

A bill for an act
relating to public health; establishing the Minnesota Silver Alert System for
adults living with dementia or other cognitive impairment; appropriating money;
amending Minnesota Statutes 2008, section 604A.35; proposing coding for new
law in Minnesota Statutes, chapter 299A.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[299A.05] SILVER ALERT SYSTEM.**

Subdivision 1. Implementation. (a) The Minnesota State Patrol in consultation with
the Department of Public Safety shall develop and implement a statewide "Silver Alert
System," to be activated on behalf of missing adults who are 18 years of age or older and
are diagnosed with dementia or other cognitive impairment.

(b) Local law enforcement authorities shall be notified of a missing adult with
dementia or other cognitive impairment at the same time as a statewide alert is issued.

(c) The Minnesota chapter of the Alzheimer's Association shall be notified at the
same time as a statewide alert is issued to coordinate with the MedicAlert and Safe Return
program by the Alzheimer's Association.

Subd. 2. Administration. The Minnesota State Patrol Chief is the statewide
coordinator for the Silver Alert System and shall work with the Department of Public
Safety to ensure policies and procedures are developed to implement the Silver Alert
System.

Subd. 3. Rules. (a) The Department of Public Safety shall adopt rules to implement
the Silver Alert System. The Department of Public Safety shall adopt rules that specify:

(1) the procedures to be used by local law enforcement agencies to verify whether
an adult:

(i) is missing;

(ii) has dementia or other cognitive impairment; and

(iii) whether the disappearance poses a threat to the individual's safety;

(2) a description of the circumstances under which a local law enforcement agency is required to report a missing adult with dementia or other cognitive impairment to the Minnesota State Patrol;

(3) the development of a program for mandatory law enforcement training in dementia search techniques;

(4) the procedures to be used by the department to report information about a missing adult with dementia or other cognitive impairment to media outlets in Minnesota and surrounding states;

(5) establishment of a network system for e-mail notification concerning a missing adult with dementia or other cognitive impairment; and

(6) other procedures that are necessary to implement the Silver Alert System.

Subd. 4. **Media request.** A newspaper of general circulation, radio station, television station, or cable television station system in this state or surrounding states may submit a request to the department for inclusion on a subscriber list to receive an e-mail notification concerning a missing adult with dementia or other cognitive impairment.

Subd. 5. **Notification and activation of Silver Alert System.** (a) A local law enforcement agency shall activate the Silver Alert System if:

(1) notice of a missing person has been made to local law enforcement;

(2) the person reported missing is 18 years of age or older;

(3) the legal custodian, family caregiver, or formal or informal caregiver of the missing person provides a written statement that the missing person has dementia or other cognitive impairment;

(4) the location of the person reported missing is unknown;

(5) the person reported missing was present in the state at the time of the report; and

(6) the disappearance of the missing person poses a credible threat to the person's safety and health.

(b) Immediately upon notification by local law enforcement that the criteria for the Silver Alert System have been met, the Minnesota State Patrol shall:

(1) activate the Silver Alert System; and

(2) notify designated participants in the Silver Alert System.

(c) The area of the silver alert may be less than statewide if the investigating agency determines that the nature of the event makes it probable that the missing person did not leave a certain geographic location.

(d) If the investigating agency determines that the missing person is believed to have left the immediate geographic area, the department shall issue an immediate statewide silver alert.

Subd. 6. **Content.** The Silver Alert System must include:

(1) all necessary information obtained by the local law enforcement agency that may lead to the recovery of the missing person; and

(2) a statement instructing any person with information related to the missing person to contact a local law enforcement agency.

Subd. 7. **Terminating the silver alert.** The Minnesota State Patrol shall terminate the silver alert activation for a particular missing person with dementia or other cognitive impairment no later than the earlier of the date on which:

(1) the missing person is located or the situation is otherwise resolved; or

(2) the Minnesota State Patrol chief or designee determines that the Silver Alert System is no longer an effective tool for locating and recovering the missing person.

Subd. 8. **Immunity.** No person or entity participating in the Silver Alert System under this section is liable for any civil damages arising from the dissemination of any alert generated under the Silver Alert System.

Subd. 9. **Training.** The Department of Public Safety shall provide training on identifying and responding to persons with dementia. Law enforcement programs must include a module on identifying and responding to persons with dementia.

Subd. 10. **Funding.** (a) The Department of Public Safety shall collaborate with private foundations, policy academies, colleges and universities with law enforcement programs, tribal governments, the Alzheimer's Association, and other groups to assist in funding the training and training materials needed to implement the Silver Alert System.

(b) The department may use training material developed by the Alzheimer's Association.

Sec. 2. Minnesota Statutes 2008, section 604A.35, is amended to read:

604A.35 PUBLIC NOTIFICATION OF EMERGENCY.

(a) A person who notifies the public of an emergency via a medium of mass communications including, without limitation, radio, television, cable television, or Internet, is not liable for civil damages resulting from acts or omissions by that person in making the notification, unless the person acts in bad faith or recklessly in providing the notification.

(b) For purposes of this section, notifying the public of an emergency includes a notification made through the Emergency Alert System, a notification made through the

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4.1 Amber Alert System, a notification made through the Silver Alert System, or a notification
4.2 requested by a government entity.

4.3 Sec. 3. **APPROPRIATION.**

4.4 \$..... is appropriated in fiscal year 2011 from the fund to the commissioner of
4.5 public safety to provide training in the Silver Alert System.