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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2126 Session of  
2024

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INTRODUCED BY BENHAM, MARKOSEK, D. MILLER, HILL-EVANS, SANCHEZ,  
KHAN, ORTITAY, CERRATO, CONKLIN, FLEMING AND DALEY,  
MARCH 18, 2024

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REFERRED TO COMMITTEE ON HUMAN SERVICES, MARCH 18, 2024

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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

20 Endangered Person Advisory System (MEPAS) and

1 Pennsylvania Purple Alert System established.

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

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

13 (c) Pennsylvania Purple Alert System.--

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

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

22 (i) the missing individual is at risk;

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

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

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

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

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

9           (i) Communication.

10          (ii) Self-care.

11          (iii) Home living.

12          (iv) Social and interpersonal.

13          (v) Use of community resources.

14          (vi) Self-direction.

15          (vii) Functional academic.

16          (viii) Work.

17          (ix) Health and safety.

18 Section 5. Immunity.

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

1 Section 2. This act shall take effect immediately.