

CHAPTER 115

(HB 157)

AN ACT relating to urban search and rescue and making an appropriation therefor.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 39A IS CREATED TO READ AS FOLLOWS:

- (1) *The Division of Emergency Management shall establish the Kentucky Urban Search and Rescue Program.*
 - (2) *The Kentucky Urban Search and Rescue Program shall develop, coordinate, respond to, and maintain the Commonwealth's efforts toward providing resources to locate and extricate victims entrapped by man-made or natural disasters as well as conducting other operations within the boundaries of the Commonwealth or in coordinated response with other states or the federal government. This program shall function in addition to and shall not supplant other disaster and emergency response efforts in this chapter.*
 - (3) *The director of the Division of Emergency Management shall employ an individual to assist with the administrative requirements associated with the establishment and maintenance of the Kentucky Urban Search and Rescue Program who shall report directly to the director. The director shall employ other personnel to assist in the operations of the program including personnel overseeing urban search and rescue operations, planning, and logistics. In addition, the division shall provide technical, clerical, and administrative assistance for the program, together with necessary office space and facilities that shall include necessary training facilities and warehouses for equipment, and personnel, and shall provide any other services and support necessary for the program to perform its functions.*
 - (4) (a) *The division shall develop policies and procedures for the following:*
 1. *Organization and decision-making processes to establish lines of authority and control, goals, and objectives required to accomplish missions of the program response teams;*
 2. *Membership of the response teams;*
 3. *Staffing, in the administrative capacities of the program and of the response teams themselves;*
 4. *Participation and qualification requirements of response team members, including but not limited to training, meeting times, skills and abilities, removals, and resignations;*
 5. *Uniforms and equipment;*
 6. *Discipline and professional conduct of response teams;*
 7. *Operations of the division in relation to response teams, including but not limited to mobilization, deployment, and bases of operation; and*
 8. *Any other issues concerning the operation of the program.*
 - (b) *The division shall promulgate administrative regulations in accordance with KRS Chapter 13A for the following:*
 1. *Accidents and injuries of response team members, who shall be covered by workers' compensation benefits paid by the division when responding to, performing, or returning from urban search and rescue operations that are authorized by the division and when those individuals have registered for benefits as required by the division;*
 2. *Procedures for the reimbursement of agencies participating in the program for expenses related to response team deployment; and*
 3. *Any other issues concerning the operation of the program.*
- (5) (a) *There is hereby established in the State Treasury a restricted fund to be known as the Kentucky Urban Search and Rescue Program fund.*
- (b) *The fund shall consist of moneys received from grants, gifts, state appropriations, and federal funds.*
- (c) *The fund shall be administered by the division.*

- (d) *Amounts in the fund shall be used only for the administration of the program.*
- (e) *Notwithstanding KRS 45.229, fund amounts not expended at the close of a fiscal year shall not lapse but shall be carried forward to the next fiscal year.*
- (f) *Any interest earnings of the fund shall become a part of the fund and shall not lapse.*
- (g) *Moneys deposited in the fund are hereby appropriated for the purposes set forth in this section and shall not be appropriated or transferred by the General Assembly for any other purposes.*

➔Section 2. The Division of Emergency Management shall make a report to the Interim Joint Committee on Appropriations and Revenue prior to December 1, 2023, that contains draft language of the policies procedures and administrative regulations pertaining to the operations of the urban search and rescue program set out in Section 1 of this Act.

➔Section 3. The Division of Emergency Management shall only be required to provide for the staffing, technical, clerical, administrative assistance, office space, and facilities of the Kentucky Urban Search and Rescue Program, all as set out in subsection (3) of Section 1 of this Act, when moneys are made available in the restricted fund as set out in subsection (5) of Section 1 of this Act. The provisions in subsection (3) of Section 1 of this Act may be phased in by the Division as funding is made available.

Signed by Governor March 28, 2023.