

1 SEARCH AND RESCUE FINANCIAL ASSISTANCE

2 AMENDMENTS

3 2015 GENERAL SESSION

4 STATE OF UTAH

5 Chief Sponsor: Sophia M. DiCaro

6 Senate Sponsor: David P. Hinkins

7
8 LONG TITLE

9 General Description:

10 This bill creates within the Emergency Management Act the Utah Search and Rescue
11 Assistance Card Program regarding reimbursement of rescue expenses.

12 Highlighted Provisions:

13 This bill:

14 ▶ establishes a voluntary Utah Search and Rescue Assistance Card Program with
15 cards to be issued by the Division of Emergency Management for the purpose of
16 providing an additional revenue source for the Search and Rescue Financial
17 Assistance Program;

17a **H→ ▶ requires the division to provide a discount of not less than 10 percent on the search**
17b **and rescue card fee if the applicant has paid for a hunting or fishing license, an off-highway**
17c **vehicle registration, or a motorboat or sailboat registration in the same year the person applies**
17d **for the assistance card program; ←H** and

18 ▶ allows counties the option to **H→ [not] ←H** bill individuals for the costs of their
18a rescue if **H→ [they**
19 **were] the individual is not ←H** registered as having a current Search and Rescue Assistance Card
19a at the time
20 of the rescue.

21 Money Appropriated in this Bill:

22 None

23 Other Special Clauses:

24 This bill provides a special effective date.

25 Utah Code Sections Affected:

26 AMENDS:

27 53-2a-1102, as renumbered and amended by Laws of Utah 2013, Chapter 295

H.B. 324



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

Section 1. Section **53-2a-1102** is amended to read:

**53-2a-1102. Search and Rescue Financial Assistance Program -- Uses --
Rulemaking -- Distribution.**

(1) (a) "Assistance card program" means the Utah Search and Rescue Assistance Card Program created within this section.

(b) "Card" means the Search and Rescue Assistance Card issued under this section to a participant.

(c) "Participant" means an individual, family, or group who is registered pursuant to this section as having a valid card at the time search, rescue, or both are provided ~~to~~ **[to the person]** ~~to~~ .

(d) "Program" means the Search and Rescue Financial Assistance Program created within this section.

~~[(+)(a)] (e) (i)~~ "Reimbursable expenses," as used in this section, means those reasonable expenses incidental to search and rescue activities.

~~[(+)] (ii)~~ "Reimbursable expenses" include:

~~[(+)] (A)~~ rental for fixed wing aircraft, helicopters, snowmobiles, boats, and generators;

~~[(+)] (B)~~ replacement and upgrade of search and rescue equipment;

~~[(+)] (C)~~ training of search and rescue volunteers;

~~[(+)] (D)~~ costs of providing workers' compensation benefits for volunteer search and rescue team members under Section 67-20-7.5; and

~~[(+)] (E)~~ any other equipment or expenses necessary or appropriate for conducting search and rescue activities.

~~[(+)] (f)~~ "Reimbursable expenses" do not include any salary or overtime paid to any person on a regular or permanent payroll, including permanent part-time employees of any agency ~~[or political subdivision]~~ of the state.

~~(g)~~ "Rescue" means search services, rescue services, or both search and rescue services.

(2) There is created the Search and Rescue Financial Assistance Program within the division.

(3) (a) The program shall be funded from the following revenue sources:

(i) any voluntary contributions to the state received for search and rescue operations;

90 (g) establishing the frequency of review of the fee schedule;

91 (h) providing for the administration of the program; and

92 [(e)] (i) providing a formula to govern the distribution of available money among the
 93 counties for uncompensated search and rescue expenses based on:

94 (i) the total qualifying expenses submitted;

95 (ii) the number of search and rescue incidents per county population;

96 (iii) the number of victims that reside outside the county; and

97 (iv) the number of volunteer hours spent in each county in emergency response and
 98 search and rescue related activities per county population.

99 (8) ~~H~~→ (a) ←~~H~~ The division shall, in consultation with the Outdoor Recreation Office,
 99a establish the

100 fee schedule of the Search and Rescue Assistance Card under Subsection 63J-1-504(6).

100a ~~H~~→ (b) **The division shall provide a discount of not less than 10 percent of the card fee**
 100b **under Subsection(8)(a) to a person who has paid a fee under Sections 23-19-42, 41-22-34**
 100c **or 73-18-24 during the same calendar year in which the person applies to be a participant in**
 100d **the assistance card program.** ←~~H~~

101 (9) (a) Counties may bill reimbursable expenses to an individual for costs incurred for
 102 the rescue of an individual, if the individual is not a participant in the Utah Search and Rescue
 103 Assistance Card Program.

104 (b) Counties may bill a participant for reimbursable expenses for costs incurred for the
 105 rescue of the participant if the participant is found by the rescuing county to have acted
 106 recklessly or to have intentionally created a situation resulting in the need for a county to
 107 provide rescue service for the participant.

108 (10) (a) There is created the Utah Search and Rescue Assistance Card Program. The
 109 program is located within the division.

110 (b) The program may not be utilized to cover any expenses, such as medically related
 111 expenses, that are not reimbursable expenses related to the rescue.

112 (11) (a) To participate in the program, a person shall purchase a Search and Rescue
 113 Assistance Card from the division by paying the fee as determined by the division in
 114 Subsection (8).

115 (b) The money generated by the fees shall be deposited into the General Fund as a
 116 dedicated credit for the Search and Rescue Financial Assistance Program created in this
 117 section.

118 (c) Participation and payment of fees by a person under Sections 23-19-42, 41-22-34,
 119 and 73-18-24 do not constitute purchase of a card under this section.

120 (12) The division shall consult with the Outdoor Recreation Office regarding:

121 (a) administration of ~~H→ [the financial assistance program and]~~ ←H the
121a assistance card program;
122 and

123 (b) outreach and marketing strategies.

123a ~~H→~~ **(13) Pursuant to Subsection 31A-1-103(7), the Search and Rescue Financial Assistance**
123b **Card Program under this section is exempt from being considered an insurance program**
123c **under Subsection 31A-1-301(86).** ←H

124 Section 2. **Effective date.**

125 This bill takes effect on July 1, 2015.

Legislative Review Note
as of 2-11-15 4:03 PM

Office of Legislative Research and General Counsel