

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 843 Session of 2023

INTRODUCED BY D. MILLER, MIHALEK, BENHAM, SANCHEZ, KINSEY,
PISCIOTTANO, GUENST, KULIK, MATZIE, MARKOSEK, VENKAT,
McANDREW, GERGELY, SALISBURY, DEASY, GILLEN, INNAMORATO,
STRUZZI, MARSHALL, MERCURI, GAYDOS, KAIL, FLEMING, SCIALABBA,
KINKEAD, WENTLING, TAKAC, GREEN, OTTEN, MUSTELLO AND HILL-
EVANS, APRIL 28, 2023

AS REPORTED FROM COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, HOUSE OF REPRESENTATIVES, AS AMENDED,
DECEMBER 13, 2023

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in emergency management services,
3 providing for counterterrorism planning, preparedness and
4 response; in Emergency Management Assistance Compact,
5 providing for construction; and making repeals.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Title 35 of the Pennsylvania Consolidated
9 Statutes is amended by adding a chapter to read:

CHAPTER 72COUNTERTERRORISM PLANNING, PREPAREDNESS AND RESPONSESubchapterA. Preliminary ProvisionsB. Counterterrorism Planning, Preparedness and ResponseSUBCHAPTER APRELIMINARY PROVISIONS

1 Sec.

2 7201. Scope of chapter.

3 7202. Definitions.

4 7203. JOINT STATE GOVERNMENT COMMISSION STUDY.

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5 § 7201. Scope of chapter.

6 This chapter relates to counterterrorism planning,
7 preparedness and response.

8 § 7202. Definitions.

9 The following words and phrases when used in this chapter
10 shall have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 "COMMISSION." THE JOINT STATE GOVERNMENT COMMISSION.

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13 "Disaster medical assistance team." A complement of
14 individuals organized in accordance with standards developed by
15 the agency and applicable Federal agencies to provide medical
16 service at the scene of disasters and mass casualty incidents.

17 "Disaster mortuary response team." A complement of
18 individuals organized in accordance with standards developed by
19 the agency and applicable Federal agencies to provide mortuary
20 service at the scene of disasters and mass casualty incidents.

21 "FEMA." The Federal Emergency Management Agency.

22 "Letter of agreement." A written agreement between a
23 regional counterterrorism task force and a public, semipublic,
24 private or nonprofit corporation, business, association,
25 partnership, authority, individual or other entity that provides
26 for:

27 (1) Personnel, equipment, supplies, training facilities
28 or other resources either directly to or in support of the
29 task force's specialized regional counterterrorism response
30 team.

1 (2) Workers' compensation and death benefits.

2 (3) Use of county 911 communications centers, county
3 emergency management agencies or the State emergency
4 operations center.

5 (4) Member participation in training exercises, drills
6 and actual activation and deployment.

7 "Municipal" or "municipality." A city, borough, incorporated
8 town, township or home rule municipality of this Commonwealth.

9 "Mutual aid." A county's, municipality's or volunteer
10 service organization's affirmative act of sending its personnel,
11 equipment or resources to the scene of an actual or potential
12 disaster, whether inside or outside the boundaries of this
13 Commonwealth, in response to an official dispatch request from a
14 county 911 communications center, county emergency management
15 agency or the State emergency operations center.

16 "Mutual aid agreement." A written agreement between a
17 regional counterterrorism task force and a county, municipality
18 or volunteer service organization that provides for:

19 (1) The county, municipality or volunteer service
20 organization to provide personnel, equipment or other
21 resources in response to an actual or potential disaster.

22 (2) Workers' compensation and death benefits.

23 (3) Use of county 911 communications centers, county
24 emergency management agencies or the State emergency
25 operations center.

26 (4) Member participation in training exercises, drills
27 and actual activation and deployment.

28 "NIMS." The National Incident Management System.

29 "PEMA." THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY.

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30 "Regional counterterrorism task force." A complement of

Federal, State, county and municipal emergency management, health, law enforcement, public safety and other officials and representatives from volunteer service organizations, private business and industry, hospitals and medical care facilities and other entities within a multicounty area as determined by the agency that is responsible for conducting counterterrorism planning, training preparedness and response activities.

