

HOUSE BILL 1218

E4

8lr0477
CF SB 498

By: **Delegates Kramer, Barkley, Carr, Heller, Kelly, Lee, Manno, Montgomery, and Simmons**

Introduced and read first time: February 8, 2008

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Missing Senior Adult Alert Program – Establishment**

3 FOR the purpose of requiring the State Police to develop policies and procedures for
4 the creation of a certain alert program to assist in locating certain missing
5 adults who are over a certain age and suffer certain cognitive impairments;
6 requiring the State Police to inform local law enforcement agencies of the
7 policies and procedures to be used in handling reports of certain missing senior
8 adults; requiring the State Police to assist in determining the geographic scope
9 of a certain alert for certain missing senior adults; requiring the State Police to
10 establish procedures and standards by which a local law enforcement agency
11 shall verify that a certain individual is missing and report that information to
12 the State Police; requiring the State Police to provide assistance to a local law
13 enforcement agency as necessary to assist in the safe recovery of certain missing
14 individuals; requiring a certain person to notify a certain local law enforcement
15 agency and the State Police regarding certain information under certain
16 circumstances; providing for the construction of this Act; defining certain
17 terms; and generally relating to the establishment of a missing senior adult
18 alert program.

19 BY adding to

20 Article – Public Safety
21 Section 3–604
22 Annotated Code of Maryland
23 (2003 Volume and 2007 Supplement)

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

26 **Article – Public Safety**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **3-604.**

2 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
3 MEANINGS INDICATED.

4 (2) "LAW ENFORCEMENT AGENCY" MEANS A STATE, COUNTY, OR
5 MUNICIPAL POLICE DEPARTMENT OR AGENCY, OR A SHERIFF'S DEPARTMENT.

6 (3) "MISSING SENIOR ADULT" MEANS AN INDIVIDUAL:

7 (I) WHOSE WHEREABOUTS ARE UNKNOWN;

8 (II) WHO IS OVER THE AGE OF 60;

9 (III) WHO SUFFERS A COGNITIVE IMPAIRMENT TO THE
10 EXTENT THAT THE INDIVIDUAL REQUIRES ASSISTANCE FROM A CAREGIVER,
11 INCLUDING A DIAGNOSIS OF ALZHEIMER'S DISEASE OR DEMENTIA; AND

12 (IV) WHOSE DISAPPEARANCE POSES A CREDIBLE THREAT,
13 AS DETERMINED BY A LAW ENFORCEMENT AGENCY, TO THE HEALTH AND
14 SAFETY OF THE INDIVIDUAL.

15 (B) (1) THE STATE POLICE SHALL DEVELOP POLICIES AND
16 PROCEDURES FOR THE CREATION OF AN ALERT PROGRAM TO ASSIST IN
17 LOCATING A MISSING SENIOR ADULT.

18 (2) THE STATE POLICE SHALL:

19 (I) INFORM LOCAL LAW ENFORCEMENT AGENCIES OF THE
20 POLICIES AND PROCEDURES TO BE USED IN HANDLING A REPORT OF A MISSING
21 SENIOR ADULT;

22 (II) ASSIST IN DETERMINING THE GEOGRAPHIC SCOPE OF A
23 PARTICULAR ALERT FOR A MISSING SENIOR ADULT;

24 (III) ESTABLISH PROCEDURES AND STANDARDS BY WHICH A
25 LOCAL LAW ENFORCEMENT AGENCY SHALL VERIFY THAT AN INDIVIDUAL IS A
26 MISSING SENIOR ADULT AND REPORT THAT INFORMATION TO THE STATE
27 POLICE; AND

28 (IV) PROVIDE ASSISTANCE TO A LOCAL LAW ENFORCEMENT
29 AGENCY, AS NECESSARY, TO ASSIST IN THE SAFE RECOVERY OF A MISSING
30 SENIOR ADULT.

1 **(C) A PERSON FILING A REPORT REGARDING A MISSING SENIOR ADULT**
2 **SHALL IMMEDIATELY NOTIFY THE LOCAL LAW ENFORCEMENT AGENCY WITH**
3 **WHICH THE REPORT WAS FILED AND THE STATE POLICE IF:**

4 **(1) THE INDIVIDUAL WHO WAS THE SUBJECT OF THE REPORT IS**
5 **LOCATED; AND**

6 **(2) IT IS UNLIKELY THAT THE LOCAL LAW ENFORCEMENT AGENCY**
7 **OR THE STATE POLICE HAVE KNOWLEDGE THAT THE INDIVIDUAL HAS BEEN**
8 **LOCATED.**

9 **(D) NOTHING IN THIS SECTION MAY BE CONSTRUED TO REQUIRE A**
10 **LOCAL LAW ENFORCEMENT AGENCY OR THE MEDIA TO ESTABLISH OR**
11 **PARTICIPATE IN A PROGRAM TO LOCATE A MISSING SENIOR ADULT.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2008.