

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 792 Session of 2023

INTRODUCED BY ROBINSON, COSTA, L. WILLIAMS, FONTANA, VOGEL, LANGERHOLC, MILLER, BREWSTER, BARTOLOTTA, BROOKS, MASTRIANO AND MUTH, JUNE 19, 2023

AS AMENDED ON SECOND CONSIDERATION, FEBRUARY 6, 2024

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:

10 CHAPTER 72

11 COUNTERTERRORISM PLANNING, PREPAREDNESS AND RESPONSE

12 Subchapter

13 A. Preliminary Provisions

14 B. Counterterrorism Planning, Preparedness and Response

15 SUBCHAPTER A

16 PRELIMINARY PROVISIONS

17 Sec.

18 7201. Scope of chapter.

19 7202. Definitions.

1 7203. JOINT STATE GOVERNMENT COMMISSION STUDY.

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2 § 7201. Scope of chapter.

3 This chapter relates to counterterrorism planning,  
4 preparedness and response.

5 § 7202. Definitions.

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

9 "COMMISSION." THE JOINT STATE GOVERNMENT COMMISSION.

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

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

18 "FEMA." The Federal Emergency Management Agency.

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

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

28 (2) Workers' compensation and death benefits.

29 (3) Use of county 911 communications centers, county  
30 emergency management agencies or the State emergency

1 operations center.

2 (4) Member participation in training exercises, drills  
3 and actual activation and deployment.

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

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

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

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

19 (2) Workers' compensation and death benefits.

20 (3) Use of county 911 communications centers, county  
21 emergency management agencies or the State emergency  
22 operations center.

23 (4) Member participation in training exercises, drills  
24 and actual activation and deployment.

25 "NIMS." The National Incident Management System.

26 "PEMA." THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY.

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27 "Regional counterterrorism task force." A complement of  
28 Federal, State, county and municipal emergency management,  
29 health, law enforcement, public safety and other officials and  
30 representatives from volunteer service organizations, private

1 business and industry, hospitals and medical care facilities and  
2 other entities within a multicounty area as determined by the  
3 agency that is responsible for conducting counterterrorism  
4 planning, training preparedness and response activities.

5 "Specialized regional counterterrorism response team." As  
6 follows:

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

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

14 "Specialized Statewide response team." As follows:

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

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

21 "SPONSORING AGENCY." A MUNICIPALITY THAT HAS AN AGREEMENT <--  
22 WITH THE AGENCY TO BE THE SPONSOR OF AN URBAN SEARCH AND RESCUE  
23 TASK FORCE.

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

30 "Volunteer service organization." A volunteer fire company,

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

7 § 7203. JOINT STATE GOVERNMENT COMMISSION STUDY.

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

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

17 (1) THE DIRECTOR OF PEMA.

18 (2) THE ADJUTANT GENERAL.

19 (3) THE STATE FIRE COMMISSIONER.

20 (4) THE COMMISSIONER OF PENNSYLVANIA STATE POLICE.

21 (5) THE SECRETARY OF CONSERVATION AND NATURAL RESOURCES.

22 (6) THE SECRETARY OF ENVIRONMENTAL PROTECTION.

23 (7) THE SECRETARY OF HEALTH.

24 (8) THE SECRETARY OF TRANSPORTATION.

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

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

28 (11) THE FEMA REGION 3 REPRESENTATIVE.

29 (12) THE PRESIDENT, OR A DESIGNEE OF THE PRESIDENT, OF  
30 THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS IN A FIRE

1 COMPANY IN A CITY THAT IS A SPONSORING AGENCY UNDER SECTION  
2 7386(A) (1) (V) (A) (RELATING TO STATE FIRE ADVISORY BOARD).

3 (13) THE PRESIDENT, OR A DESIGNEE OF THE PRESIDENT, OF  
4 THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS IN A FIRE  
5 COMPANY IN A CITY OF THE FIRST CLASS.

