 or telephonic means.

9 4. The communications officer of the state patrol may direct
10 the transmission of an Iowa silver alert upon request from
11 another state, provided that there is evidence the person may
12 be present in Iowa.

13 5. A silver alert shall terminate if the person is located
14 or five hours have elapsed since the transmission of the alert.

15 6. A silver alert may be renewed.

16 Sec. 5. NEW SECTION. 80G.5 Rules.

17 The department shall adopt rules pursuant to chapter 17A to
18 implement this chapter.

19

EXPLANATION

20 The inclusion of this explanation does not constitute agreement with
21 the explanation's substance by the members of the general assembly.

22 This bill creates a silver alert program within the
23 department of public safety.

24 The bill provides that the purpose of the program is to aid
25 in the identification and location of cognitively impaired
26 persons who are missing.

27 The bill defines "cognitively impaired person" to mean a
28 person 65 years of age or older who is deficient in short-term
29 or long-term memory; orientation as to person, place, and time;
30 deductive or abstract reasoning; or judgment as it relates to
31 safety awareness.

32 Under the bill, a silver alert shall be issued by the
33 department of public safety if the following apply; a law
34 enforcement agency has confirmed that a cognitively impaired
35 person has been missing for less than 72 hours and an entry

1 has been made into the Iowa online articles and warrants
2 system; the law enforcement agency believes the circumstances
3 surrounding the disappearance indicate the person is in danger
4 of serious injury or death; and there is enough descriptive
5 information about the disappearance to ensure an immediate
6 broadcast of the information will aid in the discovery of the
7 person.

8 If the criteria for issuing a silver alert have been
9 established, the department of public safety shall transmit
10 a silver alert through the emergency alert system to Iowa
11 broadcasters. Upon the transmission of the silver alert the
12 department shall also post the alert on an internet site.

13 The bill provides that a silver alert shall be terminated
14 when the person is located or five hours after transmission of
15 the alert.

16 The bill also provides a silver alert may be renewed.