

# HOUSE BILL 1209

E4

8lr2094

---

By: **Delegates Proctor, Pena–Melnik, Atterbeary, Barron, Dumais, Fennell, Frush, Gibson, Healey, C. Howard, Jameson, Lam, J. Lewis, Patterson, Pendergrass, Queen, Sample–Hughes, Sydnor, Valderrama, Valentino–Smith, A. Washington, and Wilkins**

Introduced and read first time: February 8, 2018

Assigned to: Judiciary

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Silver Alert Program – Pedestrians and Case Status**  
3 **(Eula’s Law)**

4 FOR the purpose of clarifying that the Silver Alert Program applies to an individual who  
5 is believed to be either traveling in a vehicle or on foot; requiring the Department of  
6 State Police to establish and maintain a certain online system that reflects a certain  
7 case status; and generally relating to the Silver Alert Program.

8 BY repealing and reenacting, with amendments,  
9 Article – Public Safety  
10 Section 3–604  
11 Annotated Code of Maryland  
12 (2011 Replacement Volume and 2017 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
14 That the Laws of Maryland read as follows:

15 **Article – Public Safety**

16 3–604.

17 (a) (1) In this section the following words have the meanings indicated.

18 (2) “Caregiver” means a parent, spouse, guardian, legal custodian, or  
19 person responsible for the supervision of another adult.

20 (3) “Law enforcement agency” means a State, county, or municipal police  
21 department or agency, or a sheriff’s department.

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (4) "Missing person" means an individual:

2 (i) whose whereabouts are unknown;

3 (ii) **WHO IS BELIEVED TO BE EITHER TRAVELING IN A VEHICLE**  
4 **OR ON FOOT;**

5 (iii) who suffers a cognitive impairment including a diagnosis of  
6 Alzheimer's disease or dementia to the extent that the individual requires assistance from  
7 a caregiver; and

8 [(iii)] (iv) whose disappearance poses a credible threat to the health  
9 and safety of the individual due to age, health, mental or physical disability, environment,  
10 or weather conditions, as determined by a law enforcement agency.

11 (b) (1) The Department of State Police shall establish a Silver Alert Program  
12 to provide a system for rapid dissemination of information to assist in locating a missing  
13 person.

14 (2) The Department of State Police shall:

15 (i) adopt guidelines and develop procedures for issuing a Silver  
16 Alert for a missing person;

17 (ii) provide training to local law enforcement agencies on the  
18 guidelines and procedures to be used to handle a report of a missing person;

19 (iii) provide assistance to a local law enforcement agency, as  
20 necessary, to assist in the safe recovery of a missing person;

21 (iv) recruit public and commercial television and radio broadcasters,  
22 local volunteer groups, and other members of the public to assist in developing and  
23 implementing a Silver Alert;

24 (v) consult with the State Highway Administration to establish a  
25 plan for providing information relevant to a Silver Alert to the public through the dynamic  
26 message sign system located across the State; [and]

27 (vi) **ESTABLISH AND MAINTAIN A PUBLICLY ACCESSIBLE ONLINE**  
28 **SYSTEM THAT REFLECTS, ON A CONTINUOUSLY UPDATED BASIS, THE STATUS OF**  
29 **EACH ACTIVE SILVER ALERT CASE; AND**

30 [(vi)] (vii) consult with the State Department of Education to develop  
31 a program that:

- 1                           1.     allows high school students to assist in the search for a  
2 missing person under this section;
- 3                           2.     complies with COMAR 13A.03.02.06; and
- 4                           3.     is consistent with the student service–learning guidelines  
5 developed by the State Department of Education.

6           (c)     A caregiver or person filing a report regarding a missing person immediately  
7 shall notify the local law enforcement agency with which the report was filed and the  
8 Department of State Police if:

- 9                   (1)     the missing person who was the subject of the report is located; and
- 10                   (2)     it is unlikely that the local law enforcement agency or the Department  
11 of State Police has knowledge that the missing person has been located.

12           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2018.