"Specialized regional counterterrorism response team." As follows:

(1) A complement of individuals established by a regional counterterrorism task force and organized in accordance with standards developed by the agency and applicable Federal agencies to respond to emergencies involving an actual or potential disaster.

(2) The term includes a disaster medical assistance team and disaster mortuary response team.

"Specialized Statewide response team." As follows:

(1) A complement of individuals organized by the Commonwealth to provide specialized personnel, equipment and other support capabilities in response to an actual or potential disaster in this Commonwealth.

(2) The term includes a disaster medical assistance team and disaster mortuary response team.

"Urban search and rescue task force." A multidisciplined complement of individuals organized by the agency in accordance with standards developed by the agency and FEMA to provide emergency response and search and rescue capabilities and resources at the scene of a disaster consistent with NIMS guidelines.

"Volunteer service organization." A volunteer fire company,

volunteer ambulance or medical company, volunteer rescue squad
or any other volunteer entity organized and chartered or
incorporated in this Commonwealth or chartered by the Congress
of the United States for the primary purpose of providing
emergency services as defined in section 7102 (relating to
definitions).

§ 7203. JOINT STATE GOVERNMENT COMMISSION STUDY.

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(A) DUTY.--THE COMMISSION SHALL CONDUCT A COMPREHENSIVE
STUDY AND ASSESSMENT ON THE NEED, READINESS AND STATE OF
OPERATIONS OF PENNSYLVANIA TASK FORCE 1 AND THE COMMONWEALTH'S
URBAN SEARCH AND RESCUE CAPABILITIES AND IDENTIFY
VULNERABILITIES, GAPS IN THE SYSTEM AND AREAS OF NECESSARY AND
APPROPRIATE IMPROVEMENT.

(B) ADVISORY BOARD.--THE COMMISSION SHALL ESTABLISH AN
ADVISORY BOARD TO CONDUCT THE STUDY UNDER THIS SECTION. THE
BOARD SHALL CONSIST OF THE FOLLOWING MEMBERS OR THEIR DESIGNEE:

(1) THE DIRECTOR OF PEMA.

(2) THE ADJUTANT GENERAL.

(3) THE STATE FIRE COMMISSIONER.

(4) THE COMMISSIONER OF THE PENNSYLVANIA STATE POLICE.

(5) THE SECRETARY OF CONSERVATION AND NATURAL RESOURCES.

(6) THE SECRETARY OF ENVIRONMENTAL PROTECTION.

(7) THE SECRETARY OF HEALTH.

(8) THE SECRETARY OF TRANSPORTATION.

(9) THE EXECUTIVE DIRECTOR OF THE PENNSYLVANIA FISH AND
BOAT COMMISSION.

(10) THE COMMANDER OF THE PENNSYLVANIA CIVIL AIR PATROL.

(11) THE FEMA REGION 3 REPRESENTATIVE.

(12) ONE EMERGENCY MANAGEMENT COORDINATOR EACH FROM
WESTERN, EASTERN AND CENTRAL PENNSYLVANIA.

1 (13) A REPRESENTATIVE OF THE NATIONAL EMERGENCY NUMBER
2 ASSOCIATION.

3 (14) A REPRESENTATIVE OF THE ASSOCIATION OF PUBLIC-
4 SAFETY COMMUNICATIONS OFFICIALS.

5 (15) A REPRESENTATIVE OF THE PENNSYLVANIA ASSOCIATION OF
6 HAZARDOUS MATERIALS TECHNICIANS.

7 (16) A REPRESENTATIVE OF THE PENNSYLVANIA STATE
8 ASSOCIATION OF BOROUGHES.

9 (17) A REPRESENTATIVE OF THE EXECUTIVE BOARD OF THE
10 PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP SUPERVISORS.

11 (18) A REPRESENTATIVE OF THE MUNICIPAL LEAGUE.

12 (19) A REPRESENTATIVE OF THE PENNSYLVANIA STATE
13 ASSOCIATION OF TOWNSHIP COMMISSIONERS.

14 (20) THE PRESIDENT OF PENNSYLVANIA TASK FORCE 1.

15 (21) A REPRESENTATIVE OF THE PENNSYLVANIA FIRE ADVISORY
16 BOARD.

17 (22) A REPRESENTATIVE OF THE AMBULANCE ASSOCIATION OF
18 PENNSYLVANIA.

