

**HOUSE . . . . . No. 2369**

By Ms. Reinstein of Revere, petition of Kathi-Anne Reinstein and Stephen M. Brewer for legislation to require the use of public notification systems throughout the Commonwealth. Public Safety and Homeland Security.

**The Commonwealth of Massachusetts**

In the Year Two Thousand and Seven.

AN ACT REQUIRING THE USE OF PUBLIC NOTIFICATION SYSTEMS THROUGHOUT THE COMMONWEALTH.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Notwithstanding the provisions of any general or  
2 special law to the contrary, the Commonwealth and its cities, towns  
3 and counties shall implement a system to notify citizens or  
4 employees thereof in case of emergency, state of emergency, natural  
5 disaster, acts of God or other events that warrant notification of the  
6 public of danger, potential danger or inconvenience to its health,  
7 safety or infrastructure. Said system shall include, but not be limited  
8 to notification by telephone, cellular telephone, cellular text mes-  
9 saging service, cellular short message service and electronic mail.  
10 Said system shall send notification to the public, or any subset  
11 thereof deemed appropriate by state, city or town administrators,  
12 within one hour of activation and any notification or alert shall be in  
13 a form easily decipherable by the population at large.

14 Said system shall include a method by which citizens may sub-  
15 scribe and unsubscribe to public notifications and no personal infor-  
16 mation of subscribers to the system shall be shared with any private  
17 entity. Violations of this subsection shall be punished by a fine of not  
18 less than \$10,000 per offense.

19 The Commonwealth, cities, towns or counties or any political  
20 subdivision thereof, public officials and public employees of said  
21 jurisdictions, shall not be liable in any civil or criminal proceeding  
22 for notifications that reach or do not reach subscribers, nor shall any  
23 company, provider or telecommunications company or bearer of

24 such a system of telecommunications be liable in any court of the  
 25 Commonwealth for successful or unsuccessful notification of the  
 26 public, or subset thereof, through said system of notification. No  
 27 person, public or private entity shall be liable for injuries or losses  
 28 sustained by residents or subscribers to the notification system that  
 29 result from any successful or unsuccessful notification to said sub-  
 30 scribers, and no person shall be able to claim such injuries or loss, or  
 31 standing for such injury or loss, in any court of jurisdiction in the  
 32 Commonwealth.

1 SECTION 1A. To provide for certain unanticipated obligations of  
 2 the Commonwealth, to provide for an alteration of purpose for cur-  
 3 rent appropriations, and to meet certain requirements of law, the  
 4 sums set forth herein are hereby appropriated from the General Fund  
 5 unless specifically designated otherwise herein, for the several pur-  
 6 poses and subject to the conditions specified herein, and subject to  
 7 the provisions of law regulating the disbursement of public funds for  
 8 the fiscal year ending June 30, 2006, provided that said sums shall  
 9 be in addition to any amounts previously appropriated and made  
 10 available for the purposes of said items.

11 For the purposes of implementing a public notification matching  
 12 grant program; provided, that a 50 cent state match shall be made for  
 13 each dollar cities or towns of the Commonwealth invest in public  
 14 alert notification systems; provided further, that eligible state  
 15 matching funds shall be made available to municipalities that invest  
 16 at least \$25,000 and only up to \$100,000 invested; and provided fur-  
 17 ther, that funds from this item shall be made available to said  
 18 municipal governments for the enhancement of citizen notification  
 19 in times of emergency, inclement weather, traffic hazards, school  
 20 closings and other incidental or regular events requiring notification  
 21 of the community or subset thereof; provided further that said notifi-  
 22 cation system shall include, but not be limited to, notification by  
 23 telephone, cellular telephone, cellular text messaging service, cel-  
 24 lular short message service and electronic mail . . . . . \$500,000.