

SENATE BILL 817

E4

4lr1923
CF HB 195

By: **Senators Ellis and Waldstreicher**

Introduced and read first time: February 2, 2024

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 24, 2024

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Missing Persons ~~With Cognitive Impairment~~ – Purple Alert**
3 **Program**

4 FOR the purpose of establishing a Purple Alert Program to disseminate information to
5 assist in locating a certain missing person ~~with certain cognitive impairments~~; and
6 generally relating to the establishment of a Purple Alert Program.

7 BY adding to

8 Article – Public Safety

9 Section 3–608

10 Annotated Code of Maryland

11 (2022 Replacement Volume and 2023 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That the Laws of Maryland read as follows:

14 **Article – Public Safety**

15 **3–608.**

16 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
17 **INDICATED.**

18 **(2) “CAREGIVER” MEANS A PARENT, SPOUSE, GUARDIAN, LEGAL**
19 **CUSTODIAN, OR PERSON RESPONSIBLE FOR THE SUPERVISION OF ANOTHER ADULT.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(3) “DEVELOPMENTAL DISABILITY” HAS THE MEANING STATED IN § 7-101(G) OF THE HEALTH – GENERAL ARTICLE.

(4) “INTELLECTUAL DISABILITY” HAS THE MEANING STATED IN § 7-101(N) OF THE HEALTH – GENERAL ARTICLE.

(5) “LAW ENFORCEMENT AGENCY” MEANS A STATE, COUNTY, OR MUNICIPAL POLICE DEPARTMENT OR AGENCY OR A SHERIFF’S DEPARTMENT.

(6) “MENTAL DISORDER” HAS THE MEANING STATED IN § 10-101 OF THE HEALTH – GENERAL ARTICLE.

~~(6)~~ (7) “MISSING PERSON” MEANS AN INDIVIDUAL:

(I) WHOSE WHEREABOUTS ARE UNKNOWN;

(II) 1. WHO ~~SUFFERS~~ HAS A COGNITIVE IMPAIRMENT, MENTAL DISORDER, INTELLECTUAL OR DEVELOPMENTAL DISABILITY, OR BRAIN INJURY THAT IS NOT:

~~1.~~ A. ALZHEIMER’S DISEASE;

~~2.~~ B. DEMENTIA; OR

~~3.~~ C. A PHYSICAL, MENTAL, OR EMOTIONAL DISABILITY RELATED TO SUBSTANCE ABUSE; OR

2. WHO IS DEAF, DEAFBLIND, HARD OF HEARING, OR LATE-DEAFENED;

(III) WHOSE DISAPPEARANCE POSES A CREDIBLE THREAT TO THE HEALTH AND SAFETY OF THE INDIVIDUAL DUE TO AGE, HEALTH, MENTAL OR PHYSICAL DISABILITY, ENVIRONMENT, OR WEATHER CONDITIONS, AS DETERMINED BY A LAW ENFORCEMENT AGENCY; AND

(IV) WHO DOES NOT MEET THE CRITERIA FOR ACTIVATION OF A SILVER ALERT UNDER § 3-604 OF THIS SUBTITLE.

(B) (1) THE DEPARTMENT OF STATE POLICE SHALL ESTABLISH A PURPLE ALERT PROGRAM TO PROVIDE A SYSTEM FOR RAPID DISSEMINATION OF INFORMATION TO ASSIST IN LOCATING A MISSING PERSON.

(2) THE DEPARTMENT OF STATE POLICE SHALL:

1 (I) ADOPT GUIDELINES AND DEVELOP PROCEDURES FOR
2 ISSUING A PURPLE ALERT FOR A MISSING PERSON;

3 (II) PROVIDE TRAINING TO LOCAL LAW ENFORCEMENT
4 AGENCIES ON THE GUIDELINES AND PROCEDURES TO BE USED TO HANDLE A
5 REPORT OF A MISSING PERSON;

6 (III) PROVIDE ASSISTANCE TO A LOCAL LAW ENFORCEMENT
7 AGENCY, AS NECESSARY, TO ASSIST IN THE SAFE RECOVERY OF A MISSING PERSON;

8 (IV) RECRUIT PUBLIC AND COMMERCIAL TELEVISION AND
9 RADIO BROADCASTERS, LOCAL VOLUNTEER GROUPS, AND OTHER MEMBERS OF THE
10 PUBLIC TO ASSIST IN DEVELOPING AND IMPLEMENTING A PURPLE ALERT;

11 (V) CONSULT WITH THE STATE HIGHWAY ADMINISTRATION TO
12 ESTABLISH A PLAN FOR PROVIDING INFORMATION RELEVANT TO A PURPLE ALERT
13 TO THE PUBLIC THROUGH THE DYNAMIC MESSAGE SIGN SYSTEM LOCATED ACROSS
14 THE STATE; AND

15 (VI) CONSULT WITH THE STATE DEPARTMENT OF EDUCATION
16 TO DEVELOP A PROGRAM THAT:

17 1. ALLOWS HIGH SCHOOL STUDENTS TO ASSIST IN THE
18 SEARCH FOR A MISSING PERSON UNDER THIS SECTION;

19 2. COMPLIES WITH COMAR 13A.03.02.06; AND

20 3. IS CONSISTENT WITH THE STUDENT
21 SERVICE-LEARNING GUIDELINES DEVELOPED BY THE STATE DEPARTMENT OF
22 EDUCATION.

23 (3) THE DEPARTMENT OF STATE POLICE MAY CONSULT WITH
24 RELEVANT STAKEHOLDERS REPRESENTING CITIZENS WITH DISABILITIES TO
25 DEVELOP REGULATIONS AND PROCEDURES TO CARRY OUT THIS SECTION.

26 (C) A CAREGIVER OR PERSON FILING A REPORT REGARDING A MISSING
27 PERSON IMMEDIATELY SHALL NOTIFY THE LOCAL LAW ENFORCEMENT AGENCY
28 WITH WHICH THE REPORT WAS FILED AND THE DEPARTMENT OF STATE POLICE IF:

29 (1) THE MISSING PERSON WHO WAS THE SUBJECT OF THE REPORT IS
30 LOCATED; AND

1 **(2) IT IS UNLIKELY THAT THE LOCAL LAW ENFORCEMENT AGENCY OR**
2 **THE DEPARTMENT OF STATE POLICE HAS KNOWLEDGE THAT THE MISSING PERSON**
3 **HAS BEEN LOCATED.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2024.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.