6 (13.1) ONE EMERGENCY MANAGEMENT COORDINATOR EACH FROM  
7 WESTERN, EASTERN AND CENTRAL PENNSYLVANIA.

8 (14) A REPRESENTATIVE OF THE NATIONAL EMERGENCY NUMBER  
9 ASSOCIATION.

10 (15) A REPRESENTATIVE OF THE ASSOCIATION OF PUBLIC-  
11 SAFETY COMMUNICATIONS OFFICIALS.

12 (16) A REPRESENTATIVE OF THE PENNSYLVANIA ASSOCIATION OF  
13 HAZARDOUS MATERIALS TECHNICIANS.

14 (17) A REPRESENTATIVE OF THE PENNSYLVANIA STATE  
15 ASSOCIATION OF BOROUGHES.

16 (18) A REPRESENTATIVE OF THE EXECUTIVE BOARD OF THE  
17 PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP SUPERVISORS.

18 (19) A REPRESENTATIVE OF THE MUNICIPAL LEAGUE.

19 (20) A REPRESENTATIVE OF THE EXECUTIVE BOARD OF THE  
20 PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP COMMISSIONERS.

21 (21) THE PRESIDENT OR A DESIGNEE OF PENNSYLVANIA TASK  
22 FORCE 1.

23 (22) A REPRESENTATIVE OF THE PENNSYLVANIA FIRE ADVISORY  
24 BOARD.

25 (23) A REPRESENTATIVE OF THE PENNSYLVANIA CAREER FIRE  
26 CHIEFS ASSOCIATION.

27 (24) A REPRESENTATIVE OF THE PENNSYLVANIA FIRE AND  
28 EMERGENCY SERVICES INSTITUTE.

29 (25) A REPRESENTATIVE OF THE AMBULANCE ASSOCIATION OF  
30 PENNSYLVANIA.

1           (26) ONE DIRECTOR IN EACH OF THE REGIONAL TASK FORCES,  
2 WHICH MUST BE LOCATED IN WESTERN PENNSYLVANIA, CENTRAL  
3 PENNSYLVANIA AND EASTERN PENNSYLVANIA.

4           (27) A REPRESENTATIVE OF THE COUNTY COMMISSIONERS  
5 ASSOCIATION OF PENNSYLVANIA.

6           (28) THE PRESIDENT, OR A DESIGNEE OF THE PRESIDENT, FROM  
7 THE PENNSYLVANIA PROFESSIONAL FIREFIGHTERS ASSOCIATION.

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

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

10           (I) STRATEGIES DEVELOPED AND UTILIZED BY AGENCIES  
11 AND BUSINESSES THROUGHOUT THIS COMMONWEALTH FOR DEALING  
12 WITH DISASTER EMERGENCIES UNDER THE ALL-HAZARDS  
13 PREPAREDNESS STANDARDS PROVIDED BY NIMS.

14           (II) SECURITY MEASURES AND RESPONSE PLANS IN PLACE  
15 FOR CRITICAL EMERGENCY MANAGEMENT AND RESPONSE FOR  
16 INFRASTRUCTURE SUCH AS BRIDGES, ROADS, POWER STATIONS,  
17 AIRPORTS, DOCKYARDS AND OTHER CRITICAL INFRASTRUCTURE.

18           (III) IN CONSULTATION WITH PEMA, THE OVERALL  
19 EMERGENCY RESPONSE SYSTEM PLAN FOR THIS COMMONWEALTH IN  
20 ACCORDANCE WITH NIMS STANDARDS AND GUIDELINES.

21           (IV) THE LEVEL OF TRAINING REQUIRED AND COMPETENCY  
22 AMONG PENNSYLVANIA TASK FORCE 1 STAFF, INCLUDING CURRENT  
23 OPERATIONS CONDUCTED BY PENNSYLVANIA TASK FORCE 1.

