

EMERGENCY TASK FORCE

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel W. Thatcher

House Sponsor: Paul Ray

LONG TITLE

Committee Note:

The Government Operations Interim Committee recommended this bill.

Legislative Vote: 15 voting for 0 voting against 1 absent

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



28 53-2a-1402, Utah Code Annotated 1953



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

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

32 **Part 14. Emergency Task Force**

33 **53-2a-1401. Definitions.**

34 As used in this part:

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

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

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

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

43 (a) the state; or

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

46 (5) "Task force" means a National Urban Search and Rescue Response System task
47 force established by the United States Department of Homeland Security under 44 C.F.R. Part
48 208.

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

50 **53-2a-1402. Emergency task force agreement -- Creation -- Employment.**

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

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

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

58 (ii) payment for death, disability, or injury of an individual if the individual suffers

59 death, disability, or injury in the course of performing the individual's duties for the active task
60 force; and

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

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

63 (a) a state employee:

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

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

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

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

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

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

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