

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2010**

No. 50

Introduced by Council Members Lappin, Arroyo, Barron, Brewer, Chin, Comrie, Dickens, Fidler, Gennaro, Gonzalez, Koppell, Koslowitz, Palma, Recchia, Reyna, Seabrook, Vann, Williams, Rose, Mark-Viverito, Nelson, Van Bramer, Rivera, Weprin, Garodnick, Dilan, Lander, Jackson, Rodriguez, Greenfield, Sanders Jr., and Ulrich

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to establishing a silver alert program to provide public notification for missing senior citizens with certain cognitive impairments.

Be it enacted by the Council as follows:

Section 1. Title ten of the administrative code of the city of New York is amended by adding a new chapter eight to read as follows:

CHAPTER 8

SILVER ALERT SYSTEM

§10-801 Definitions. a. “Administering agency” shall mean any city agency, office, department, division, bureau or institution of government, the expenses of which are paid in whole or in part from the city treasury, as the mayor shall designate.

b. “Silver alert” shall mean the communication to the public by a city agency of identifying information concerning a vulnerable senior who is reported missing to a law enforcement agency under circumstances indicating that the person is in imminent danger of serious bodily harm or death.

c. “Vulnerable senior” shall mean a person who is sixty-five years of age or older with

dementia, as a result of Alzheimer's disease or a similar condition.

§10-802 Silver alert system. The administering agency shall establish a silver alert system, pursuant to the provisions of this chapter of the code, that will provide rapid notification to the public when a vulnerable senior is reported missing under circumstances indicating that the person is in imminent danger of serious bodily harm or death.

§10-803 Procedures. a. The administering agency shall develop a protocol for notification to organizations such as media organizations, senior service providers, medical facilities and community organizations when a silver alert is issued.

b. The administering agency shall, as appropriate, consult with other city agencies, including, but not limited to, the police department, the fire department, the office of emergency management, the human resources administration, the department for the aging, the department of health and mental hygiene and the department of transportation, to collect and disseminate information regarding the person for whom the silver alert was issued.

c. The administering agency shall issue a silver alert within twenty-four hours of the determination that a vulnerable senior has been reported missing under circumstances indicating that the person is in imminent danger of serious bodily harm or death. The silver alert may be issued by any appropriate means, including, but not limited to, email notifications, text messages, telephone calls, television broadcasts or radio broadcasts. The silver alert may be issued at repeated intervals within the discretion of the administering agency until such missing person is found or until the administering agency determines that the issuance of a silver alert is no longer appropriate.

d. The information about the person for whom the silver alert was issued, if available and capable of transmission, shall include, but not be limited to: (1) the person's name; (2) the

person's age; (3) a physical description of the person; (4) the last known location where the person was seen, which shall not include the exact address of the person's home; (5) a recent photograph of the person; and (6) a description of any motor vehicle the person may have been driving, provided that the administering agency may refrain from disclosing any such information if disclosure is inappropriate under the circumstances.

e. The administering agency may use its discretion to issue a silver alert for a person under the age of 65 who is reported missing under circumstances indicating that the person is in imminent danger of serious bodily harm or death, where such missing person has dementia, as a result of Alzheimer's disease or a similar condition.

§2. This local law shall take effect ninety days after its enactment into law.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council onSeptember 16, 2010..... and approved by the Mayor onOctober 6, 2010.....

MICHAEL M. McSWEENEY, City Clerk Clerk of the Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE §27

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed Local Law (Local Law 50 of 2010, Council Int. No. 270-A) contains the correct text and was passed by the New York City Council on September 16, 2010, approved by the Mayor on October 6, 2010 and returned to the City Clerk on October 6, 2010.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel