
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2461 Session of
2024

INTRODUCED BY CURRY, KAZEEM, PROBST, ABNEY, VENKAT, HILL-EVANS,
GUENST, SANCHEZ, GIRAL, CEPEDA-FREYTIZ AND MAYES,
JUNE 27, 2024

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, JUNE 27, 2024

AN ACT

1 Providing for the Ebony Alert System; imposing duties on the
2 Pennsylvania State Police; and imposing a penalty.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Ebony Alert
7 System Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall
10 have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 "Alert." An Ebony Alert under the Ebony Alert System
13 established under section 3.

14 Section 3. Establishment and purpose of Ebony Alert System.

15 The Pennsylvania State Police shall establish and maintain
16 the Ebony Alert System, which shall provide prompt notification
17 to the public, appropriate law enforcement authorities and other

1 public agencies, to assist in the recovery of young people of
2 color who:

3 (1) have been abducted;

4 (2) are reported missing under unexplained or suspicious
5 circumstances; or

6 (3) are reported missing and are at risk or
7 developmentally disabled, cognitively impaired or physically
8 disabled.

9 Section 4. Protocols and procedures.

10 The Pennsylvania State Police shall follow the protocols and
11 procedures necessary for the effective operation of the Ebony
12 Alert System.

13 Section 5. Ebony Alert System procedure.

14 (a) Authorization.--If an individual who is a person of
15 color is reported missing to a law enforcement agency, the law
16 enforcement agency may immediately activate an alert across this
17 Commonwealth if the law enforcement agency determines that the
18 alert would be an effective tool in the investigation of the
19 missing individual.

20 (b) Considerations.--In making a determination under
21 subsection (a), the law enforcement agency shall consider the
22 following factors:

23 (1) The missing individual is a person of color.

24 (2) The missing individual is between 12 and 25 years of
25 age.

26 (3) The missing individual is developmentally disabled,
27 cognitively impaired or physically disabled.

28 (4) The individual is missing under circumstances that
29 indicate that the physical safety of the individual may be
30 endangered or that the individual may be subject to human

1 trafficking.

2 (5) The law enforcement agency determines that the
3 individual has gone missing under unexplained or suspicious
4 circumstances.

5 (6) The law enforcement agency believes that:

6 (i) the individual is in danger because of age,
7 health, mental or physical disability or environment or
8 weather conditions;

9 (ii) the individual is in the company of a
10 potentially dangerous individual; or

11 (iii) there are other factors indicating that the
12 individual may be in peril.

13 (7) The investigating law enforcement agency has
14 utilized available local resources.

15 (8) There is information available that, if disseminated
16 to the public, could assist in the safe recovery of the
17 missing individual.

18 (c) Cooperation and assistance.--

19 (1) Radio, television, cable, satellite and social media
20 systems are encouraged, but not required, to cooperate with
21 disseminating the information contained in an alert.

22 (2) Upon activation of an alert, the Department of
23 Transportation may assist the investigating law enforcement
24 agency by issuing additional alerts, including electronic
25 flyers or changeable message signs.

26 (d) Prohibited use of alerts.--The transmission, broadcast
27 or other communication of a public alert, other than through the
28 Ebony Alert System, intentionally, knowingly, recklessly or
29 negligently purporting to be made by, with or through the
30 authority of the Ebony Alert System is prohibited and shall be

1 subject to a civil penalty of not more than \$5,000.

2 Section 6. Disposition.

3 (a) Assessment.--Unless the court finds that undue hardship
4 would result, in addition to any other assessment imposed by
5 law, an assessment of \$25 shall automatically be imposed on each
6 individual convicted, adjudicated delinquent or granted
7 Accelerated Rehabilitative Disposition (ARD) for an offense
8 under 18 Pa.C.S. Ch. 29 (relating to kidnapping).

9 (b) Use.--The assessment made under subsection (a) shall be
10 forwarded to the Commonwealth and used by the Pennsylvania State
11 Police to establish and maintain the Ebony Alert System.

12 Section 7. Effective date.

13 This act shall take effect in 60 days.