

House Bill 772

By: Representatives Scott of the 76<sup>th</sup>, Williams of the 168<sup>th</sup>, Jackson of the 64<sup>th</sup>, Schofield of the 60<sup>th</sup>, and Beasley-Teague of the 65<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to the  
2 Georgia Bureau of Investigation, so as to provide for a green alert program to notify the  
3 public when a veteran or military service member known to have a physical or mental health  
4 condition related to his or her service, or who is at imminent risk of self-harm, is missing;  
5 to provide for definitions; to provide for procedures and cooperation of state agencies; to  
6 provide for certain immunities; to provide for a short title; to provide for related matters; to  
7 repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to the Georgia  
11 Bureau of Investigation, is amended by adding a new article to read as follows:

12 "ARTICLE 10

13 35-3-220.

14 This article shall be known and may be cited as the 'Green Call Act.'

15 35-3-221.

16 As used in this article, the term:

17 (1) 'Alert system' means the state-wide 'Green Call' alert system for missing veterans and  
18 military service members established under this article.

19 (2) 'At-risk veteran or military service member' means a veteran or military service  
20 member:

21 (A) Who has a physical or mental condition related to such person's service in the  
22 military; or

23 (B) Whose disappearance poses a credible threat to his or her safety or health, as  
24 determined by a local law enforcement agency.

25 (3) 'Local law enforcement agency' means a law enforcement agency with jurisdiction  
26 over the investigation of a missing veteran or military service member.

27 (4) 'Veteran or military service member' means a person who has served or is serving as  
28 a member of the regular, reserve, or National Guard component of the United States  
29 armed forces or the United States Coast Guard.

30 35-3-222.

31 (a) With the cooperation of the office of the Governor, the Georgia Lottery Corporation,  
32 and other appropriate law enforcement agencies in this state, the bureau shall develop and  
33 implement a state-wide alert system to be activated on behalf of missing at-risk veterans  
34 or military service members.

35 (b) Activation of a state-wide missing person alert system shall not prevent or prohibit any  
36 other state or local law enforcement agency from taking additional measures in response  
37 to the receipt of a missing person report.

38 35-3-223.

39 (a) The director shall be the state-wide coordinator of the alert system.

40 (b) The director shall adopt rules and issue directives as necessary to ensure proper  
41 implementation of the alert system. The rules and directives shall include instructions on  
42 the procedures for activating and deactivating the alert system.

43 (c) The director shall prescribe forms for use by local law enforcement agencies in  
44 requesting activation of the alert system.

45 (d) No rule or directive adopted by the director shall mandate a minimum waiting period  
46 before the alert system may be activated or a request by local law enforcement agencies  
47 may be submitted to the bureau; provided, however, that it shall remain within the  
48 discretion of the director, as provided in this article, whether the alert system shall be  
49 activated at the request of a local law enforcement agency.

50 (e) When making a determination whether to activate or whether to request the activation  
51 of the state-wide missing person alert system, both the director and the requesting local law  
52 enforcement agency shall take into consideration the known medical condition of the  
53 missing person if the medical condition may reasonably be considered a cause for the  
54 inability to locate such missing person. In so considering the medical condition of a  
55 missing person, particularly if such condition may be immediately life-threatening or  
56 incapacitating, the director or other authorized person and the requesting law enforcement

57 official shall be authorized, within his or her discretion, to initiate and request, respectively,  
58 a state-wide endangered person advisory.

59 35-3-224.

60 (a) The bureau shall recruit public and commercial television, radio, cable, print, and other  
61 media, private commercial entities, state or local governmental entities, the public, and  
62 other appropriate persons to assist in developing and implementing the alert system.

63 (b) The bureau may enter into agreements with participants in the alert system to provide  
64 necessary support for the alert system.

65 35-3-225.

66 (a) When a local law enforcement agency receives notice of a missing at-risk veteran or  
67 military service member, such agency shall require the reporting person to provide  
68 documentation of the missing at-risk veteran or military service member's physical or  
69 mental condition or provide clear, identifiable proof that the missing at-risk veteran or  
70 military service member is at imminent risk of self-harm. The director shall promulgate  
71 by rule and regulation procedures which the local law enforcement agency shall follow to  
72 verify that the at-risk veteran or military service member is missing and has a physical or  
73 mental condition related to such person's military service or that identifiable proof exists  
74 that the at-risk veteran or military service member is at imminent risk of self-harm. Once  
75 the local law enforcement agency verifies that the at-risk veteran or military service  
76 member is missing and has a physical or mental condition related to such person's military  
77 service or that identifiable proof exists that the at-risk veteran or military service member  
78 is at imminent risk of self-harm, the local law enforcement agency shall be authorized to  
79 notify the bureau and request the alert system be activated.

80 (b) On notification by a local law enforcement agency that an at-risk veteran or military  
81 service member is missing, the director shall activate the alert system and notify  
82 appropriate participants in the alert system, as established by rule, if:

83 (1) A local law enforcement agency believes that such at-risk veteran or military service  
84 member is missing;

85 (2) A local law enforcement agency believes that such at-risk veteran or military service  
86 member is in immediate danger of serious bodily injury or death;

87 (3) A local law enforcement agency confirms that an investigation has taken place that  
88 verifies the disappearance and eliminates alternative explanations for the at-risk veteran  
89 or military service member's disappearance; and

90 (4) Sufficient information is available to disseminate to the public that could assist in  
91 locating such at-risk veteran or military service member.

92 (c) The area of the alert may be less than state wide if the director determines that the  
93 nature of the event makes it probable that the at-risk veteran or military service member  
94 did not leave a certain geographic location.

95 (d) The bureau may modify the criteria described by subsection (b) of this Code section  
96 as necessary for the proper implementation of the alert system.

97 35-3-226.

98 (a) A state agency participating in the alert system shall:

99 (1) Cooperate with the bureau and assist in developing and implementing the alert  
100 system;

101 (2) Establish a plan for providing relevant information to its officers, investigators, or  
102 employees, as appropriate, once the alert system has been activated; and

103 (3) Utilize a rapid response telephone system that alerts residents in a targeted area.

104 (b) The Georgia Lottery Corporation is directed to develop a method of notifying its  
105 vendors within an alert area of an alert in a manner designed to disseminate alert  
106 information to customers at its retail locations.

107 35-3-227.

108 The director shall terminate any activation of the alert system with respect to a particular  
109 at-risk veteran or military service member if:

110 (1) The person is located or the disappearance is otherwise resolved; or

111 (2) The director determines that the alert system is no longer an effective tool for  
112 locating and recovering the at-risk veteran or military service member.

113 35-3-228.

114 (a) Any entity or individual participating in the alert system pursuant to this article shall  
115 not be liable for any civil damages arising from the dissemination of any alert generated  
116 pursuant to the alert system.

117 (b) Nothing in this article shall be construed to limit or restrict in any way any legal  
118 protection an individual or entity may have under any other law for disseminating any  
119 information."

120 **SECTION 2.**

121 All laws and parts of laws in conflict with this Act are repealed.