19 (23) THREE DIRECTORS OF REGIONAL TASK FORCES, WHICH TASK
20 FORCES MUST BE LOCATED IN WESTERN PENNSYLVANIA, CENTRAL
21 PENNSYLVANIA AND EASTERN PENNSYLVANIA.

22 (24) A REPRESENTATIVE OF THE COUNTY COMMISSIONERS
23 ASSOCIATION OF PENNSYLVANIA.

24 (C) CONDUCT AND ASSESSMENT.--THE COMMISSION SHALL:

25 (1) CONDUCT THE STUDY BY REVIEWING THE FOLLOWING:

26 (I) STRATEGIES DEVELOPED AND UTILIZED BY AGENCIES
27 AND BUSINESSES THROUGHOUT THIS COMMONWEALTH FOR DEALING
28 WITH DISASTER EMERGENCIES UNDER THE ALL-HAZARDS
29 PREPAREDNESS STANDARDS PROVIDED BY NIMS.

30 (II) SECURITY MEASURES AND RESPONSE PLANS IN PLACE

1 FOR CRITICAL EMERGENCY MANAGEMENT AND RESPONSE FOR
2 INFRASTRUCTURE SUCH AS BRIDGES, ROADS, POWER STATIONS,
3 AIRPORTS, DOCKYARDS AND OTHER CRITICAL INFRASTRUCTURE.

4 (III) IN CONSULTATION WITH PEMA, THE OVERALL
5 EMERGENCY RESPONSE SYSTEM PLAN FOR THIS COMMONWEALTH IN
6 ACCORDANCE WITH NIMS STANDARDS AND GUIDELINES.

7 (IV) THE LEVEL OF TRAINING REQUIRED AND COMPETENCY
8 AMONG PENNSYLVANIA TASK FORCE 1 STAFF, INCLUDING CURRENT
9 OPERATIONS CONDUCTED BY PENNSYLVANIA TASK FORCE 1.

10 (V) THE CURRENT CAPABILITIES OF PENNSYLVANIA TASK
11 FORCE 1 AND THE COMMONWEALTH'S REGIONAL TASK FORCES
12 RELATED TO EXTRACTION FROM DAMAGED OR COLLAPSED
13 STRUCTURES IN THIS COMMONWEALTH.

14 (VI) THE STATUS OF PROTOCOLS AND CAPABILITIES OF
15 EMERGENCY MEDICAL SERVICES CARE PROVIDED BY AND TO TASK
16 FORCES FOR ENTRAPPED SURVIVORS, TASK FORCE PERSONNEL AND
17 OTHERS. THE ASSESSMENT SHALL INCLUDE CANINE SEARCH
18 CAPABILITY, READINESS AND CARE.

19 (VII) PENNSYLVANIA TASK FORCE 1'S RECONNAISSANCE
20 CAPABILITIES REGARDING DAMAGE ASSESSMENT, MISSION
21 READINESS AND RESOURCE NEEDS.

22 (VIII) PEMA'S PROTOCOLS AND COMMUNICATIONS
23 CAPABILITIES BETWEEN PENNSYLVANIA TASK FORCE 1, THIS
24 COMMONWEALTH'S CURRENT REGIONAL TASK FORCES AND LOCAL
25 EMERGENCY RESPONSE PERSONNEL, SUCH AS FIRE COMPANIES, EMS
26 AGENCIES AND STATE AND LOCAL LAW ENFORCEMENT, AS WELL AS
27 FEDERAL, STATE AND LOCAL GOVERNMENTS REGARDING THEIR
28 EMERGENCY OPERATIONS.

29 (IX) THE CURRENT PROTOCOLS, CAPABILITIES OR NEEDS
30 FOR HAZARDOUS MATERIAL SURVEYS, EXTRACTION AND CLEANUP.

1 (X) PENNSYLVANIA TASK FORCE 1'S AND THIS
2 COMMONWEALTH'S REGIONAL TASK FORCES' CAPABILITIES
3 REGARDING STRUCTURAL STABILIZATION AS WELL AS SHORING AND
4 CRIBBING OPERATIONS TO DAMAGED BUILDINGS.

5 (XI) THE CURRENT PROTOCOLS AND CAPABILITIES OF
6 PENNSYLVANIA TASK FORCE 1'S AQUATIC AND AERIAL
7 OPERATIONS.