24           (V) THE CURRENT CAPABILITIES OF PENNSYLVANIA TASK  
25 FORCE 1 AND THE COMMONWEALTH'S REGIONAL TASK FORCES  
26 RELATED TO EXTRACTION FROM DAMAGED OR COLLAPSED  
27 STRUCTURES IN THIS COMMONWEALTH.

28           (VI) THE STATUS OF PROTOCOLS AND CAPABILITIES OF  
29 EMERGENCY MEDICAL SERVICES CARE PROVIDED BY AND TO TASK  
30 FORCES FOR ENTRAPPED SURVIVORS, TASK FORCE PERSONNEL AND

1 OTHERS. THE ASSESSMENT SHALL INCLUDE CANINE SEARCH  
2 CAPABILITY, READINESS AND CARE.

3 (VII) PENNSYLVANIA TASK FORCE 1'S RECONNAISSANCE  
4 CAPABILITIES REGARDING DAMAGE ASSESSMENT, MISSION  
5 READINESS AND RESOURCE NEEDS.

6 (VIII) PEMA'S PROTOCOLS AND COMMUNICATIONS  
7 CAPABILITIES BETWEEN PENNSYLVANIA TASK FORCE 1, THIS  
8 COMMONWEALTH'S CURRENT REGIONAL TASK FORCES AND LOCAL  
9 EMERGENCY RESPONSE PERSONNEL, SUCH AS FIRE COMPANIES, EMS  
10 AGENCIES AND STATE AND LOCAL LAW ENFORCEMENT, AS WELL AS  
11 FEDERAL, STATE AND LOCAL GOVERNMENTS REGARDING THEIR  
12 EMERGENCY OPERATIONS.

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

15 (X) PENNSYLVANIA TASK FORCE 1'S AND THIS  
16 COMMONWEALTH'S REGIONAL TASK FORCES' CAPABILITIES  
17 REGARDING STRUCTURAL STABILIZATION AS WELL AS SHORING AND  
18 CRIBBING OPERATIONS TO DAMAGED BUILDINGS.

19 (XI) THE CURRENT PROTOCOLS AND CAPABILITIES OF  
20 PENNSYLVANIA TASK FORCE 1'S AQUATIC AND AERIAL  
21 OPERATIONS.

22 (2) REVIEW, ASSESS, INVENTORY AND CATALOG EQUIPMENT  
23 POSSESSED BY PENNSYLVANIA TASK FORCE 1 AND EACH OTHER  
24 REGIONAL TASK FORCE IN THIS COMMONWEALTH.

25 (3) CONDUCT A MONETARY ASSESSMENT TO IDENTIFY AND  
26 QUANTIFY THE FUNDING IMPACTS OF PENNSYLVANIA TASK FORCE 1 AND  
27 THE REGIONAL TASK FORCE SYSTEM, AS WELL AS THE FUNDING IMPACT  
28 AND NEEDS OF CREATING AN ADDITIONAL FEMA LEVEL 1 THROUGH 4  
29 TASK FORCE IN THIS COMMONWEALTH.

30 (D) URBAN SEARCH AND RESCUE.--THE COMMISSION SHALL EXAMINE

1 EACH OF THE COMPONENT PARTS OF THE URBAN SEARCH AND RESCUE  
2 SYSTEM IN THIS COMMONWEALTH, INCLUDING PENNSYLVANIA TASK FORCE  
3 1, ACCORDING TO THE POLICIES AND PROCEDURES OF THE NATIONAL  
4 URBAN SEARCH AND RESCUE RESPONSE SYSTEM. THE JOINT STATE  
5 GOVERNMENT COMMISSION SHALL EXAMINE THE CAPABILITY OF THE  
6 CURRENT URBAN SEARCH AND RESCUE SYSTEM IN THIS COMMONWEALTH TO  
7 MEET THE CHALLENGES THAT THE CURRENT SYSTEM FACES.

