



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0772

Introduced 2/9/2009, by Rep. Sandra M. Pihos

SYNOPSIS AS INTRODUCED:

20 ILCS 2605/2605-485 new
20 ILCS 2705/2705-505.5

Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Creates the Silver Alert System. The Silver Alert System provides for the rapid dissemination of information regarding a missing person who is believed to be suffering from dementia or a similar cognitive impairment. Specifies the requirements and procedures for the alert system. Creates the Silver Alert System Task Force. Amends the Department of Transportation Law of the Civil Administrative Code of Illinois. Provides that the Department of Transportation, in coordination with the Department of State Police, shall use electronic message signs to provide critical information to the public regarding missing persons believed to be suffering from dementia or a similar cognitive impairment. Effective immediately.

LRB096 05691 RLJ 15757 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of State Police Law of the Civil
5 Administrative Code of Illinois is amended by adding Section
6 2605-485 as follows:

7 (20 ILCS 2605/2605-485 new)

8 Sec. 2605-485. Statewide Silver Alert program; Silver
9 Alert Coordinator.

10 (a) A coordinated program known as the Silver Alert System
11 is established within the Department of State Police. The
12 purpose of the Silver Alert System is to provide a statewide
13 system for the rapid dissemination of information regarding a
14 missing person who is believed to be suffering from dementia or
15 a similar cognitive impairment.

16 (b) If the Department of State Police receives a report
17 that involves a missing person who is believed to be suffering
18 from dementia or a similar cognitive impairment, for the
19 protection of the missing person from potential abuse or other
20 physical harm, neglect, or exploitation, the Department of
21 State Police shall issue an alert providing for the rapid
22 dissemination of information statewide regarding the missing
23 person. The Department of State Police shall make every effort

1 to disseminate the information as quickly as possible when (i)
2 the missing person is at least 55 years old or the missing
3 person is less than 55 years old and a law enforcement officer
4 determines that an alert is necessary and (ii) the person's
5 status as missing has been reported to a law enforcement
6 agency.

7 (c) The Department of State Police shall adopt guidelines
8 and develop procedures for issuing an alert for missing persons
9 believed to be suffering from dementia or a similar cognitive
10 impairment. The Department of State Police, in coordination
11 with the Illinois Department on Aging, shall develop and
12 implement a community outreach program to promote awareness
13 among the State's healthcare facilities, nursing homes,
14 assisted living facilities, and other senior centers. The
15 guidelines and procedures shall ensure that specific health
16 information about the missing person is not made public through
17 the alert or otherwise.

18 (d) The Department of State Police, in consultation with
19 the Illinois Department of Transportation, shall develop a
20 procedure for the use of electronic message signs on roads and
21 highways to provide information on a missing person that meets
22 the criteria provided under this Section. The system shall
23 include, but is not limited to, the use of Illinois Department
24 of Transportation electronic message signs to immediately
25 provide critical information to the public.

26 (e) The Department of State Police shall appoint a Silver

1 Alert Coordinator to assist in the establishment of State
2 standards and to monitor the availability of federal funding
3 that may become available to further the objectives of the
4 Silver Alert System. The Silver Alert Coordinator shall have
5 the qualifications and experience that the Department of State
6 Police shall require by rule. The Silver Alert Coordinator
7 shall receive no compensation but shall be reimbursed for his
8 or her expenses from the Department's operations budget. No
9 funds shall be appropriated solely for the expenses of the
10 Silver Alert Coordinator. The Department may in its discretion
11 have the Child Safety Coordinator, created under Section
12 2605-480 of the Department of State Police Law, act in the dual
13 capacity of Child Safety Coordinator and Silver Alert
14 Coordinator. The Department shall provide technical assistance
15 for the Silver Alert Coordinator from its existing resources.

16 (f) The Department shall establish a Silver Alert System
17 Task Force to monitor and review the implementation and
18 operation of the system developed under subsection (a),
19 including procedures, budgetary requirements, and response
20 protocols. The Task Force shall also develop additional network
21 resources for use in the system. The Department of State Police
22 may in its discretion have the AMBER Plan Task Force,
23 established under Section 2605-480 of the Department of State
24 Police Law, serve in a dual capacity as the Silver Alert System
25 Task Force.

26 (g) Any person who intentionally or knowingly files a false

1 report that a missing person is believed to be suffering from
2 dementia or a similar cognitive impairment is guilty of a Class
3 C misdemeanor.

4 Section 10. The Department of Transportation Law of the
5 Civil Administrative Code of Illinois is amended by changing
6 Section 2705-505.5 as follows:

7 (20 ILCS 2705/2705-505.5)

8 Sec. 2705-505.5. Child abduction and silver alert message
9 signs. The Department of Transportation shall coordinate with
10 the Department of State Police in the use of electronic message
11 signs on roads and highways in the vicinity of a child
12 abduction, or near the location where a person believed to be
13 suffering from dementia or a similar cognitive impairment was
14 last seen, as provided under Section 2605-485 of the Department
15 of State Police Law, to immediately provide critical
16 information to the public.

17 (Source: P.A. 93-310, eff. 7-23-03.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.