8 (2) REVIEW, ASSESS, INVENTORY AND CATALOG EQUIPMENT
9 POSSESSED BY PENNSYLVANIA TASK FORCE 1 AND EACH OTHER
10 REGIONAL TASK FORCE IN THIS COMMONWEALTH.

11 (3) CONDUCT A MONETARY ASSESSMENT TO IDENTIFY AND
12 QUANTIFY THE FUNDING IMPACTS OF PENNSYLVANIA TASK FORCE 1 AND
13 THE REGIONAL TASK FORCE SYSTEM, AS WELL AS THE FUNDING IMPACT
14 AND NEEDS OF CREATING AN ADDITIONAL FEMA LEVEL 1 THROUGH 4
15 TASK FORCE IN THIS COMMONWEALTH.

16 (D) URBAN SEARCH AND RESCUE.--THE COMMISSION SHALL EXAMINE
17 EACH OF THE COMPONENT PARTS OF THE URBAN SEARCH AND RESCUE
18 SYSTEM IN THIS COMMONWEALTH, INCLUDING PENNSYLVANIA TASK FORCE
19 1, ACCORDING TO THE POLICIES AND PROCEDURES OF THE NATIONAL
20 URBAN SEARCH AND RESCUE RESPONSE SYSTEM. THE COMMISSION SHALL
21 EXAMINE THE CAPABILITY OF THE CURRENT URBAN SEARCH AND RESCUE
22 SYSTEM IN THIS COMMONWEALTH TO MEET THE CHALLENGES THAT THE
23 CURRENT SYSTEM FACES.

24 (E) REPORT AND RECOMMENDATIONS.--IN DEVELOPING A REPORT AS
25 REQUIRED UNDER THIS SECTION, THE COMMISSION SHALL IDENTIFY GAPS
26 IN THE SYSTEM AND DEVELOP RECOMMENDATIONS TO ADDRESS THE GAPS.
27 THE INFORMATION SHALL INCLUDE THE IDENTIFICATION OF RESOURCES
28 NECESSARY TO ADDRESS GAPS AND SHALL INCLUDE THE IDENTIFICATION
29 OF AREAS OR REGIONS IN THIS COMMONWEALTH THAT LACK RESOURCES IN
30 ACCORDANCE WITH THE POLICIES AND PROCEDURES OF THE NATIONAL

1 URBAN SEARCH AND RESCUE RESPONSE SYSTEM.

2 (F) TIME.--THE COMMISSION SHALL SUBMIT TO THE GENERAL
3 ASSEMBLY A REPORT OF ITS FINDINGS AND RECOMMENDATIONS BY
4 NOVEMBER 30, 2024.

5 SUBCHAPTER B

6 COUNTERTERRORISM PLANNING, PREPAREDNESS AND RESPONSE
7 Sec.

8 7211. Counterterrorism planning, preparedness and response
9 program.

10 7212. Regional counterterrorism task forces.

11 7213. Regional counterterrorism response and preparedness.

12 7214. Urban search and rescue task forces.

13 7215. Specialized Statewide response teams.

14 7216. Grant program.

15 7217. Miscellaneous provisions.

16 7218. Commonwealth indemnification.

17 § 7211. Counterterrorism planning, preparedness and response
18 program.

19 (a) Coordination and consultation.--The agency shall
20 coordinate and consult with other State agencies, departments
21 and offices, including the Office of Homeland Security of the
22 Commonwealth, to establish, develop and maintain a
23 counterterrorism planning, preparedness and response program to
24 promote and protect the health, safety and welfare of emergency
25 responders, public officials and the general public from actual
26 or potential disasters in this Commonwealth.

27 (b) Agency responsibilities.--The agency shall:

28 (1) Define the necessary components and composition of
29 regional counterterrorism task forces and specialized
30 regional counterterrorism response teams and the respective

1 regional counterterrorism zones for each, but shall not be
2 responsible for appointing individual members to the regional
3 counterterrorism task forces or the specialized regional
4 counterterrorism response teams.

5 (2) Provide training and technical assistance for
6 counterterrorism planning, preparedness and response.

