

**2013 DRAFTING REQUEST**

**Bill**

Received: **6/21/2013** Received By: **chanaman**  
Wanted: **As time permits** Same as LRB:  
For: **Dave Hansen (608) 266-5670** By/Representing: **Jon Mielke**  
May Contact: Drafter: **chanaman**  
Subject: **Criminal Law - law enforcement** Addl. Drafters:  
**Justice - civil** Extra Copies:

Submit via email: **YES**  
Requester's email: **Sen.Hansen@legis.wisconsin.gov**  
Carbon copy (CC) to:

**Pre Topic:**

No specific pre topic given

**Topic:**

Alert system in Department of Justice regarding missing adults at risk.

**Instructions:**

See attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	chanaman 6/21/2013	scalvin 6/24/2013	jmurphy 6/25/2013	_____			
/P1	chanaman 7/15/2013	scalvin 7/15/2013	jmurphy 7/15/2013	_____	sbasford 6/25/2013		State S&L
/1				_____	lparisi 7/15/2013	lparisi 7/15/2013	State S&L

FE Sent For:

*at hts  
8/16/13*

<END>

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/P1		/1 sac 07/15/2013		_____	sbasford 6/25/2013	JACKET FOR SENATE	State S&L

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/?	chanaman	/PI Sec 06/24/2013	jm 6/24	self			

FE Sent For:

<END>

## Hanaman, Cathlene

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**From:** Dodge, Tamara  
**Sent:** Thursday, June 13, 2013 3:31 PM  
**To:** Hanaman, Cathlene  
**Subject:** FW: Email from LRB Website

### Tamara J. Dodge

Attorney  
Wisconsin Legislative Reference Bureau  
P.O. Box 2037  
Madison, WI 53701-2037  
(608) 267 - 7380  
[tamara.dodge@legis.wisconsin.gov](mailto:tamara.dodge@legis.wisconsin.gov)

**From:** Mielke, Jon  
**Sent:** Thursday, June 13, 2013 10:12 AM  
**To:** Dodge, Tamara  
**Subject:** Email from LRB Website

Hi Tamara,

I'm not sure if this falls under your subject area. Senator Hansen would like to draft legislation which would create a Silver Alert for Wisconsin, similar to an Amber Alert.

Thanks,

Jon Mielke  
Office of Sen. Dave Hansen

sac

<sup>13</sup>  
2009 BILL

2564/PI  
P

1 AN ACT *to create* 165.73 and 175.51 of the statutes; **relating to:** an alert system  
2 for missing adults at risk and reports to law enforcement regarding missing  
3 persons.

*Analysis by the Legislative Reference Bureau*

The Department of Justice (DOJ) currently administers the Amber Alert System, under which it works with law enforcement agencies, broadcasters, and others to disseminate information regarding certain missing child cases.

This bill creates a statutory requirement that DOJ administer an alert system to disseminate information regarding missing adults who are cognitively impaired if a law enforcement agency notifies DOJ that it has received a report that the adult is missing. This bill also provides civil immunity to persons who, as participants in this alert program, disseminate alerts regarding missing adults at risk and to persons who assist an adult at risk who is the subject of an alert.

For further information see the *state fiscal estimate*, which will be printed as an appendix to this bill.

APS: Dix  
Component

(and bill)

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

4 SECTION 1. 165.73 of the statutes is created to read:

**BILL**

1           **165.73 Alert system for missing adults at risk. (1)** In this section, “adult  
2 at risk” has the meaning given in s. 175.51 (1).

3           **(2)** If a law enforcement agency notifies the department under s. 175.51 (3) that  
4 it has received a report of a missing adult at risk, the department shall activate an  
5 alert for the missing adult at risk. The alert system shall involve a partnership of  
6 law enforcement agencies, broadcasters, and other appropriate entities, to rapidly  
7 disseminate the information under sub. (3) regarding a missing adult at risk. An  
8 alert shall instruct a person with any information related to the missing adult at risk  
9 to contact a local law enforcement agency.

