

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 19-0602.01 Jerry Barry x4341

HOUSE BILL 19-1126

HOUSE SPONSORSHIP

Sandridge,

SENATE SPONSORSHIP

(None),

House Committees

State, Veterans, & Military Affairs
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING AN ALERT PROGRAM FOR PERSONS WITH MILITARY**
102 **SERVICE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill creates a green alert program (program) to notify the public when a veteran or military service member is missing who is known to have a physical or mental health condition that is related to his or her service or who is at imminent risk of self-harm (at-risk veteran or service member). The Colorado bureau of investigation (CBI) shall implement the program, and the director of the department of public

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

safety shall promulgate rules regarding implementation of the program. The program rules must, at a minimum:

- ! Include a procedure for local law enforcement agencies to verify that an at-risk veteran or service member is missing and to notify the CBI; and
- ! Require the CBI to issue an alert after confirming the local law enforcement agencies' information.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **add** 24-33.5-416.1 as follows:

24-33.5-416.1. At-risk veteran and military service member green alert program created - rules - definition. (1) THE GENERAL ASSEMBLY FINDS THAT, IN THE CASE OF A MISSING AT-RISK MILITARY VETERAN OR SERVICE MEMBER, THE FIRST FEW HOURS ARE CRITICAL TO FINDING THE PERSON. TO AID IN THE IDENTIFICATION AND LOCATION OF MISSING PERSONS, THERE IS CREATED THE AT-RISK MILITARY VETERAN OR SERVICE MEMBER GREEN ALERT PROGRAM, REFERRED TO IN THIS SECTION AS THE "GREEN ALERT PROGRAM", TO BE IMPLEMENTED BY THE BUREAU. THE GREEN ALERT PROGRAM MUST BE A COORDINATED EFFORT AMONG THE BUREAU, LOCAL LAW ENFORCEMENT AGENCIES, AND THE STATE'S PUBLIC AND COMMERCIAL TELEVISION AND RADIO BROADCASTERS.

(2) FOR THE PURPOSES OF THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "MISSING AT-RISK VETERAN OR MILITARY SERVICE MEMBER" MEANS A PERSON:

- (a) WHOSE WHEREABOUTS ARE UNKNOWN;
- (b) WHOSE DOMICILE AT THE TIME HE OR SHE IS REPORTED MISSING IS IN COLORADO; AND
- (c) WHO IS A VETERAN OR AN ACTIVE DUTY MEMBER OF THE ARMED FORCES, THE NATIONAL GUARD, OR THE MILITARY RESERVE

1 FORCES OF THE UNITED STATES:

2 (I) WHO IS KNOWN TO HAVE A PHYSICAL OR MENTAL HEALTH
3 CONDITION THAT IS RELATED TO HIS OR HER SERVICE; OR

4 (II) WHOSE DISAPPEARANCE POSES A CREDIBLE THREAT TO THE
5 SAFETY AND HEALTH OF THE PERSON, AS DETERMINED BY A LOCAL LAW
6 ENFORCEMENT AGENCY.

7 (3) (a) THE BUREAU SHALL IMPLEMENT THE GREEN ALERT
8 PROGRAM AS DESCRIBED IN THIS SUBSECTION (3) AND PURSUANT TO RULES
9 PROMULGATED AS AUTHORIZED IN SUBSECTION (4) OF THIS SECTION.

10 (b) WHEN A LOCAL LAW ENFORCEMENT AGENCY RECEIVES NOTICE
11 OF A MISSING AT-RISK VETERAN OR MILITARY SERVICE MEMBER, THE
12 AGENCY SHALL REQUIRE THE REPORTING PERSON TO PROVIDE
13 DOCUMENTATION OF THE MISSING AT-RISK VETERAN'S OR MILITARY
14 SERVICE MEMBER'S PHYSICAL OR MENTAL HEALTH CONDITION OR TO
15 PROVIDE CLEAR, IDENTIFIABLE PROOF THAT THE AT-RISK VETERAN OR
16 MILITARY SERVICE MEMBER IS AT IMMINENT RISK OF SELF-HARM. THE
17 AGENCY SHALL FOLLOW A PROCEDURE ESTABLISHED BY RULE TO VERIFY
18 THE AT-RISK VETERAN OR MILITARY SERVICE MEMBER IS MISSING AND
19 EITHER HAS A PHYSICAL OR MENTAL HEALTH CONDITION OR THAT
20 IDENTIFIABLE PROOF EXISTS THAT THE AT-RISK VETERAN OR MILITARY
21 SERVICE MEMBER IS AT IMMINENT RISK OF SELF-HARM. ONCE THE LOCAL
22 LAW ENFORCEMENT AGENCY VERIFIES THE AT-RISK VETERAN OR MILITARY
23 SERVICE MEMBER IS MISSING AND HAS A VERIFIED PHYSICAL OR MENTAL
24 HEALTH CONDITION OR IS CLEARLY AND IDENTIFIABLY AT IMMINENT RISK
25 OF SELF-HARM, THE LOCAL LAW ENFORCEMENT AGENCY MAY NOTIFY THE
26 BUREAU.

