

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Children, Families, and Elder Affairs Committee

BILL: SB 1330

INTRODUCER: Senator Jones

SUBJECT: Silver Alert Grant Program

DATE: March 5, 2009

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Ray	Walsh	CF	Favorable
2.			RC	
3.				
4.				
5.				
6.				

I. Summary:

The Senate Memorial urges the Congress of the United States to authorize the Silver Alert Grant Program to assist in establishing and improving state-administered notification systems that assist in locating missing senior citizens and other individuals suffering from dementia-related disorders.

II. Present Situation:

According to the Alzheimer's Association there are more than five million people in the United States living with Alzheimer's disease.¹ This number includes five million people over the age of 65 and between 200,000 and 500,000 people under the age of 65 with early-onset Alzheimer's disease and other dementias.² According to the Florida Alzheimer's Disease Research Center, there are an estimated 450,000 cases of Alzheimer's disease in Florida.

Alzheimer's disease causes millions of Americans to lose their ability to recognize familiar places and faces. Six in ten people with Alzheimer's disease will wander. A person with Alzheimer's disease or a related dementia may become disoriented and lost, even in his or her own neighborhood.³ Wandering behavior can be dangerous – if not found within 24 hours, half of those who wander risk serious injury or death.⁴

¹ http://www.alz.org/alzheimers_disease_what_is_alzheimers.asp (Last visited, March 5, 2009).

² Alzheimer's Association Report, 2008 Alzheimer's Disease Facts and Figures, available at http://www.alz.org/national/documents/report_alzfactsfigures2008.pdf.

³ Alzheimer's Association Safe Return Program Fact Sheet. Alzheimer's Association (2006).

⁴ *Id.*

On October 8, 2008, Governor Charlie Crist signed Executive Order 08-211 which established Florida's Silver Alert Plan. The Silver Alert Plan is a standardized and coordinated law enforcement and state agency protocol to share information with the public to improve the chances of a safe recovery of an elderly person with dementia or other cognitive impairment.

The Silver Alert Plan was implemented by the Florida Department of Law Enforcement in coordination with the Florida Department of Transportation, Florida Department of Elder Affairs, Florida Highway Patrol, and local police chiefs and sheriffs. The criteria for the issuance of a Silver Alert are:

- The missing person must be 60 years or older, and there must be a clear indication that the individual has an irreversible deterioration of intellectual faculties. This must be verified by law enforcement **or**; under extraordinary circumstances when a person age 18 to 59 has irreversible deterioration of intellectual faculties and law enforcement has determined the missing person lacks the capacity to consent, and that the use of dynamic message signs may be the only possible way to rescue the missing person
- The law enforcement agency's investigation must conclude that the disappearance poses a credible threat to the person's welfare and safety
- If a vehicle is involved and the statewide messaging system is requested, there must be a description of the vehicle, and a tag number to display on the Florida Department of Transportation dynamic message signs and
 - Local law enforcement must verify vehicle and tag information
 - The law enforcement agency must have entered the missing person into the Florida Crime Information Center and issued a statewide BOLO to other law enforcement/911 centers
- Local law enforcement has already activated a local or regional Alert by contacting media outlets in the law enforcement's jurisdiction or surrounding jurisdictions.⁵

In February 2009, the U.S. House of Representatives passed H.R. 632⁶, an act to encourage, enhance, and integrate Silver Alert plans throughout the United States, to authorize grants for the assistance of organizations to find missing adults, and for other purposes. The bill was referred to the Senate Committee on Judiciary on February 11, 2009, for consideration.

III. Effect of Proposed Changes:

The Senate Memorial urges the Congress of the United States to authorize the Silver Alert Grant Program to assist in establishing and improving state-administered notification systems that assist in locating missing senior citizens and other individuals suffering from dementia-related disorders; and that copies of the memorial be sent to the President of the United States, President of the United States Senate, Speaker of the United States House of Representatives, and each member of Florida's Congressional delegation.

⁵ Florida's Silver Alert Plan, Frequently Asked Questions, available at: <http://www.fdle.state.fl.us/MCICSearch/Documents/SilverAlertFAQ.pdf>.

⁶ H.R. 632 is available at: <http://thomas.loc.gov/cgi-bin/query/D?c111:3:./temp/~c111hDpDfn>.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.