

Assembly Bill No. 643

CHAPTER 332

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

[Approved by Governor September 28, 2015. Filed with
Secretary of State September 28, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

AB 643, Nazarian. Emergency services: Silver Alerts.

Existing law authorizes a law enforcement agency to request the 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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