

AMENDED IN ASSEMBLY APRIL 8, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

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 amended, Nazarian. Emergency services: Silver Alerts.

Existing law authorizes a law enforcement agency to request the ~~also~~ *Department of the 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 *if a law enforcement agency determines that a vehicle may be involved in the missing person incident and specific vehicle identification data is available for public dissemination.*

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:

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

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

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

19 (3) Upon activation of a Silver Alert, the Department of the
20 California Highway Patrol shall assist the investigating law
21 enforcement agency by issuing a be-on-the-lookout alert, an
22 Emergency Digital Information Service message, ~~a changeable~~
23 ~~message sign, or an electronic flyer, or a changeable message sign~~
24 *in compliance with paragraph (4).*

25 (4) *Upon activation of a Silver Alert, the Department of the*
26 *California Highway Patrol may use a changeable message sign*
27 *if both of the following conditions are met:*

28 (A) *A law enforcement agency determines that a vehicle may*
29 *be involved in the missing person incident.*

30 (B) *Specific vehicle identification is available for public*
31 *dissemination.*

32 (c) A law enforcement agency may request a Silver Alert be
33 activated if that agency determines that all of the following
34 conditions are met in regard to the investigation of the missing
35 person:

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

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

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

5 (4) The law enforcement agency believes that the person is in
6 danger because of age, health, mental or physical disability, or
7 environment or weather conditions, that the person is in the
8 company of a potentially dangerous person, or that there are other
9 factors indicating that the person may be in peril.

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

12 (d) For purposes of this section, the following definitions have
13 the following meanings:

14 (1) “Developmentally disabled” means affected by a
15 developmental disability, as defined in subdivision (a) of Section
16 4512 of the Welfare and Institutions Code.

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