

HOUSE BILL 195

E4

(PRE-FILED)

4lr1339
CF SB 817

By: **Delegates Guyton, Kaufman, and ~~Korman~~ Korman, and Arian**

Requested: October 31, 2023

Introduced and read first time: January 10, 2024

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 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.**

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.



(2) "CAREGIVER" MEANS A PARENT, SPOUSE, GUARDIAN, LEGAL CUSTODIAN, OR PERSON RESPONSIBLE FOR THE SUPERVISION OF ANOTHER ADULT.

(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:

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

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

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

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

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

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

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

2. COMPLIES WITH COMAR 13A.03.02.06; AND

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

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

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

(1) THE MISSING PERSON WHO WAS THE SUBJECT OF THE REPORT IS 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.

Speaker of the House of Delegates.

President of the Senate.