

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1079 Session of
2024

INTRODUCED BY FONTANA, COSTA, TARTAGLIONE, LAUGHLIN,
SANTARSIERO, PENNYCUICK, HAYWOOD, LANGERHOLC, BOSCOLA,
DILLON, J. WARD, KANE, SCHWANK AND MASTRIANO,
FEBRUARY 26, 2024

REFERRED TO LAW AND JUSTICE, FEBRUARY 26, 2024

AN ACT

1 Amending the act of November 24, 2004 (P.L.1270, No.153),
2 entitled "An act providing for the Pennsylvania Amber Alert
3 System; authorizing and directing the Pennsylvania State
4 Police to establish and maintain the Pennsylvania Amber Alert
5 System; assessing costs; and providing for immunity and
6 penalties," establishing the Pennsylvania Purple Alert
7 System; and further providing for immunity.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. The title and sections 1 and 5(b) of the act of
11 November 24, 2004 (P.L.1270, No.153), referred to as the
12 Pennsylvania Amber Alert System Law, are amended to read:

13 AN ACT

14 Providing for the Pennsylvania Amber Alert System and the
15 Pennsylvania Purple Alert System; authorizing and directing
16 the Pennsylvania State Police to establish and maintain the
17 [Pennsylvania Amber Alert System] alert systems; assessing
18 costs; and providing for immunity and penalties.

19 Section 1. Pennsylvania Amber Alert System [and], Missing

1 Endangered Person Advisory System (MEPAS) and
2 Pennsylvania Purple Alert System established.

3 (a) Pennsylvania Amber Alert System.--The Pennsylvania State
4 Police shall establish and maintain the Pennsylvania Amber Alert
5 System to assist in the recovery of abducted children through
6 prompt notification to the general public, appropriate law
7 enforcement authorities and other public agencies.

8 (b) Missing Endangered Person Advisory System (MEPAS).--The
9 Pennsylvania State Police shall establish and maintain the
10 Missing Endangered Person Advisory System to assist in the
11 recovery of missing persons who are at special risk of harm or
12 injury, through prompt notification to the general public,
13 appropriate law enforcement authorities and other agencies.

14 (c) Pennsylvania Purple Alert System.--

15 (1) The Pennsylvania State Police shall establish and
16 maintain the Pennsylvania Purple Alert System to notify the
17 public of a missing person with an intellectual disability
18 under paragraph (4).

19 (2) The Pennsylvania Purple Alert System shall be
20 operated by the Pennsylvania State Police. Activation may be
21 requested by a law enforcement agency if the law enforcement
22 agency determines that there is reason to believe:

23 (i) the missing individual is at risk;

24 (ii) the individual is missing due to the
25 individual's physical or mental health condition; and

26 (iii) there is sufficient information available to
27 disseminate that could assist in locating the missing
28 individual.

29 (3) The notification under this subsection shall include
30 a description of the missing person and other appropriate

1 information.

2 (4) As used in this subsection, the following words and
3 phrases shall have the meanings given to them in this
4 paragraph unless the context clearly indicates otherwise:

5 "Intellectual disability." Regardless of the age of the
6 individual, significantly subaverage general intellectual
7 functioning of an individual that is accompanied by
8 significant limitations in adaptive functioning in at least
9 two of the following skill areas:

10 (i) Communication.

11 (ii) Self-care.

12 (iii) Home living.

13 (iv) Social and interpersonal.

14 (v) Use of community resources.

15 (vi) Self-direction.

16 (vii) Functional academic.

17 (viii) Work.

18 (ix) Health and safety.

19 Section 5. Immunity.

20 * * *

21 (b) Good Samaritan immunity.--Any person who provides,
22 obtains or attempts to provide or obtain assistance for a child
23 who is the subject of a Pennsylvania Amber Alert System notice
24 [or], a person who is the subject of a Missing Endangered Person
25 Advisory or a person who is the subject of a Pennsylvania Purple
26 Alert System notice shall be immune from civil liability for
27 acts or omissions in providing or obtaining or attempting to
28 provide or obtain assistance except for acts or omissions
29 intended to cause harm and for which the law does not recognize
30 justification or that constitute gross negligence or willful,

1 wanton or reckless conduct.

2 Section 2. This act shall take effect immediately.