

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2295 Session of 2020

INTRODUCED BY DeLUCA, PASHINSKI, HILL-EVANS, DONATUCCI, KOSIEROWSKI, KINSEY, FREEMAN, MILLARD, ULLMAN, HOWARD, NEILSON, STRUZZI, MARKOSEK, KIM, HANBIDGE, READSHAW, A. DAVIS, FITZGERALD, KORTZ, SANCHEZ, SHUSTERMAN AND DRISCOLL, FEBRUARY 24, 2020

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 24, 2020

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," further providing for duties of Pennsylvania
 7 State Police.

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

10 Section 1. Section 1.1 of the act of November 24, 2004
 11 (P.L.1270, No.153), referred to as the Pennsylvania Amber Alert
 12 System Law, is amended to read:

13 Section 1.1. Duties of Pennsylvania State Police.

14 (a) Protocols and procedures.--The Pennsylvania State Police
 15 shall establish such protocols and procedures as are necessary
 16 for the effective operation of each system and shall educate
 17 and inform local law enforcement agencies and the public with
 18 regard to the availability of each system.

19 (b) Particularly vulnerable children.--This subsection shall

1 apply to particularly vulnerable children. If a parent or family
2 member reports that a child of the parent or family member has
3 been abducted by a nonparent or nonfamily member, there shall be
4 a presumption, absent immediately available clear evidence to
5 the contrary, that the child is in imminent danger of serious
6 bodily injury or death and the Missing Endangered Person
7 Advisory System shall be immediately activated without
8 additional investigation prior to activation of the Pennsylvania
9 Amber Alert System. This provision shall be known as the "Nalani
10 Johnson Rule" to protect this Commonwealth's particularly
11 vulnerable children from harm.

12 (c) Definitions.--As used in this section, the following
13 words and phrases shall have the meanings given to them in this
14 subsection unless the context clearly indicates otherwise:

15 "Family member." A grandparent, aunt, uncle or adult sibling
16 of a particularly vulnerable child.

17 "Particularly vulnerable child." A child under 13 years of
18 age.

19 Section 2. This act shall take effect in 60 days.