

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

**Introduced**

### **House Bill 2984**

**2015 Carryover**

(BY DELEGATES STORCH, WESTFALL, PETHTEL

GEARHEART, ROWAN,

D. EVANS, ZATEZALO AND FLUHARTY)

[Introduced January 13, 2016; referred to the  
Committee on Senior Citizen Issues then the  
Judiciary.]

1 A BILL to amend and reenact §15-3B-3 of the Code of West Virginia, 1931, as amended, relating  
 2 to creating a Silver Alert program for senior citizens; defining a term; and providing an  
 3 establishment date.

*Be it enacted by the Legislature of West Virginia:*

1 That §15-3B-3 of the Code of West Virginia, 1931, as amended, be amended and  
 2 reenacted to read as follows:

**ARTICLE 3B. SILVER ALERT PLAN.**

**§15-3B-3. Establishment of "Silver Alert" program; cognitively impaired; seniors.**

1 (a) The Secretary of the Department of Military Affairs and Public Safety shall establish a  
 2 "Silver Alert" program authorizing the broadcast media, upon notice from the State Police, to  
 3 broadcast an alert to inform the public of a missing cognitively impaired person or a missing senior  
 4 citizen. The program shall be a voluntary, cooperative effort between state law-enforcement and  
 5 the broadcast media.

6 (b) For the purposes of this article, the term "cognitively impaired" means a person having  
 7 a deficiency in his or her short-term or long-term memory, orientation as to person, place, and  
 8 time, deductive or abstract reasoning, or judgment as it relates to safety: *Provided,* That the  
 9 cognitive impairment is not caused by the use of alcohol or drugs not legally prescribed by a  
 10 physician. For the purposes of this article, the term "senior citizen" means a person over fifty-five  
 11 years of age.

12 (c) The secretary shall notify the broadcast media serving the State of West Virginia of the  
 13 establishment of "Silver Alert" program and invite their voluntary participation.

14 (d) The secretary shall submit a plan to the Joint Committee on Government and Finance  
 15 no later than December 1, 2009. The plan shall include "Silver Alert" activation protocols,  
 16 evaluation of first responder training requirements and needs as related to cognitively impaired

17 persons and senior citizens, coordination and utilization of established programs and analysis of  
18 any costs. The secretary shall also make recommendations for any additional legislation or  
19 actions necessary to further facilitate the implementation of the "Silver Alert" program.

20 (e) The secretary shall add senior citizens to the "Silver Alert" program and establish the  
21 appropriate protocols no later than November 1, 2015.

NOTE: The purpose of this bill is to add senior citizens to the Silver Alert program . The bill defines a term and provides an establishment date.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.