

**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 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

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

(2) "Division" means the 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 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 sponsoring agency becomes an active task force.

(b) If the division enters into an agreement described in Subsection (1)(a), the agreement may allow the 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 provided 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

57 force; and  
58 (iii) payment to an individual serving on an active task force.  
59 (2) While serving on an active task force:  
60 (a) a state employee:  
61 (i) has the same powers, duties, rights, privileges, and immunities that are incidental to  
62 the state employee's employment; and  
63 (ii) shall receive the same compensation and benefits that are incidental to the state  
64 employee's employment; or  
65 (b) an individual who is not a state employee shall:  
66 (i) receive the same rights and immunities as a state employee serving in the same  
67 position on an active task force; and  
68 (ii) be considered a temporary employee of the state for purposes of:  
69 (A) Title 34A, Chapter 2, Workers' Compensation Act; and  
70 (B) Title 34A, Chapter 3, Utah Occupational Disease Act.