

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Establish the Missing Senior Citizen Alert Program**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 25 MRSA c. 259** is enacted to read:

### **CHAPTER 259**

#### **missing senior citizen alert program**

##### **§ 2201. Short title**

This chapter may be known and cited as "the Missing Senior Citizen Alert Program."

##### **§ 2202. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

**1. Clearinghouse.** "Clearinghouse" means the Missing Senior Citizen Clearinghouse as established under section 2204.

**2. Commissioner.** "Commissioner" means the Commissioner of Public Safety.

**3. Department.** "Department" means the Department of Public Safety.

**4. Director.** "Director" means the director of clearinghouse.

**5. Missing senior citizen.** "Missing senior citizen" means a person:

A. Who is 60 years of age or older and who has a verified impaired mental condition;

B. Whose temporary or permanent residence is in or is believed to be in this State;

C. Whose location is not determined; and

D. Whose disappearance poses a credible threat to the safety and health of the person as determined by a local law enforcement agency.

##### **§ 2203. Missing senior citizen report**

**1. Report.** A family member or legal guardian of a missing senior citizen shall submit a missing senior citizen report together with documentation of the missing senior citizen's impaired mental condition to the local law enforcement agency.

**2. Filing of report.** On the filing of a missing senior citizen report under subsection 1 by the senior citizen's family member or legal guardian, the law enforcement agency receiving written notification shall immediately:

- A. Notify the department;
- B. Inform all on-duty law enforcement officers in the county where the senior citizen was reported missing of the missing senior citizen;
- C. Communicate the report to every other law enforcement agency having jurisdiction in the county in which the report was filed;
- D. Enter the report under subsection 1 for inclusion in the computer files on missing senior citizens of the department and the National Crime Information Center or its successor; and
- E. Submit information in the missing senior citizen report to the clearinghouse.

**3. Alert.** When the local law enforcement agency has verified that a senior citizen is missing and has an impaired mental condition, the agency shall issue an alert.

- A. The alert must be sent to designated media outlets in the State, participating radio stations and television stations who shall issue the alert at designated intervals as determined by rule.
- B. The alert must include all appropriate information from the local law enforcement agency that may assist in the safe recovery of a missing senior citizen. The alert must include a statement instructing anyone with information related to the missing senior citizen to contact that person's local law enforcement agency.
- C. The alert is cancelled when the local law enforcement agency has found the missing senior citizen or the department has been notified that the missing senior citizen has been found.
- D. A law enforcement agency that locates a missing senior citizen who is the subject of an alert shall notify the local law enforcement agency and the department as soon as possible that the missing senior citizen has been found.

## **§ 2204. Missing Senior Citizen Clearinghouse**

**1. Establishment; purpose.** The Missing Senior Citizen Clearinghouse is established within the department as a central repository of information regarding missing senior citizens. That information must be collected and disseminated.

**2. Commissioner; duties.** The commissioner shall appoint a director who shall supervise the clearinghouse. The commissioner shall establish services determined appropriate to aid in the location of missing senior citizens.

**3. Director; duties.** The director shall:

- A. Establish a system of intrastate communication of information related to missing senior citizens who are determined missing by their families or legal guardians or by a law enforcement agency;
- B. Provide a centralized file for the exchange of information on missing senior citizens in the State;
- C. Interface with the National Crime Information Center, or its successor, for the exchange of information; and
- D. Collect, process, maintain and disseminate information on missing senior citizens and strive to maintain or disseminate accurate and complete information.

**4. Receipt of reports.** A law enforcement agency shall submit to the clearinghouse information received by the law enforcement agency pursuant to section 2203. A family member or legal guardian may submit a missing senior citizen report to the clearinghouse regardless of the circumstances, subsequent to reporting the senior citizen missing to the appropriate law enforcement agency in the county in which the senior citizen became missing. The report must be included in the clearinghouse database.

#### **§ 2205. Location of senior citizen**

**1. Notification.** The family member or legal guardian who is responsible for notifying the clearinghouse or a law enforcement agency about a missing senior citizen shall immediately notify the clearinghouse or the agency of a senior citizen whose location has been determined.

**2. Purging.** Information received about a missing senior citizen pursuant to section 2203 that has been included in the clearinghouse database must be purged from the database immediately upon notification that the senior citizen's location has been determined.

#### **§ 2206. Rules**

The commissioner shall adopt rules for the implementation of this chapter. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

### **SUMMARY**

This bill establishes the Missing Senior Citizen Alert Program.