

First Regular Session  
Sixty-sixth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 07-0177.01 Michael Dohr

HOUSE BILL 07-1005

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HOUSE SPONSORSHIP

Soper,

SENATE SPONSORSHIP

(None),

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House Committees  
Judiciary

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING AN ALERT PROGRAM FOR MISSING PERSONS WITH  
102 DEVELOPMENTAL DISABILITIES.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

Adds missing persons with developmental disabilities to the existing alert program for missing senior citizens.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** 24-33.5-415.8, Colorado Revised Statutes, is

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

1 amended to read:

2 **24-33.5-415.8. Missing senior citizen and person with**  
3 **developmental disabilities alert program.** (1) The general assembly  
4 hereby finds that, in the case of a missing senior citizen OR PERSON WITH  
5 DEVELOPMENTAL DISABILITIES, the first few hours are critical in finding  
6 the senior citizen OR PERSON WITH DEVELOPMENTAL DISABILITIES. To aid  
7 in the identification and location of missing senior citizens AND PERSONS  
8 WITH DEVELOPMENTAL DISABILITIES, there is hereby created the missing  
9 senior citizen AND PERSON WITH DEVELOPMENTAL DISABILITIES alert  
10 program, referred to in this section as the "program", to be implemented  
11 by the bureau. The program shall be a coordinated effort among the  
12 bureau, local law enforcement agencies, and the state's public and  
13 commercial television and radio broadcasters.

14 (2) For the purposes of this section:

15 (a) "Missing senior citizen" means a person:

16 (a) (I) Whose whereabouts are unknown;

17 (b) (II) Whose domicile at the time he or she is reported missing  
18 is Colorado;

19 (c) (III) Whose age at the time he or she is first reported missing  
20 is sixty years of age or older and who has a verified impaired mental  
21 condition; and

22 (d) (IV) Whose disappearance poses a credible threat to the safety  
23 and health of the person, as determined by a local law enforcement  
24 agency.

25 (b) "PERSON WITH DEVELOPMENTAL DISABILITIES" MEANS A  
26 PERSON:

27 (I) WHOSE WHEREABOUTS ARE UNKNOWN;

1           (II) WHOSE DOMICILE AT THE TIME HE OR SHE IS REPORTED  
2 MISSING IS COLORADO;

3           (III) WHO HAS A VERIFIED DEVELOPMENTAL DISABILITY; AND

4           (IV) WHOSE DISAPPEARANCE POSES A CREDIBLE THREAT TO THE  
5 SAFETY AND HEALTH OF HIMSELF OR HERSELF, AS DETERMINED BY A  
6 LOCAL LAW ENFORCEMENT AGENCY.

7           (3) (a) The bureau shall implement the program as provided in this  
8 subsection (3) and pursuant to rules promulgated as provided in  
9 subsection (4) of this section.

10           (b) (I) When a local law enforcement agency receives notice that  
11 a senior citizen is missing, the agency shall require the senior citizen's  
12 family or legal guardian to provide documentation of the senior citizen's  
13 impaired mental condition. The agency may follow a procedure  
14 established by rule to verify the senior citizen is missing and has an  
15 impaired mental condition. Once the local law enforcement agency  
16 verifies the senior citizen is missing and has a verified impaired mental  
17 condition, the local law enforcement agency may notify the bureau.

18           (II) WHEN A LOCAL LAW ENFORCEMENT AGENCY RECEIVES NOTICE  
19 THAT A PERSON WITH DEVELOPMENTAL DISABILITIES IS MISSING, THE  
20 AGENCY SHALL REQUIRE THE FAMILY, LEGAL GUARDIAN, OR SERVICE  
21 PROVIDER OF THE PERSON WITH DEVELOPMENTAL DISABILITIES TO  
22 PROVIDE DOCUMENTATION OF THE PERSON'S DEVELOPMENTAL DISABILITY.  
23 THE AGENCY MAY FOLLOW A PROCEDURE ESTABLISHED BY RULE TO  
24 VERIFY THE PERSON IS MISSING AND HAS A DEVELOPMENTAL DISABILITY.  
25 ONCE THE LOCAL LAW ENFORCEMENT AGENCY VERIFIES THE PERSON WITH  
26 DEVELOPMENTAL DISABILITIES IS MISSING, THE LOCAL LAW ENFORCEMENT  
27 AGENCY MAY NOTIFY THE BUREAU.

1 (c) When notified by a local law enforcement agency that a senior  
2 citizen is missing and has a verified impaired mental condition OR A  
3 PERSON WITH DEVELOPMENTAL DISABILITIES IS MISSING, the bureau shall  
4 confirm the accuracy of the information and then issue an alert.

5 (d) The alert shall be sent to designated media outlets in Colorado.  
6 Participating radio stations, television stations, and other media outlets  
7 may issue the alert at designated intervals as specified by rule.

8 (e) The alert shall include all appropriate information from the  
9 local law enforcement agency that may assist in the safe recovery of the  
10 missing senior citizen OR PERSON WITH DEVELOPMENTAL DISABILITIES and  
11 a statement instructing anyone with information related to the missing  
12 senior citizen OR PERSON WITH DEVELOPMENTAL DISABILITIES to contact  
13 his or her local law enforcement agency.

14 (f) The alert shall be cancelled upon bureau notification that the  
15 missing senior citizen OR PERSON WITH DEVELOPMENTAL DISABILITIES has  
16 been found or at the end of the notification period, whichever occurs first.  
17 A local law enforcement agency that locates a missing senior citizen OR  
18 PERSON WITH DEVELOPMENTAL DISABILITIES who is the subject of an alert  
19 shall notify the bureau; as soon as possible that the missing senior citizen  
20 OR PERSON WITH DEVELOPMENTAL DISABILITIES has been located.

21 (4) The executive director of the department of public safety shall  
22 promulgate rules in accordance with the "State Administrative Procedure  
23 Act", article 4 of this title, for the implementation of the program. The  
24 rules shall include, but need not be limited to:

25 (a) Procedures for a local law enforcement agency to use to verify  
26 whether a senior citizen OR PERSON WITH DEVELOPMENTAL DISABILITIES  
27 is missing and to verify whether a senior citizen has an impaired mental

1 condition OR A PERSON HAS A DEVELOPMENTAL DISABILITY and the  
2 circumstances under which the agency shall report the missing senior  
3 citizen OR PERSON WITH DEVELOPMENTAL DISABILITIES to the bureau;

4 (b) The process to be followed by the bureau in confirming the  
5 local law enforcement agency's information;

6 (c) The process for reporting the information to designated media  
7 outlets in Colorado; and

8 (d) Any additional processes concerning implementation of the  
9 program.

10 **SECTION 2. Safety clause.** The general assembly hereby finds,  
11 determines, and declares that this act is necessary for the immediate  
12 preservation of the public peace, health, and safety.