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FISCAL IMPACT REPORT

ORIGINAL DATE 1/22/16
LAST UPDATED 1/27/16 **HB** _____
SPONSOR Candelaria

ANALYST Sánchez

SHORT TITLE Brittany Alert for Endangered Persons **SB** 21

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY16	FY17	FY18	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		Indeterminate	Indeterminate		Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Health (DOH)

Department of Public Safety (DPS)

Aging and Long-Term Services Department (ALTSD)

Children, Youth and Families Department (CYFD)

SUMMARY

Synopsis of Bill

Senate Bill 21 proposes to amend the Missing Persons Information and Reporting Act to include a new definition and alert procedure for the DPS to notify the public when an individual with physical or developmental disabilities disappears. SB 21 amends Section 29-15-2 of the Act to add the following definition: “A. ‘Brittany alert’ means a notification relating to an endangered person: (1) who is a missing person; and (2) about whom there is a clear indication that the individual has a developmental disability as defined in Subsection A of Section 28-16A-6 NMSA 1978.”

SB21 also adds a new section to the Act that would require DPS to develop and implement procedures regarding rapid media dissemination of the Brittany Alert to the public.

The effective date of the bill is July 1, 2016.

FISCAL IMPLICATIONS

According to DPS, there would be a small cost to develop and implement procedures and training for law enforcement agencies on the Brittany Alert.

SIGNIFICANT ISSUES

DPS opines that expanding the definition of an endangered person is sufficient for DPS to issue an alert if a person with severe physical impairment or developmental disabilities goes missing and that a separate alert system is not necessary.

ADMINISTRATIVE IMPLICATIONS

DPS will have to change certain policies and procedures, amend forms and provide training for officers.

OTHER SUBSTANTIVE ISSUES

SB 21 came about because of a young woman who went missing from her family's home, and did not meet the criteria for an Amber Alert (used for endangered children) nor for a Silver Alert (used for endangered adults 50+ with clear indications of an "irreversible deterioration of their intellectual faculties"). Her family felt that she was in danger being away from the family's care and supervision. She was subsequently found but her family's search for her was potentially hampered by the lack of immediate, organized public notification.

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