8 (E) REPORT AND RECOMMENDATIONS.--IN DEVELOPING A REPORT AS  
9 REQUIRED UNDER THIS SECTION, THE COMMISSION SHALL IDENTIFY GAPS  
10 IN THE SYSTEM AND DEVELOP RECOMMENDATIONS TO ADDRESS THE GAPS.  
11 THE INFORMATION SHALL INCLUDE THE IDENTIFICATION OF RESOURCES  
12 NECESSARY TO ADDRESS GAPS AND SHALL INCLUDE THE IDENTIFICATION  
13 OF AREAS OR REGIONS IN THIS COMMONWEALTH THAT LACK RESOURCES IN  
14 ACCORDANCE WITH THE POLICIES AND PROCEDURES OF THE NATIONAL  
15 URBAN SEARCH AND RESCUE RESPONSE SYSTEM.

16 (F) TIME.--THE JOINT STATE GOVERNMENT COMMISSION SHALL  
17 SUBMIT TO THE GENERAL ASSEMBLY A REPORT OF ITS FINDINGS AND  
18 RECOMMENDATIONS BY NOVEMBER 30, 2024, OR 180 DAYS AFTER THE  
19 EFFECTIVE DATE OF THIS SUBSECTION, WHICHEVER IS LATER.

20 SUBCHAPTER B

21 COUNTERTERRORISM PLANNING, PREPAREDNESS AND RESPONSE

22 Sec.

23 7211. Counterterrorism planning, preparedness and response  
24 program.

25 7212. Regional counterterrorism task forces.

26 7213. Regional counterterrorism response and preparedness.

27 7214. Urban search and rescue task forces.

28 7215. Specialized Statewide response teams.

29 7216. Grant program.

30 7217. Miscellaneous provisions.

1 7218. Commonwealth indemnification.

2 § 7211. Counterterrorism planning, preparedness and response  
3 program.

4 (a) Coordination and consultation.--The agency shall  
5 coordinate and consult with other State agencies, departments  
6 and offices, including the Office of Homeland Security of the  
7 Commonwealth, to establish, develop and maintain a  
8 counterterrorism planning, preparedness and response program to  
9 promote and protect the health, safety and welfare of emergency  
10 responders, public officials and the general public from actual  
11 or potential disasters in this Commonwealth.

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

13 (1) Define the necessary components and composition of  
14 regional counterterrorism task forces and specialized  
15 regional counterterrorism response teams and the respective  
16 regional counterterrorism zones for each, but shall not be  
17 responsible for appointing individual members to the regional  
18 counterterrorism task forces or the specialized regional  
19 counterterrorism response teams.

20 (2) Provide training and technical assistance for  
21 counterterrorism planning, preparedness and response.

22 (3) Establish guidelines and policies to coordinate  
23 emergency response activities with Federal, State, county and  
24 municipal emergency management, health, law enforcement,  
25 public safety and other officials and representatives from  
26 volunteer service organizations, private business and  
27 industry, hospitals and medical care facilities and other  
28 entities responsible for the health, safety and welfare of  
29 the residents of this Commonwealth. The agency shall consult  
30 with representatives of the regional counterterrorism task

1 forces to develop such policies and guidelines necessary to  
2 carry out this chapter.

3 (4) Require the regional counterterrorism task forces to  
4 prepare counterterrorism emergency response plans or  
5 protocols, readiness evaluation reports or other documents  
6 deemed necessary by the agency.

7 (5) Provide grants and other funding assistance as  
8 required by this chapter.

9 (6) Conduct terrorist incident exercises.

10 (7) Provide technical assistance to regional  
11 counterterrorism task forces in developing and entering into  
12 mutual aid agreements and letters of agreement.

13 (8) Establish a certification program for specialized  
14 regional counterterrorism response teams that may include  
15 standards for the administration, composition, training and  
16 equipping of the teams.

17 § 7212. Regional counterterrorism task forces.

18 (a) Establishment.--The agency, in coordination with State,  
19 county and municipal emergency management, health, law  
20 enforcement, public safety and other officials and  
21 representatives from volunteer service organizations, private  
22 business and industry, hospitals and medical care facilities and  
23 other entities responsible for the health, safety and welfare of  
24 the residents of this Commonwealth, shall establish regional  
25 counterterrorism task forces throughout this Commonwealth.

