

1 SB132
2 196360-1
3 By Senator Whatley
4 RFD: Veterans and Military Affairs
5 First Read: 19-MAR-19

2
3
4
5
6
7
8 SYNOPSIS: Under existing law, there is no emergency
9 alert system for missing or endangered veterans or
10 service members of the armed forces.

11 This bill would create the Emergency Missing
12 Veteran Alert Program, similar to the existing
13 missing persons alerts and "Amber Alerts," wherein
14 the Alabama State Law Enforcement Agency would
15 disseminate "Green Alerts" to aid in the search for
16 missing or endangered service members or veterans.

17 This bill would require all law enforcement
18 agencies to participate in the program, and any
19 media broadcaster to voluntarily participate in the
20 program.

21
22 A BILL
23 TO BE ENTITLED
24 AN ACT

25
26 To create the Emergency Missing Veteran Alert
27 Program; to provide for the issuing of media alerts when

1 veterans or service members of the armed forces are missing;
2 and to require the Alabama State Law Enforcement Agency to
3 implement the program; to require participation by local law
4 enforcement agencies; to provide rulemaking authority; to
5 provide procedures for the activation and deactivation of an
6 alert; and to provide for limited immunity for broadcasters of
7 an alert.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. This act shall be known and may be cited
10 as the Emergency Missing Veteran Alert Act.

11 Section 2. The Missing Veteran Alert Act is enacted
12 for the following purposes:

13 (1) To provide a rapid response to missing or lost
14 veterans or service members of the armed forces who are at
15 risk of bodily harm or death.

16 (2) To honor the past and present public service of
17 veterans and service members, by providing them a potentially
18 lifesaving public service in return.

19 Section 3. When used in this act, the following
20 terms shall have the following meanings:

21 (1) AGENCY. The Alabama State Law Enforcement
22 Agency.

23 (2) BROADCASTER. Any entity that is engaged in the
24 business of broadcasting video or audio programs, whether
25 through the public airwaves, by cable, by direct or indirect
26 satellite transmissions, or by any other means of
27 communication.

1 (3) EMERGENCY MISSING VETERAN ALERT. A program
2 entered into by the agency and other local and law enforcement
3 agencies and available for voluntary entry by the Alabama
4 Association of Broadcasters and broadcasters licensed to serve
5 in the state, which provides that if the agency verifies that
6 a veteran is missing or lost and in danger, a media alert is
7 transmitted. The broadcasters participating in the program
8 shall then issue a media alert.

9 (4) VETERAN. For the purposes of this act, "veteran"
10 includes any person honorably discharged from service in, or
11 currently serving in, any branch of the Armed Forces of the
12 United States of America. For purposes of this subdivision,
13 "Armed Forces" includes the United States Army, Air Force,
14 Navy, Marine Corps, and Coast Guard, and such term shall also
15 include the units of those branches of the services having
16 women troops. "Armed Forces" shall also include any reserve or
17 national guard units of any branch, as well as the Army, Navy,
18 Marine Corps, and Coast Guard Nurse Corps.

19 Section 4. (a) There is established a statewide
20 Emergency Missing Veteran Alert System to be developed and
21 implemented by the Secretary of the Alabama State Law
22 Enforcement Agency, or his or her designee, who shall serve as
23 the state coordinator of the alert system.

24 (b) The agency shall implement this system in
25 conjunction with any existing missing person notification
26 system used by the agency.

1 (c) All local law enforcement agencies shall
2 participate in the alert system.

3 (d) The agency shall prepare and implement a plan to
4 educate and inform the public about the Emergency Missing
5 Veteran Alert System and the importance of public
6 participation in the program, as well as guidance on how to
7 aid veterans suffering from Post-Traumatic Stress Disorder or
8 other invisible injuries.

9 Section 5. An Emergency Missing Veteran Alert shall
10 be activated by the agency when a veteran is reported missing
11 and an investigation reveals the following:

12 (1) The veteran is at risk of bodily harm or death.

13 (2) There is enough descriptive information about
14 the veteran to believe an immediate media alert would help
15 investigators locate the person.

16 Section 6. (a) Once a determination has been made to
17 activate the Emergency Missing Veteran Alert, the department
18 shall do the following:

19 (1) Issue a local media alert via email and fax
20 indicating that a veteran is missing.

21 (2) Prepare and send via email and fax the
22 information and description of the missing veteran to the
23 media in the appropriate area.

24 (3) Supplement the information by descriptions or
25 photographs of the veteran to all the participating
26 broadcasters and the public through the following:

27 a. Email description.

1 b. Post the missing veteran's photograph on the
2 agency's website.

3 (b) Any alert issued under this act may include an
4 advisory regarding a veteran's diagnosis of Post-Traumatic
5 Stress Disorder or other invisible injury, if such an advisory
6 is deemed proper by the agency.

7 Section 7. (a) Once the veteran is found or the case
8 is closed, the agency shall distribute a media alert
9 cancellation to all participating broadcasters.

10 (b) The agency shall notify broadcasters and other
11 agencies of the cancellation.

12 Section 8. An entity or individual participating in
13 the dissemination of an alert generated through the alert
14 system under this act is not liable for any civil damages
15 arising from the dissemination of the alert absent
16 unreasonable, wanton, willful, or intentional conduct.

17 Section 9. The agency may adopt any rules necessary
18 to implement this act.

19 Section 10. This act shall become effective on the
20 first day of the third month following its passage and
21 approval by the Governor, or its otherwise becoming law.