

# HOUSE BILL NO. 186

## 99TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE FREDERICK.

0043H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

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

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*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**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

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

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

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

29 6. The department of public safety shall administer and promulgate rules for the  
30 implementation of the silver alert system. Any rule or portion of a rule, as that term is  
31 defined in section 536.010, that is created under the authority delegated in this section shall  
32 become effective only if it complies with and is subject to all of the provisions of chapter  
33 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and  
34 if any of the powers vested with the general assembly pursuant to chapter 536, to review,  
35 to delay the effective date, or to disapprove and annul a rule are subsequently held  
36 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted  
37 after August 28, 2017, shall be invalid and void.

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