26 (b) Response plans.--A regional counterterrorism task force  
27 shall prepare a counterterrorism preparedness and response plan  
28 in accordance with guidelines developed by the agency. The  
29 agency shall review and approve each plan in a timely manner,  
30 but no later than 90 days after its submission to the agency.

1 The task force shall review and update the plan on an annual  
2 basis.

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

9 § 7213. Regional counterterrorism response and preparedness.

10 (a) Specialized regional counterterrorism response teams.--A  
11 regional counterterrorism task force shall establish specialized  
12 regional counterterrorism response teams.

13 (b) Regional counterterrorism response zones.--The agency  
14 shall establish primary and secondary regional response zones  
15 within this Commonwealth for specialized regional  
16 counterterrorism response teams. The regional response zones may  
17 consist of multiple counties or portions of several adjoining  
18 counties as determined by the agency.

19 (c) Activation and deployment.--A specialized regional  
20 counterterrorism response team may be activated and deployed  
21 inside or outside this Commonwealth by the Governor, the <--  
22 Governor's designee or an official designated by the appropriate  
23 regional counterterrorism task force.

24 § 7214. Urban search and rescue task forces.

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

27 (1) At least one urban search and rescue task force  
28 organized by the Commonwealth within a regional  
29 counterterrorism task force covering a county of the first  
30 class that meets or exceeds the minimum requirements of a

~~Type 1 urban search and rescue task force as designated by FEMA in the NIMS guidelines.~~

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

(A) ESTABLISHMENT.--

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(1) THE AGENCY SHALL ESTABLISH URBAN SEARCH AND RESCUE TASK FORCES, INCLUDING:

(I) AT LEAST ONE URBAN SEARCH AND RESCUE TASK FORCE

THAT:

(A) IS ORGANIZED BY THE COMMONWEALTH WITHIN A REGIONAL COUNTERTERRORISM TASK FORCE COVERING A COUNTY OF THE FIRST CLASS PURSUANT TO A CONTRACT WITH A SPONSORING AGENCY; AND

(B) MEETS OR EXCEEDS THE MINIMUM REQUIREMENTS OF A TYPE 1 URBAN SEARCH AND RESCUE TASK FORCE AS DESIGNATED BY FEMA IN THE NIMS GUIDELINES, AS CERTIFIED BY THE AGENCY.

(II) NO MORE THAN ONE URBAN SEARCH AND RESCUE TASK FORCE THAT:

(A) IS ORGANIZED WITHIN THE COMMONWEALTH WITHIN A REGIONAL COUNTERTERRORISM TASK FORCE PURSUANT TO A CONTRACT WITH A SPONSORING AGENCY; AND

(B) PROVIDES COMPREHENSIVE URBAN SEARCH AND RESCUE SERVICES TO ALL AREAS OF THIS COMMONWEALTH AS

1 DEEMED NECESSARY BY THE AGENCY.

2 (III) AT LEAST ONE URBAN SEARCH AND RESCUE TASK  
3 FORCE THAT:

4 (A) IS ORGANIZED BY THE COMMONWEALTH WITHIN A  
5 REGIONAL COUNTERTERRORISM TASK FORCE COVERING A  
6 COUNTY OF THE SECOND CLASS; AND

7 (B) BY JANUARY 1, 2026, OR 18 MONTHS AFTER THE  
8 AGENCY CONTRACTS WITH A SPONSORING AGENCY, WHICHEVER  
9 IS LATER, MEETS OR EXCEEDS THE MINIMUM REQUIREMENTS  
10 OF A TYPE 3 URBAN SEARCH AND RESCUE TASK FORCE AS  
11 DESIGNATED BY FEMA IN THE NIMS GUIDELINES, AS  
12 CERTIFIED BY THE AGENCY.