7 (3) Establish guidelines and policies to coordinate
8 emergency response activities with Federal, State, county and
9 municipal emergency management, health, law enforcement,
10 public safety and other officials and representatives from
11 volunteer service organizations, private business and
12 industry, hospitals and medical care facilities and other
13 entities responsible for the health, safety and welfare of
14 the residents of this Commonwealth. The agency shall consult
15 with representatives of the regional counterterrorism task
16 forces to develop such policies and guidelines necessary to
17 carry out this chapter.

18 (4) Require the regional counterterrorism task forces to
19 prepare counterterrorism emergency response plans or
20 protocols, readiness evaluation reports or other documents
21 deemed necessary by the agency.

22 (5) Provide grants and other funding assistance as
23 required by this chapter.

24 (6) Conduct terrorist incident exercises.

25 (7) Provide technical assistance to regional
26 counterterrorism task forces in developing and entering into
27 mutual aid agreements and letters of agreement.

28 (8) Establish a certification program for specialized
29 regional counterterrorism response teams that may include
30 standards for the administration, composition, training and

1 equipping of the teams.

2 § 7212. Regional counterterrorism task forces.

3 (a) Establishment.--The agency, in coordination with State,
4 county and municipal emergency management, health, law
5 enforcement, public safety and other officials and
6 representatives from volunteer service organizations, private
7 business and industry, hospitals and medical care facilities and
8 other entities responsible for the health, safety and welfare of
9 the residents of this Commonwealth, shall establish regional
10 counterterrorism task forces throughout this Commonwealth.

11 (b) Response plans.--A regional counterterrorism task force
12 shall prepare a counterterrorism preparedness and response plan
13 in accordance with guidelines developed by the agency. The
14 agency shall review and approve each plan in a timely manner,
15 but no later than 90 days after its submission to the agency.
16 The task force shall review and update the plan on an annual
17 basis.

18 (c) Meetings.--Regional counterterrorism task force meetings
19 that are called to discuss sensitive or classified law
20 enforcement, terrorist threat assessment or other confidential
21 public and private facility safety information shall not be
22 deemed a public record subject to disclosure under 65 Pa.C.S.
23 Ch. 7 (relating to open meetings).

24 § 7213. Regional counterterrorism response and preparedness.

25 (a) Specialized regional counterterrorism response teams.--A
26 regional counterterrorism task force shall establish specialized
27 regional counterterrorism response teams.

28 (b) Regional counterterrorism response zones.--The agency
29 shall establish primary and secondary regional response zones
30 within this Commonwealth for specialized regional

1 counterterrorism response teams. The regional response zones may
2 consist of multiple counties or portions of several adjoining
3 counties as determined by the agency.

4 (c) Activation and deployment.--A specialized regional
5 counterterrorism response team may be activated and deployed
6 inside or outside this Commonwealth by the Governor, the <--
7 Governor's designee or an official designated by the appropriate
8 regional counterterrorism task force.

9 § 7214. Urban search and rescue task forces.

10 ~~(a) Establishment. The agency shall establish urban search~~ <--
11 ~~and rescue task forces, including:~~

12 ~~(1) At least one urban search and rescue task force~~
13 ~~organized by the Commonwealth within a regional~~
14 ~~counterterrorism task force covering a county of the first~~
15 ~~class that meets or exceeds the minimum requirements of a~~
16 ~~Type 1 urban search and rescue task force as designated by~~
17 ~~FEMA in the NIMS guidelines.~~

18 ~~(2) At least one urban search and rescue task force~~
19 ~~organized by the Commonwealth within a regional~~
20 ~~counterterrorism task force covering a county of the second~~
21 ~~class, which shall be called Pennsylvania Task Force 2 (PA~~
22 ~~TF2) and, no later than January 1, 2026, shall meet or exceed~~
23 ~~the minimum requirements of a Type 3 urban search and rescue~~
24 ~~task force as designated by FEMA in the NIMS guidelines, as~~
25 ~~certified by the agency.~~

26 (A) ESTABLISHMENT.--IN ADDITION TO ANY URBAN SEARCH AND <--
27 RESCUE TASK FORCE ESTABLISHED BY THE FEDERAL GOVERNMENT, THE
28 AGENCY SHALL ESTABLISH URBAN SEARCH AND RESCUE TASK FORCES,
29 INCLUDING:

30 (1) NO MORE THAN ONE URBAN SEARCH AND RESCUE TASK FORCE

1 THAT:

2 (I) IS ORGANIZED BY THE COMMONWEALTH WITHIN EACH
3 REGIONAL COUNTERTERRORISM TASK FORCE; AND

4 (II) PROVIDES COMPREHENSIVE URBAN SEARCH AND RESCUE
5 SERVICES TO ALL AREAS OF THIS COMMONWEALTH AS DEEMED
6 NECESSARY BY THE AGENCY.

