

EMERGENCY TASK FORCE

2021 GENERAL SESSION

STATE OF UTAH

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 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 force shall receive payment and certain benefits.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

53-2a-1401, Utah Code Annotated 1953

53-2a-1402, Utah Code Annotated 1953

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 division, in accordance with an agreement entered into under this section, in response to, or in anticipation of a disaster or emergency.

33 (2) "Division" means the Division of Emergency Management.

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

37 (4) "State employee" means a full-time, part-time, or temporary employee of:

38 (a) the state; or

39 (b) a political subdivision of the state, regardless of whether the employee is
40 performing duties in the political subdivision that employs the employee.

41 (5) "Task force" means a National Urban Search and Rescue Response System task
42 force established by the United States Department of Homeland Security under 44 C.F.R. Part
43 208.

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

45 **53-2a-1402. Emergency task force agreement -- Creation -- Employment.**

46 (1) (a) The division may enter into an agreement with a sponsoring agency to establish
47 terms and conditions that apply if a task force organized by the sponsoring agency becomes an
48 active task force.

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

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

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

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

57 (2) While serving on an active task force:

58 (a) a state employee:

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

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

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

- 64 (i) receive the same rights and immunities as a state employee serving in the same
- 65 position on an active task force; and
- 66 (ii) be considered a temporary employee of the state for purposes of:
- 67 (A) Title 34A, Chapter 2, Workers' Compensation Act; and
- 68 (B) Title 34A, Chapter 3, Utah Occupational Disease Act.