13 (2) THE PROVISIONS OF PARAGRAPH (1) (I) MAY BE SATISFIED  
14 BY THE OPERATION OF AN URBAN SEARCH AND RESCUE TASK FORCE  
15 ESTABLISHED BY THE FEDERAL GOVERNMENT.

16 (3) NOTHING IN PARAGRAPH (1) SHALL BE CONSTRUED TO  
17 REQUIRE AN URBAN SEARCH AND RESCUE TASK FORCE TO BE  
18 ESTABLISHED IN ANY REGIONAL COUNTERTERRORISM TASK FORCE.

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

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

27 (d) Responsibilities.--An urban search and rescue task force  
28 shall respond to actual or potential disasters in this  
29 Commonwealth and shall also perform search and rescue functions  
30 as delineated in The Robert T. Stafford Disaster Relief and

1 Emergency Assistance Act (Public Law 93-288, 42 U.S.C. § 5121 et  
2 seq.), the Federal Response Plan or its successor, Emergency  
3 Management Assistance Compact missions under Chapter 76  
4 (relating to Emergency Management Assistance Compact), as  
5 requested, and the counterterrorism preparedness and response  
6 plans created in accordance with this chapter.

7 (e) Activation and deployment.--

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

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

12 (ii) the President of the United States or a FEMA-  
13 designated official.

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

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

27 ~~(g) Funding, grants and donations.--In addition to money~~ <--  
28 ~~that is provided to a task force under section 7216 (relating to~~  
29 ~~grant program) or the authority of section 1508 of the act of~~  
30 ~~April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, the~~

~~1 urban search and rescue task force may be eligible to receive~~  
~~2 grants, donations of equipment and supplies and other funds from~~  
~~3 any source. As an agent of the Commonwealth, an urban search and~~  
~~4 rescue task force or regional counterterrorism task force is~~  
~~5 entitled to tax exempt status from the Federal Government.~~

6 (G) FUNDING, GRANTS AND DONATIONS.-- <--

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

14 (2) AS AN AGENT OF THE COMMONWEALTH, AN URBAN SEARCH AND  
15 RESCUE TASK FORCE OR REGIONAL COUNTERTERRORISM TASK FORCE IS  
16 ENTITLED TO TAX-EXEMPT STATUS FROM THE FEDERAL GOVERNMENT.  
17 § 7215. Specialized Statewide response teams.

18 (a) Establishment.--The Commonwealth may establish one or  
19 more specialized Statewide response teams. These specialized  
20 statewide response teams shall also provide professional,  
21 logistical, material and other forms of support to the regional  
22 counterterrorism task forces and specialized regional  
23 counterterrorism response teams organized in this Commonwealth.  
24 The Commonwealth may enter into an agreement with a One Call  
25 System as defined in the act of December 10, 1974 (P.L.852,  
26 No.287), referred to as the Underground Utility Line Protection  
27 Law, for the provision of specialized communications services.

28 (b) Organization and responsibilities.--Specialized  
29 Statewide response teams shall be organized in accordance with  
30 guidelines developed by the Commonwealth in consultation with

1 applicable Federal or State agencies.

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

6 § 7216. Grant program.

7 (a) Authorization.--The agency may make grants to regional  
8 counterterrorism task forces, specialized regional  
9 counterterrorism response teams, specialized Statewide response  
10 teams and urban search and rescue task forces to assist them in  
11 carrying out this chapter, including entering into letters of  
12 agreement or mutual aid agreements or providing mutual aid.

13 (b) Grants and funding.--Regional counterterrorism task  
14 forces, specialized regional counterterrorism response teams,  
15 specialized Statewide response teams and urban search and rescue  
16 task forces may receive grants and funding from the Federal  
17 Government and the Commonwealth through application to the  
18 agency or other entity providing grants or funding for the  
19 purposes of this chapter.

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

22 § 7217. Miscellaneous provisions.