27 (c) WHEN NOTIFIED BY A LOCAL LAW ENFORCEMENT AGENCY OF

1 A MISSING AT-RISK VETERAN OR MILITARY SERVICE MEMBER, THE BUREAU
2 SHALL CONFIRM THE ACCURACY OF THE INFORMATION AND THEN ISSUE A
3 GREEN ALERT.

4 (d) THE GREEN ALERT SHALL BE SENT TO DESIGNATED MEDIA
5 OUTLETS IN COLORADO. PARTICIPATING RADIO STATIONS, TELEVISION
6 STATIONS, AND OTHER MEDIA OUTLETS MAY ISSUE THE GREEN ALERT AT
7 DESIGNATED INTERVALS AS SPECIFIED BY RULE.

8 (e) THE GREEN ALERT MUST INCLUDE ALL APPROPRIATE
9 INFORMATION FROM THE LOCAL LAW ENFORCEMENT AGENCY THAT MAY
10 ASSIST IN THE SAFE RECOVERY OF THE MISSING AT-RISK VETERAN OR
11 MILITARY SERVICE MEMBER AND A STATEMENT INSTRUCTING ANYONE
12 WITH INFORMATION RELATED TO THE MISSING AT-RISK VETERAN OR
13 MILITARY SERVICE MEMBER TO CONTACT HIS OR HER LOCAL LAW
14 ENFORCEMENT AGENCY.

15 (f) THE GREEN ALERT MUST BE CANCELLED UPON BUREAU
16 NOTIFICATION THAT THE MISSING AT-RISK VETERAN OR MILITARY SERVICE
17 MEMBER HAS BEEN FOUND OR AT THE END OF THE NOTIFICATION PERIOD,
18 WHICHEVER OCCURS FIRST. A LAW ENFORCEMENT AGENCY THAT LOCATES
19 A MISSING AT-RISK VETERAN OR MILITARY SERVICE MEMBER WHO IS THE
20 SUBJECT OF A GREEN ALERT SHALL NOTIFY THE BUREAU AS SOON AS
21 POSSIBLE THAT THE MISSING AT-RISK VETERAN OR MILITARY SERVICE
22 MEMBER HAS BEEN LOCATED.

23 (4) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC
24 SAFETY SHALL PROMULGATE RULES IN ACCORDANCE WITH THE "STATE
25 ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF THIS TITLE 24, FOR THE
26 IMPLEMENTATION OF THE GREEN ALERT PROGRAM. THE RULES MUST
27 INCLUDE BUT NEED NOT BE LIMITED TO:

- 1 (a) PROCEDURES FOR A LOCAL LAW ENFORCEMENT AGENCY TO USE
2 TO VERIFY THE ACCURACY OF A REPORT OF A MISSING AT-RISK VETERAN
3 OR MILITARY SERVICE MEMBER AND THE CIRCUMSTANCES UNDER WHICH
4 THE AGENCY SHALL REPORT THE MISSING PERSON TO THE BUREAU;
5 (b) THE PROCESS TO BE FOLLOWED BY THE BUREAU FOR
6 CONFIRMING THE LOCAL LAW ENFORCEMENT AGENCY'S INFORMATION;
7 (c) THE PROCESS FOR REPORTING THE INFORMATION TO
8 DESIGNATED MEDIA OUTLETS IN COLORADO;
9 (d) WHAT CONSTITUTES CLEAR, IDENTIFIABLE PROOF OF IMMINENT
10 RISK OF SELF-HARM; AND
11 (e) ANY ADDITIONAL PROCESSES CONCERNING IMPLEMENTATION
12 OF THE GREEN ALERT PROGRAM.

13 **SECTION 2. Act subject to petition - effective date.** This act
14 takes effect at 12:01 a.m. on the day following the expiration of the
15 ninety-day period after final adjournment of the general assembly (August
16 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
17 referendum petition is filed pursuant to section 1 (3) of article V of the
18 state constitution against this act or an item, section, or part of this act
19 within such period, then the act, item, section, or part will not take effect
20 unless approved by the people at the general election to be held in
21 November 2020 and, in such case, will take effect on the date of the
22 official declaration of the vote thereon by the governor.