

House Engrossed

silver alert; criteria; notification

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HOUSE BILL 2894

AN ACT

AMENDING SECTION 41-1728, ARIZONA REVISED STATUTES; RELATING TO THE
DEPARTMENT OF PUBLIC SAFETY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-1728, Arizona Revised Statutes, is amended to
3 read:

4 41-1728. Silver alert notification system; requirements;
5 definitions

6 A. The department shall establish the silver alert notification
7 system as a quick response system designed to issue and coordinate alerts
8 following the report of a missing person who ~~is sixty-five years of age or~~
9 ~~older or who~~ has a developmental disability OR A COGNITIVE DISABILITY,
10 Alzheimer's disease or dementia OR IS SIXTY-FIVE YEARS OF AGE OR OLDER as
11 described in subsection B of this section.

12 B. On the request of an authorized person at a law enforcement
13 agency that is investigating a report of a missing person who ~~is~~
14 ~~sixty-five years of age or older or who~~ has a developmental disability OR
15 A COGNITIVE DISABILITY, Alzheimer's disease or dementia OR IS SIXTY-FIVE
16 YEARS OF AGE OR OLDER, the department shall request an activation of the
17 emergency alert system and issue a silver alert IMMEDIATELY if all of the
18 following conditions are met:

19 1. The missing person ~~is sixty-five years of age or older or~~ has a
20 developmental disability OR A COGNITIVE DISABILITY, Alzheimer's disease or
21 dementia OR IS SIXTY-FIVE YEARS OF AGE OR OLDER.

22 2. The law enforcement agency investigating the missing person
23 report:

24 (a) Has used all available local resources.

25 (b) Has determined that the person has gone missing under
26 unexplained or suspicious circumstances.

27 (c) Believes that the missing person is in danger because of age,
28 health, mental or physical disability, environment or weather conditions,
29 that the missing person is in the company of a potentially dangerous
30 person or that there are other factors indicating that the missing person
31 may be in peril.

32 3. There is information available that, if disseminated to the
33 public, could assist in the safe recovery of the missing person.

34 4. The department has been designated to use the federally
35 authorized emergency alert system for the issuance of silver alerts.

36 C. THE DEPARTMENT SHALL REQUEST AN ACTIVATION OF THE EMERGENCY
37 ALERT SYSTEM AND ISSUE A SILVER ALERT IMMEDIATELY PURSUANT TO SUBSECTION B
38 OF THIS SECTION REGARDLESS OF THE MISSING PERSON'S AGE. A SILVER ALERT
39 MAY NOT BE DENIED OR DELAYED DUE TO ADMINISTRATIVE PROCESSES, PRIOR
40 MISSING EPISODES OR DISCRETIONARY ASSESSMENTS THAT ARE UNRELATED TO THE
41 IMMEDIATE RISK TO THE MISSING PERSON'S SAFETY.

42 ~~C.~~ D. If the department issues a silver alert pursuant to this
43 section, the department shall provide the silver alert information to any
44 other entity that provides similar notifications in this state.

1 E. ALL LAW ENFORCEMENT AGENCIES IN THIS STATE SHALL DO ALL OF THE
2 FOLLOWING:

3 1. DEVELOP, IMPLEMENT AND REGULARLY UPDATE TRAINING CRITERIA FOR
4 ALL NEWLY HIRED EMPLOYEES REGARDING THE SILVER ALERT NOTIFICATION SYSTEM
5 PURSUANT TO THIS SECTION. THE TRAINING SHALL BE COMPREHENSIVE AND SHALL
6 CREATE A SOLID FOUNDATION OF KNOWLEDGE REGARDING THE LEGAL CRITERIA AND
7 PROCESSES INVOLVED IN ISSUING A TIMELY SILVER ALERT PURSUANT TO THIS
8 SECTION.

9 2. CONDUCT ANNUAL SILVER ALERT NOTIFICATION TRAINING FOR ALL
10 DEPARTMENT EMPLOYEES WHO HAVE DIRECT OVERSIGHT OF MISSING PERSON CASES,
11 INCLUDING THE SUPERVISORS OF THESE EMPLOYEES. THE TRAINING SHALL INCLUDE
12 A REVIEW OF ANY DEPARTMENT AND STATE POLICIES REGARDING LOCATING MISSING,
13 ABDUCTED OR RUNAWAY PERSONS, WITH A SPECIFIC FOCUS ON SILVER ALERT
14 PROCEDURES. THE TRAINING SHALL ALSO INCLUDE AN EXAMINATION OF THE LEGAL
15 REQUIREMENTS AND THE NECESSARY ONGOING EFFORTS REQUIRED TO LOCATE MISSING,
16 ABDUCTED OR RUNAWAY PERSONS IN A TIMELY AND EFFECTIVE MANNER.

17 ~~D.~~ F. For the purposes of this section, ~~:-~~:

18 1. "COGNITIVE DISABILITY" HAS THE SAME MEANING PRESCRIBED IN
19 SECTION 36-551.

20 2. "Developmental disability" has the same meaning prescribed in
21 section 36-551.