23 (a) Immunity from liability.--The provisions of 42 Pa.C.S. §  
24 8331 (relating to medical good Samaritan civil immunity), 8332  
25 (relating to emergency response provider and bystander good  
26 Samaritan civil immunity) or 8332.4 (relating to volunteer-in-  
27 public-service negligence standard) shall apply to a member of a  
28 specialized regional counterterrorism response team, an urban  
29 search and rescue task force or a specialized Statewide response  
30 team and an individual who provides logistical, material or

1 other forms of emergency response support to a team or task  
2 force during activation or deployment of a team or task force to  
3 a potential or actual disaster or while engaged in a task force  
4 or team drill or training exercise.

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

13 § 7218. Commonwealth indemnification.

14 The Commonwealth shall indemnify a county or municipality for  
15 costs related to damaged county or municipal property that  
16 results from participation in a regional counterterrorism task  
17 force, specialized regional counterterrorism response team or  
18 specialized Statewide response team response only when all of  
19 the following conditions are met:

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

22 (2) The damage to county or municipal property occurs  
23 outside of the primary regional counterterrorism response  
24 zone.

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

27 (4) The property damage was not caused by the willful  
28 misconduct of the county or municipality or any of its  
29 employees or agents.

30 Section 2. Title 35 is amended by adding a section to read:

1 § 7605. Construction.

2 For purposes of Article VI of the compact, the term "officers  
3 or employees of a party state" shall be construed to include  
4 urban search and rescue task forces as defined in section 7202  
5 (relating to definitions) that are assets of the Federal  
6 Emergency Management Agency or Pennsylvania Emergency Management  
7 Agency and the components, subgroups and regional elements of  
8 the task forces based in this Commonwealth.

9 Section 3. Repeals are as follows:

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

13 (2) The definitions, excluding the definitions of  
14 "department" and "local health department," in section 102 of  
15 the act of December 16, 2002 (P.L.1967, No.227), known as the  
16 Counterterrorism Planning, Preparedness and Response Act, are  
17 repealed.

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

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

24 (1) Except as otherwise provided in 35 Pa.C.S. Ch. 72,  
25 all activities initiated under Chapter 2 of the  
26 Counterterrorism Planning, Preparedness and Response Act,  
27 shall continue and remain in full force and effect and may be  
28 completed under 35 Pa.C.S. Ch. 72. Orders, regulations, rules  
29 and decisions which were made under Chapter 2 of the  
30 Counterterrorism Planning, Preparedness and Response Act and

1 which are in effect on the effective date of this section  
2 shall remain in full force and effect until revoked, vacated  
3 or modified under 35 Pa.C.S. Ch. 72. Contracts, obligations  
4 and collective bargaining agreements entered into under  
5 Chapter 2 of the Counterterrorism Planning, Preparedness and  
6 Response Act are not affected nor impaired by the repeal of  
7 Chapter 2 of the Counterterrorism Planning, Preparedness and  
8 Response Act.

9 (2) Except as specified in paragraph (3), any difference  
10 in language between 35 Pa.C.S. Ch. 72 and Chapter 2 of the  
11 Counterterrorism Planning, Preparedness and Response Act is  
12 intended only to conform to the style of the Pennsylvania  
13 Consolidated Statutes and is not intended to change or affect  
14 the legislative intent, judicial construction or  
15 administration and implementation of Chapter 2 of the  
16 Counterterrorism Planning, Preparedness and Response Act.

17 (3) Paragraph (2) does not apply to the addition of the  
18 following provisions:

19 (i) The definitions of ~~"NIMS"~~ "COMMISSION," <--  
20 "DISASTER MORTUARY RESPONSE TEAM," "NIMS," "PEMA,"  
21 "SPONSORING AGENCY" and "urban search and rescue task  
22 force" in 35 Pa.C.S. § 7202.

23 (I.1) 35 PA.C.S. § 7203. <--

24 (ii) 35 Pa.C.S. § 7212(b).

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

26 (iv) 35 Pa.C.S. § 7215(c).

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