7 (2) AT LEAST ONE URBAN SEARCH AND RESCUE TASK FORCE

8 THAT:

9 (I) IS ORGANIZED BY THE COMMONWEALTH WITHIN A
10 REGIONAL COUNTERTERRORISM TASK FORCE COVERING A COUNTY OF
11 THE SECOND CLASS; AND

12 (II) NO LATER THAN JANUARY 1, 2026, MEETS OR EXCEEDS
13 THE MINIMUM REQUIREMENTS OF A TYPE 3 URBAN SEARCH AND
14 RESCUE TASK FORCE AS DESIGNATED BY FEMA IN THE NIMS
15 GUIDELINES, AS CERTIFIED BY THE AGENCY.

16 (b) Support.--The task forces shall also provide
17 professional, logistical, material and other forms of support to
18 regional counterterrorism task forces and specialized regional
19 counterterrorism response teams.

20 (c) Organization.--An urban search and rescue task force
21 shall be organized in accordance with guidelines developed by
22 the agency in coordination with FEMA and members of the task
23 force.

24 (d) Responsibilities.--An urban search and rescue task force
25 shall respond to actual or potential disasters in this
26 Commonwealth and shall also perform search and rescue functions
27 as delineated in The Robert T. Stafford Disaster Relief and
28 Emergency Assistance Act (Public Law 93-288, 42 U.S.C. § 5121 et
29 seq.), the Federal Response Plan or its successor, Emergency
30 Management Assistance Compact missions under Chapter 76

1 (relating to Emergency Management Assistance Compact), as
2 requested, and the counterterrorism preparedness and response
3 plans created in accordance with this chapter.

4 (e) Activation and deployment.--

5 (1) An urban search and rescue task force or any of its
6 components, subgroups or regional elements may only be
7 activated and deployed to the scene of a disaster by either:

8 (i) the Governor or the Governor's designee; or

9 (ii) the President of the United States or a FEMA-
10 designated official.

11 (2) During an activation and deployment by the Governor,
12 the administrative and operational costs of the task force,
13 its individual members and their employers, State agencies
14 and other parties shall be paid under the Governor's
15 declaration of disaster emergency, including paying or
16 reimbursing any parties for workers' compensation and death
17 benefits in the event of injury or death of an urban search
18 and rescue task force member.

19 (f) Workers' compensation and death benefits.--A member of
20 an urban search and rescue task force shall be eligible to
21 receive workers' compensation and death benefits in the event of
22 injury or death that occurs during the period of activation or
23 deployment.

24 ~~(g) Funding, grants and donations. In addition to money~~ <--
25 ~~that is provided to a task force under section 7216 (relating to~~
26 ~~grant program) or the authority of section 1508 of the act of~~
27 ~~April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, the~~
28 ~~urban search and rescue task force may be eligible to receive~~
29 ~~grants, donations of equipment and supplies and other funds from~~
30 ~~any source. As an agent of the Commonwealth, an urban search and~~

~~rescue task force or regional counterterrorism task force is
entitled to tax exempt status from the Federal Government.~~

(G) FUNDING, GRANTS AND DONATIONS.--

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(1) IN ADDITION TO MONEY THAT IS PROVIDED TO A TASK
FORCE UNDER SECTION 7216 (RELATING TO GRANT PROGRAM) OR THE
AUTHORITY OF SECTION 1508 OF THE ACT OF APRIL 9, 1929
(P.L.343, NO.176), KNOWN AS THE FISCAL CODE, THE URBAN SEARCH
AND RESCUE TASK FORCE MAY BE ELIGIBLE TO RECEIVE GRANTS,
DONATIONS OF EQUIPMENT AND SUPPLIES AND OTHER FUNDS FROM ANY
SOURCE.

