

SECOND REGULAR SESSION

SENATE BILL NO. 1075

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WALLINGFORD.

Read 1st time February 22, 2016, and ordered printed.

ADRIANE D. CROUSE, Secretary.

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AN ACT

To amend chapter 210, RSMo, by adding thereto one new section relating to missing endangered persons.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 210, RSMo, is amended by adding thereto one new section, to be known as section 210.1013, to read as follows:

210.1013. 1. There is hereby created a statewide program called the "Silver Alert System" referred to in this section as the "system" to aid in the identification and location of a missing endangered person.

2. For the purposes of this section, the term "endangered person" shall mean an individual who:

(1) Does not meet the criteria for an Amber alert under section 210.1012; and

(2) Is missing under unexplained, involuntary, or suspicious circumstances; and

(3) Is believed to be in danger because of age, guardianship, health, mental or physical disability, environmental or weather conditions; or

(4) Is in the company of a potentially dangerous person or is affected by some other factor that may put the individual in peril.

"Endangered person" does not include any person who is considered to be a runaway and to whom subdivisions (2), (3), and (4) of this subsection do not apply.

3. The department of public safety shall develop regions to provide the system. The department of public safety shall coordinate local law enforcement agencies and public commercial television and radio broadcasters to provide an effective system. In the event that a

22 local law enforcement agency opts not to set up a system and an
23 abduction or report of a missing endangered person occurs within the
24 jurisdiction, the agency shall notify the department of public safety
25 who shall notify local media in the region.

26 4. The silver alert system shall include all state agencies capable
27 of providing urgent and timely information to the public together with
28 broadcasters and other private entities that volunteer to participate in
29 the dissemination of urgent public information. At a minimum, the
30 silver alert system shall include the department of public safety, state
31 highway patrol, department of transportation, department of health
32 and senior services, and Missouri lottery.

33 5. Participation in a silver alert system is entirely at the option
34 of local law enforcement agencies and federally licensed radio and
35 television broadcasters.

36 6. The department of public safety shall administer and
37 promulgate rules for the implementation of the silver alert system. Any
38 rule or portion of a rule, as that term is defined in section 536.010, that
39 is created under the authority delegated in this section shall become
40 effective only if it complies with and is subject to all of the provisions
41 of chapter 536, and, if applicable, section 536.028. This section and
42 chapter 536 are nonseverable and if any of the powers vested with the
43 general assembly pursuant to chapter 536, to review, to delay the
44 effective date, or to disapprove and annul a rule are subsequently held
45 unconstitutional, then the grant of rulemaking authority and any rule
46 proposed or adopted after August 28, 2016, shall be invalid and void.

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