

ASSEMBLY BILL

No. 643

Introduced by Assembly Member Nazarian

February 24, 2015

An act to amend Section 8594.10 of the Government Code, relating to emergency services.

LEGISLATIVE COUNSEL'S DIGEST

AB 643, as introduced, Nazarian. Emergency services: Silver Alerts.

Existing law authorizes a law enforcement agency to request the also California Highway Patrol to activate a Silver Alert, as defined, if the agency receives a report of a missing person who is 65 years of age or older, developmentally disabled, or cognitively impaired, and certain conditions are met, including that all local resources have been utilized and the disappearance is unexplained or suspicious. Upon concurrence by the Department of the California Highway Patrol that the precedent conditions have been met, existing law requires the patrol to issue the alert, which may take the form of a be-on-the-lookout alert, an Emergency Digital Information Service message, or an electronic flyer, within a specified geographical area.

This bill would authorize the Silver Alert to be made by changeable message sign.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 8594.10 of the Government Code is
2 amended to read:

1 8594.10. (a) For purposes of this section, “Silver Alert” means
2 a notification system, activated pursuant to subdivision (b),
3 designed to issue and coordinate alerts with respect to a person
4 who is 65 years of age or older, developmentally disabled, or
5 cognitively impaired, and who is reported missing.

6 (b) (1) If a person is reported missing to a law enforcement
7 agency and that agency determines that the requirements of
8 subdivision (c) are met, the agency may request the *Department*
9 *of the California Highway Patrol* to activate a Silver Alert. If the
10 *Department of the California Highway Patrol* concurs that the
11 requirements of subdivision (c) are met, it shall activate a Silver
12 Alert within the geographical area requested by the investigating
13 law enforcement agency.

14 (2) Radio, television, and cable and satellite systems are
15 encouraged to, but not required to, cooperate with disseminating
16 the information contained in a Silver Alert.

17 (3) Upon activation of a Silver Alert, the *Department of the*
18 *California Highway Patrol* shall assist the investigating law
19 enforcement agency by issuing a be-on-the-lookout alert, an
20 Emergency Digital Information Service message, a *changeable*
21 *message sign*, or an electronic flyer.

22 (c) A law enforcement agency may request a Silver Alert be
23 activated if that agency determines that all of the following
24 conditions are met in regard to the investigation of the missing
25 person:

26 (1) The missing person is 65 years of age or older,
27 developmentally disabled, or cognitively impaired.

28 (2) The investigating law enforcement agency has utilized all
29 available local resources.

30 (3) The law enforcement agency determines that the person has
31 gone missing under unexplained or suspicious circumstances.

32 (4) The law enforcement agency believes that the person is in
33 danger because of age, health, mental or physical disability, or
34 environment or weather conditions, that the person is in the
35 company of a potentially dangerous person, or that there are other
36 factors indicating that the person may be in peril.

37 (5) There is information available that, if disseminated to the
38 public, could assist in the safe recovery of the missing person.

39 (d) For purposes of this section, the following definitions have
40 the following meanings:

1 (1) “Developmentally disabled” means affected by a
2 developmental disability, as defined in subdivision (a) of Section
3 4512 of the Welfare and Institutions Code.

4 (2) “Cognitively impaired” means affected by a cognitive
5 impairment, as defined in Section 14522.4 of the Welfare and
6 Institutions Code.

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