(2) AS AN AGENT OF THE COMMONWEALTH, AN URBAN SEARCH AND
RESCUE TASK FORCE OR REGIONAL COUNTERTERRORISM TASK FORCE IS
ENTITLED TO TAX-EXEMPT STATUS FROM THE FEDERAL GOVERNMENT.

(3) BEGINNING FISCAL YEAR 2024-2025 AND EACH YEAR
THEREAFTER THROUGH FISCAL YEAR 2027-2028, \$6,000,000 OF THE
AMOUNT APPROPRIATED TO THE DEPARTMENT OF COMMUNITY AND
ECONOMIC DEVELOPMENT FOR LOCAL MUNICIPAL EMERGENCY RELIEF
SHALL BE ALLOCATED TO THE AGENCY AS FOLLOWS:

(I) THIRTY-THREE PERCENT OF THE ALLOCATION SHALL BE
DISTRIBUTED ANNUALLY TO SUPPORT NONFEDERAL MISSIONS
WITHIN THIS COMMONWEALTH THAT ARE PERFORMED BY AN URBAN
SEARCH AND RESCUE TASK FORCE ESTABLISHED WITHIN THIS
COMMONWEALTH BY THE FEDERAL GOVERNMENT.

(II) THIRTY-THREE PERCENT OF THE ALLOCATION SHALL BE
DISTRIBUTED ANNUALLY AMONG THE URBAN SEARCH AND RESCUE
TASK FORCES ESTABLISHED UNDER SUBSECTION (A) (1), AT THE
DISCRETION OF THE AGENCY, BASED ON AN ASSESSMENT OF THE
NEEDS OF THE COMMONWEALTH.

(III) THIRTY-THREE PERCENT OF THE ALLOCATION SHALL
BE DISTRIBUTED ANNUALLY TO THE URBAN SEARCH AND RESCUE

1 TASK FORCE ESTABLISHED UNDER SUBSECTION (A) (2).

2 (IV) ONE PERCENT OF THE ALLOCATION SHALL BE RETAINED
3 BY THE AGENCY FOR ADMINISTRATIVE COSTS.

4 § 7215. Specialized Statewide response teams.

5 (a) Establishment.--The Commonwealth may establish one or
6 more specialized Statewide response teams. These specialized
7 statewide response teams shall also provide professional,
8 logistical, material and other forms of support to the regional
9 counterterrorism task forces and specialized regional
10 counterterrorism response teams organized in this Commonwealth.
11 The Commonwealth may enter into an agreement with a One Call
12 System as defined in the act of December 10, 1974 (P.L.852,
13 No.287), referred to as the Underground Utility Line Protection
14 Law, for the provision of specialized communications services.

15 (b) Organization and responsibilities.--Specialized
16 Statewide response teams shall be organized in accordance with
17 guidelines developed by the Commonwealth in consultation with
18 applicable Federal or State agencies.

19 (c) Activation.--Specialized Statewide response teams may
20 only be activated and deployed to the scene of a disaster by the
21 Governor, the Governor's designee or an official designated by
22 the appropriate regional counterterrorism task force.

23 § 7216. Grant program.

24 (a) Authorization.--The agency may make grants to regional
25 counterterrorism task forces, specialized regional
26 counterterrorism response teams, specialized Statewide response
27 teams and urban search and rescue task forces to assist them in
28 carrying out this chapter, including entering into letters of
29 agreement or mutual aid agreements or providing mutual aid.

30 (b) Grants and funding.--Regional counterterrorism task

forces, specialized regional counterterrorism response teams, specialized Statewide response teams and urban search and rescue task forces may receive grants and funding from the Federal Government and the Commonwealth through application to the agency or other entity providing grants or funding for the purposes of this chapter.

(c) Limitation.--Grants shall only be made by the agency to the extent that funding is available.

§ 7217. Miscellaneous provisions.

(a) Immunity from liability.--The provisions of 42 Pa.C.S. § 8331 (relating to medical good Samaritan civil immunity), 8332 (relating to emergency response provider and bystander good Samaritan civil immunity) or 8332.4 (relating to volunteer-in-public-service negligence standard) shall apply to a member of a specialized regional counterterrorism response team, an urban search and rescue task force or a specialized Statewide response team and an individual who provides logistical, material or other forms of emergency response support to a team or task force during activation or deployment of a team or task force to a potential or actual disaster or while engaged in a task force or team drill or training exercise.