10           **(3)** The information to be disseminated under sub. (2) includes all of the  
11 following:

12           (a) The name of the missing adult at risk.

13           (b) A physical description of the missing adult at risk.

14           (c) The last-known location of the missing adult at risk.

15           (d) The time and date that the adult at risk went missing.

16           (e) Any information that the department determines may assist in identifying  
17 or finding the missing adult at risk.

18           (f) Any other information provided by the law enforcement agency under s.  
19 175.51 (3).

20           **(4)** (a) Any person disseminating information regarding missing adults at risk  
21 as part of the alert system under this section is immune from civil liability for his or  
22 her good faith acts or omissions while participating in the system.

23           (b) A person is immune from civil liability for acts or omissions committed while  
24 assisting or attempting to assist, or obtaining or attempting to obtain assistance for,

**BILL**

1 a missing adult at risk who is the subject of an alert under sub. (2) unless the acts  
2 or omissions involve reckless, wanton, or intentional misconduct.

3 **SECTION 2.** 175.51<sup>\*</sup> of the statutes is created to read:

4 **175.51 Reports of missing persons. (1)** In this section, "adult at risk" means  
5 an adult who has a developmental disability, who suffers from Alzheimer's disease  
6 or dementia, or who suffers from or could, without access to medication, suffer from  
7 cognitive impairment if the impairment would likely render the adult incapable of  
8 getting to a familiar location without assistance.

9 **(2)** A law enforcement agency shall accept a report of a missing person if the  
10 report is submitted by a family member, whether by blood, marriage, or adoption, of  
11 the missing person or by any person responsible for the missing person.

12 **(3)** If a law enforcement agency takes a report of a missing person who the law  
13 enforcement agency determines is an adult at risk, the law enforcement agency shall  
14 provide any information that the law enforcement agency determines may help  
15 locate the missing adult at risk to the department of justice to enable the department  
16 of justice to issue an alert under s. 165.73.<sup>'</sup>

17 **SECTION 3. Initial applicability.**

18 **(1)** The treatment of section 165.73 (4) of the statutes first applies to acts or  
19 omissions committed on the effective date of this subsection.

20 **(2)** The treatment of section 175.51 of the statutes first applies to reports of  
21 missing persons submitted to a law enforcement agency on the effective date of this  
22 subsection.

23 **(END)**

## Barman, Mike

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**From:** Barman, Mike  
**Sent:** Friday, July 12, 2013 8:55 AM  
**To:** Sen.Hansen  
**Cc:** Hanaman, Cathlene; Mielke, Jon  
**Subject:** RE: Draft review: LRB -2564/P1 Topic: Alert system in Department of Justice regarding missing adults at risk.

Good morning,

This draft is currently a "/P1" ... it will need to be redrafted to a "/1" if you wish to have it jacketed. I forwarded your request to the drafting attorney (Cathlene Hanaman 267-9810).

Please let me know if I can be of further assistance.

**Mike Barman (Lead Program Assistant)**

State of Wisconsin - Legislative Reference Bureau - Legal Section - Front Office  
1 East Main Street, Suite 200, Madison, WI 53703  
(608) 266-3561 / [mike.barman@legis.wisconsin.gov](mailto:mike.barman@legis.wisconsin.gov)

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**From:** Sen.Hansen  
**Sent:** Friday, July 12, 2013 8:28 AM  
**To:** LRB.Legal  
**Subject:** RE: Draft review: LRB -2564/P1 Topic: Alert system in Department of Justice regarding missing adults at risk.

Hi Cathlene,

We would like to get this jacketed for introduction.

Thanks,

Jon Mielke  
Office of Sen. Dave Hansen

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**From:** LRB.Legal  
**Sent:** Tuesday, June 25, 2013 9:39 AM  
**To:** Sen.Hansen  
**Subject:** Draft review: LRB -2564/P1 Topic: Alert system in Department of Justice regarding missing adults at risk.

**Following is the PDF version of draft LRB -2564/P1.**



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-2564/PI

CMH:sac:im

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

*today*

*no changes*

*revised*

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22 subsection.

23 **(END)**