

# HB0491S01 compared with HB0491

~~text~~ shows text that was in HB0491 but was deleted in HB0491S01.

text shows text that was not in HB0491 but was inserted into HB0491S01.

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Representative Eric K. Hutchings proposes the following substitute bill:

## EMERGENCY TASK FORCE

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Eric K. Hutchings**

Senate Sponsor: \_\_\_\_\_

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### LONG TITLE

#### General Description:

This bill authorizes a contract between certain state entities for responding to an emergency.

#### Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ provides that the ~~Department~~Division of Emergency Management may contract with a political subdivision for purposes of operating an emergency task force; and
- ▶ provides that an individual who works for the emergency task for shall receive payment and certain benefits.

#### Money Appropriated in this Bill:

None

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## Other Special Clauses:

None

## Utah Code Sections Affected:

ENACTS:

**53-2a-1401**, Utah Code Annotated 1953

**53-2a-1402**, Utah Code Annotated 1953

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **53-2a-1401** is enacted to read:

### **Part 14. Emergency Task Force**

#### **53-2a-1401. Definitions.**

As used in this part:

(1) "Active task force" means a task force placed at the direction, control, and funding of the {department} division, in accordance with an agreement entered into under this section, in response to, or in anticipation of a disaster or emergency.

(2) "{Department} Division" means the {Department} Division of Emergency Management.

(3) "Sponsoring agency" means a political subdivision that has executed a memorandum of understanding with the United States Department of Homeland Security to organize a task force.

(4) "State employee" means a full-time, part-time, or temporary employee of:  
(a) the state; or  
(b) a political subdivision of the state, regardless of whether the employee is performing duties in the political subdivision that employs the employee.

(5) "Task force" means a National Urban Search and Rescue Response System task force established by the United States Department of Homeland Security under 44 C.F.R. Part 208.

Section 2. Section **53-2a-1402** is enacted to read:

#### **53-2a-1402. Emergency task force agreement -- Creation -- Employment.**

(1) (a) The {department} division may enter into an agreement with a sponsoring agency to establish terms and conditions that would apply if a task force organized by the

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sponsoring agency becomes an active task force.

(b) If the {department} division enters into an agreement described in Subsection (1)(a), the agreement may allow the {department} division to reimburse the sponsoring agency for:

(i) costs related to the operation of an active task force, as allowed under 44 C.F.R. Part 208, at the rates proved under 44 C.F.R. Part 208;

(ii) payment for death, disability, or injury of an individual if the individual suffered death, disability, or injury in the course of performing the individual's duties for the active task force; and

(iii) payment to an individual serving on an active task force.

(2) While serving on an active task force:

(a) a state employee:

(i) has the same powers, duties, rights, privileges, and immunities that are incidental to the state employee's employment; and

(ii) shall receive the same compensation and benefits that are incidental to the state employee's employment; or

(b) an individual who is not a state employee shall:

(i) receive the same rights and immunities as a state employee serving in the same position on an active task force; and

(ii) be considered a temporary employee of the state for purposes of:

(A) Title 34A, Chapter 2, Workers' Compensation Act; and

(B) Title 34A, Chapter 3, Utah Occupational Disease Act.