(b) Effect on workers' compensation premiums.--Nothing in this chapter shall be construed to permit an insurer to raise workers' compensation premiums due to the participation or membership of a county, municipality, volunteer service organization, individual or employer on a regional counterterrorism task force, specialized regional counterterrorism response team, specialized Statewide response team or urban search and rescue task force.

§ 7218. Commonwealth indemnification.

1 The Commonwealth shall indemnify a county or municipality for
2 costs related to damaged county or municipal property that
3 results from participation in a regional counterterrorism task
4 force, specialized regional counterterrorism response team or
5 specialized Statewide response team response only when all of
6 the following conditions are met:

7 (1) The county or municipality is responding upon
8 activation or deployment by the Governor.

9 (2) The damage to county or municipal property occurs
10 outside of the primary regional counterterrorism response
11 zone.

12 (3) The county's or municipality's insurance does not
13 cover the property damage.

14 (4) The property damage was not caused by the willful
15 misconduct of the county or municipality or any of its
16 employees or agents.

17 Section 2. Title 35 is amended by adding a section to read:
18 § 7605. Construction.

19 For purposes of Article VI of the compact, "officers or
20 employees of a party state" shall be construed to include urban
21 search and rescue task forces as defined in section 7202
22 (relating to definitions) that are assets of the Federal
23 Emergency Management Agency or Pennsylvania Emergency Management
24 Agency and the components, subgroups and regional elements of
25 the task forces based in this Commonwealth.

26 Section 3. Repeals are as follows:

27 (1) The General Assembly finds that the repeals under
28 paragraphs (2) and (3) are necessary to effectuate the
29 addition of 35 Pa.C.S. Ch. 72.

30 (2) The definitions, excluding the definitions of

1 "department" and "local health department," in section 102 of
2 the act of December 16, 2002 (P.L.1967, No.227), known as the
3 Counterterrorism Planning, Preparedness and Response Act, are
4 repealed.

5 (3) Chapter 2 of the Counterterrorism Planning,
6 Preparedness and Response Act, is repealed.

7 Section 4. The addition of 35 Pa.C.S. Ch. 72 is a
8 continuation of Chapter 2 of the act of December 16, 2002
9 (P.L.1967, No.227), known as the Counterterrorism Planning,
10 Preparedness and Response Act. The following apply:

11 (1) Except as otherwise provided in 35 Pa.C.S. Ch. 72,
12 all activities initiated under Chapter 2 of the
13 Counterterrorism Planning, Preparedness and Response Act,
14 shall continue and remain in full force and effect and may be
15 completed under 35 Pa.C.S. Ch. 72. Orders, regulations, rules
16 and decisions which were made under Chapter 2 of the
17 Counterterrorism Planning, Preparedness and Response Act and
18 which are in effect on the effective date of this section
19 shall remain in full force and effect until revoked, vacated
20 or modified under 35 Pa.C.S. Ch. 72. Contracts, obligations
21 and collective bargaining agreements entered into under
22 Chapter 2 of the Counterterrorism Planning, Preparedness and
23 Response Act are not affected nor impaired by the repeal of
24 Chapter 2 of the Counterterrorism Planning, Preparedness and
25 Response Act.

26 (2) Except as specified in paragraph (3), any difference
27 in language between 35 Pa.C.S. Ch. 72 and Chapter 2 of the
28 Counterterrorism Planning, Preparedness and Response Act is
29 intended only to conform to the style of the Pennsylvania
30 Consolidated Statutes and is not intended to change or affect

1 the legislative intent, judicial construction or
2 administration and implementation of Chapter 2 of the
3 Counterterrorism Planning, Preparedness and Response Act.

4 (3) Paragraph (2) does not apply to the addition of the
5 following provisions:

6 (i) The definitions of "DISASTER MORTUARY RESPONSE <--
7 TEAM," "NIMS" and "urban search and rescue task force" in
8 35 Pa.C.S. § 7202.

9 (ii) 35 Pa.C.S. § 7212(b).

10 (iii) 35 Pa.C.S. § 7214(a), (b), (d) and (g).

11 (iv) 35 Pa.C.S. § 7215(c).

12 Section 5. This act shall take effect in 60 days.