

SENATE BILL 102

By Massey

AN ACT to amend Tennessee Code Annotated, Title 38,  
Chapter 6, relative to the Silver Alert program.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 38-6-121, is amended by deleting the section and substituting:

(a) The general assembly finds that in the case of a missing citizen who has wandered due to dementia, physical impairment, or disability, the first few hours are critical in finding the citizen. To aid in the identification and location of missing citizens, there is created a missing citizen alert program called the Silver Alert program. The Tennessee bureau of investigation shall provide oversight and a statewide protocol to be implemented with law enforcement agencies in this state. The Tennessee bureau of investigation and local law enforcement agencies may seek the assistance of nonprofit organizations such as A Child is Missing, the Alzheimer's Association, or Alzheimer's Tennessee.

(b) As used in this section, "missing citizen" means:

(1) A person whose age at the time the person is first reported missing is sixty (60) years of age or older, whose whereabouts are unknown, and who is believed to be in danger because of age, health, mental health conditions, or physical disability, in combination with environmental or weather conditions, or is believed to be unable to return to safety without assistance;

(2) A person of any age who suffers from a documented case of dementia, whose whereabouts are unknown, who is believed to be in danger

because of the dementia or a physical impairment, and is believed to be unable to return to safety without assistance; or

(3) A person whose age at the time the person is first reported missing is eighteen (18) years of age or older; whose whereabouts are unknown; who has an intellectual, developmental, or physical disability; and who is believed to be in danger because of the disability, or is believed to be unable to return to safety without assistance.

(c)

(1) When a local law enforcement agency receives notice that a citizen with a condition described in subdivision (b)(1) is missing and has received a caregiver's statement verifying the condition of the missing citizen, or, when the local law enforcement agency receives notice that a citizen with a condition described in subdivision (b)(2) or (b)(3) is missing and has received medical documentation of that citizen's dementia, physical impairment, or disability, the agency shall begin an investigation immediately and notify the Tennessee bureau of investigation within four (4) hours of receiving the notice of the missing citizen by filing a report with the bureau.

(2) Local law enforcement shall enter the report of the missing citizen with a physical impairment, dementia, physical disability, intellectual disability, or mental health condition into the national crime information center (NCIC) within four (4) hours of the completion of the verification process.

(3) The Tennessee bureau of investigation, in coordination with law enforcement agencies, shall send the alert to designated media outlets in this state within twelve (12) hours of the notification of the missing citizen. Media outlets are strongly encouraged to publicize the information provided in order to

promote the safe recovery of the missing citizen. When the alert is sent to media outlets, the alert must contain all appropriate information from the local law enforcement agency that may assist in the safe recovery of the missing citizen and a statement instructing anyone with information related to the missing citizen to contact their local law enforcement agency. The alert must contain all appropriate, descriptive information available, including, but not limited to, the location last seen, vehicle information, clothing worn, and photo, if available, that may assist in the safe recovery of the missing citizen.

(4) The law enforcement agency requesting the alert shall cancel the alert upon notification that the missing citizen has been found, including cancellation of the missing person entry into NCIC.

(d)

(1) The Tennessee bureau of investigation shall provide information and education on the Silver Alert statewide protocol to all law enforcement agencies in this state.

(2) The Tennessee Sheriffs' Association and the Tennessee Association of Chiefs of Police are encouraged to educate law enforcement as to the requirements of the Silver Alert program by methods, including, but not limited to, newsletters, press releases, media relations, access to TBI's current media list, and educational instruction through the Tennessee law enforcement training academy.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.