

SENATE BILL NO. 36

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY SENATORS ELLIS, Wielechowski

Introduced: 1/25/13

Referred: State Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to missing vulnerable adult prompt response and notification plans."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 44.35.020(a) is amended to read:

4 (a) The Department of Military and Veterans' Affairs shall

5 (1) conduct the military affairs of the state as prescribed by the
6 Military Code;

7 (2) cooperate with the federal government in matters of mutual
8 concern pertaining to the welfare of Alaskan veterans, including establishing,
9 extending, or strengthening services for veterans in the state; [AND]

10 (3) annually, not later than February 1, make available a report to the
11 legislature, through the governor, outlining the department's activities during the
12 previous calendar year; the department shall notify the legislature that the report is
13 available; **and**

14 **(4) cooperate with the Department of Public Safety to develop and**
15 **implement vulnerable adult prompt response and notification plans under**

1 **AS 44.41.060.**

2 * **Sec. 2.** AS 44.41 is amended by adding a new section to read:

3 **Sec. 44.41.060. Missing vulnerable adult prompt response and notification**
 4 **plans.** (a) The Department of Public Safety, in cooperation with the Department of
 5 Military and Veterans' Affairs, shall, using statewide and local radio and television
 6 broadcasters and newspaper publishers, develop missing vulnerable adult prompt
 7 response and notification plans for use by law enforcement to locate a vulnerable adult
 8 who is missing or who has disappeared and coordinate the use of those plans. The
 9 plans must, at a minimum, include standards

10 (1) for determining when it is appropriate to implement a prompt
 11 response and notification plan; standards developed under this paragraph must, at a
 12 minimum, address

13 (A) the circumstances under which a vulnerable adult will be
 14 considered missing; and

15 (B) the format and contents of and distribution process for
 16 reports prepared by participating law enforcement agencies searching for a
 17 missing vulnerable adult;

18 (2) for determining the proper area in which to implement the plan;

19 (3) providing for the voluntary participation of radio and television
 20 broadcasters and newspaper publishers in the plan.

21 (b) Notwithstanding another provision of law,

22 (1) a law enforcement agency, or an officer or employee of the law
 23 enforcement agency, is not civilly liable for

24 (A) failing to participate in a missing vulnerable adult prompt
 25 response and notification plan;

26 (B) failing to implement a missing vulnerable adult prompt
 27 response and notification plan; or

28 (C) activating a missing vulnerable adult prompt response and
 29 notification plan if implementation is undertaken in good faith;

30 (2) a radio or television broadcaster or newspaper publisher is not
 31 civilly liable for participating in a missing vulnerable adult prompt response and

1 notification plan or for participating in the actual implementation of a plan if the
2 broadcaster or publisher has verified the authenticity of that implementation with the
3 law enforcement agency.

4 (c) In this section, "vulnerable adult" has the meaning given in AS 47.24.900.