

## **BILL ANALYSIS**

Senate Research Center  
85R10512 LHC-F

S.B. 1192  
By: Buckingham  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Silver Alert Program was established by the Texas Legislature in 2007 to notify the public of missing older persons living with a documented mental condition such as Alzheimer's disease or dementia. Currently, when an individual who is 65 years of age or older and has been diagnosed with an impaired mental condition goes missing, local law enforcement can request activation of a regional or statewide Silver Alert to aid in the safe return of the missing person.

Although the Silver Alert notification system has played an essential role in locating these missing individuals, interested parties contend the program is currently unavailable to help individuals under the age of 65 who are living with younger-onset Alzheimer's disease. While younger-onset Alzheimer's only occurs in five percent of the Alzheimer's population, this form of the disease is often more aggressive and progresses faster than Alzheimer's disease in older individuals.

S.B. 1192 expands the reach of the Silver Alert public notification system to ensure all individuals living with Alzheimer's disease, including those under the age of 65, have access to this important public safety tool.

As proposed, S.B. 1192 amends current law relating to an alert for a missing senior citizen or person with Alzheimer's disease.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the public safety director is modified in SECTION 4 (Section 411.383, Government Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends the heading to Subchapter M, Chapter 411, Government Code, as follows:

SUBCHAPTER M. SILVER ALERT FOR MISSING SENIOR CITIZENS AND PERSONS  
WITH ALZHEIMER'S DISEASE

SECTION 2. Amends Sections 411.381(1) and (2), Government Code, to redefine "alert" and "local law enforcement agency."

SECTION 3. Amends Section 411.382, Government Code, as follows:

Sec. 411.382. New heading: SILVER ALERT FOR MISSING SENIOR CITIZENS AND PERSONS WITH ALZHEIMER'S DISEASE. Changes reference to a missing senior citizen to a missing senior citizen or person with Alzheimer's disease.

SECTION 4. Amends Section 411.383(b), Government Code, as follows:

(b) Requires that the rules and directives include:

(1) the procedures to be used by a local law enforcement agency to verify whether a person reported missing is a senior citizen with an impaired mental condition or a person with Alzheimer's disease and whether the person's location is unknown;

(A) and (B) Deletes text and designation of Paragraph (A). Deletes designation of Paragraph (B);

(2) and (3) makes conforming changes.

SECTION 5. Amends Section 411.386, Government Code, as follows:

Sec. 411.386. New heading: NOTIFICATION TO DEPARTMENT OF MISSING SENIOR CITIZEN OR PERSON WITH ALZHEIMER'S DISEASE. (a) Authorizes a local law enforcement agency to notify the Texas Department of Public Safety (DPS) if the agency:

(1) makes a conforming change;

(2) makes a conforming change:

(A) the person reported missing:

(i) creates this subparagraph from existing text to include a person who is 65 years of age or older and has an impaired mental condition; or

(ii) is a person with Alzheimer's disease; and

(B) the person's, rather than senior citizen's, location is unknown; and

(C) deletes this paragraph.

(3) makes conforming changes.

(b) Requires the local law enforcement agency to:

(1) require the family or legal guardian of the missing senior citizen or person with Alzheimer's disease to provide documentation of the person's age and condition to verify the person's status as described by Subsection (a)(2)(A), rather than require the family or legal guardian of the missing senior citizen to provide documentation of the senior citizen's impaired mental condition to verify the condition as required by Subsection (a)(2)(C); and

(2) makes conforming changes.

SECTION 6. Amends Section 411.387(b), Government Code, to make nonsubstantive changes and a conforming change.

SECTION 7. Amends Section 411.388, Government Code, to make conforming changes.

SECTION 8. Amends Section 411.389, Government Code, to make conforming changes.

SECTION 9. Effective date: upon passage or September 1, 2017.