



Substitute House Bill No. 5085

Public Act No. 06-15

AN ACT DEFINING "EMERGENCY" AND "MAJOR DISASTER".

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 28-1 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2006*):

As used in this chapter:

(1) "Attack" means any attack or series of attacks by an enemy of the United States causing, or which may cause, substantial damage or injury to civilian property or persons in the United States in any manner by sabotage or by the use of bombs, shellfire or atomic, radiological, chemical, bacteriological or biological means or other weapons or processes.

(2) "Major disaster" means any catastrophe including, but not limited to, any hurricane, tornado, storm, [flood,] high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm [,] or drought, or, regardless of cause, any fire, flood, explosion, or [other catastrophe] manmade disaster in any part of this state [which] that, in the determination of the President, causes damage of sufficient severity and magnitude to

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warrant major disaster assistance under the [Federal Disaster Relief Act of 1974, above and beyond emergency services by the federal government] Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 USC 5121 et seq., as amended from time to time, to supplement the efforts and available resources of this state, local governments thereof, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.

(3) "Emergency" means any [hurricane, tornado, storm, flood, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, drought, fire, explosion, or other catastrophe in any part of this state which requires federal emergency assistance] occasion or instance for which, in the determination of the President, federal assistance is needed to supplement state and local efforts and capabilities to save lives and protect property, public health and safety or to avert or lessen the threat of a disaster or catastrophe in any part of this state.

(4) "Civil preparedness" means all those activities and measures designed or undertaken (A) to minimize or control the effects upon the civilian population of major disaster, (B) to minimize the effects upon the civilian population caused or which would be caused by an attack upon the United States, (C) to deal with the immediate emergency conditions which would be created by any such attack, major disaster or emergency, and (D) to effectuate emergency repairs to, or the emergency restoration of, vital utilities and facilities destroyed or damaged by any such attack, major disaster or emergency. Such term shall include, but shall not be limited to, (i) measures to be taken in preparation for anticipated attack, major disaster or emergency, including the establishment of appropriate organizations, operational plans and supporting agreements; the recruitment and training of personnel; the conduct of research; the procurement and stockpiling of necessary materials and supplies; the provision of suitable warning

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systems; the construction and preparation of shelters, shelter areas and control centers; and, when appropriate, the nonmilitary evacuation of the civilian population; (ii) measures to be taken during attack, major disaster or emergency, including the enforcement of passive defense regulations prescribed by duly established military or civil authorities; the evacuation of personnel to shelter areas; the control of traffic and panic; and the control and use of lighting and civil communication; and (iii) measures to be taken following attack, major disaster or emergency, including activities for fire fighting; rescue, emergency medical, health and sanitation services; monitoring for specific hazards of special weapons; unexploded bomb reconnaissance; essential debris clearance; emergency welfare measures; and immediately essential emergency repair or restoration of damaged vital facilities.

(5) "Civil preparedness forces" means any organized personnel engaged in carrying out civil preparedness functions in accordance with the provisions of this chapter or any regulation or order adopted pursuant to this chapter. All the police and fire forces of the state or any political subdivision of the state, or any part of any political subdivision, including all the auxiliaries of these forces and emergency medical service personnel licensed or certified pursuant to section 19a-179, as amended, shall be construed to be a part of the civil preparedness forces. The Connecticut Disaster Medical Assistance Team and the Medical Reserve Corps, under the auspices of the Department of Public Health, the Connecticut Urban Search and Rescue Team, under the auspices of the Department of Emergency Management and Homeland Security, and the Connecticut behavioral health regional crisis response teams, under the auspices of the Department of Mental Health and Addiction Services and the Department of Children and Families, and their members, shall be construed to be a part of the civil preparedness forces while engaging in authorized civil preparedness duty or while assisting or engaging in authorized training for the purpose of eligibility for immunity from

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liability as provided in section 28-13 and for death, disability and injury benefits as provided in section 28-14. Any member of the civil preparedness forces who is called upon either by civil preparedness personnel or state or municipal police personnel to assist in any emergency shall be deemed to be engaging in civil preparedness duty while assisting in such emergency or while engaging in training under the auspices of the Department of Emergency Management and Homeland Security, the Department of Public Safety, the Division of State Police within the Department of Public Safety or a municipal police department, for the purpose of eligibility for death, disability and injury benefits as provided in section 28-14.

(6) "Mobile support unit" means an organization of civil preparedness forces created in accordance with the provisions of this chapter to be dispatched by the Governor or Commissioner of Emergency Management and Homeland Security to supplement civil preparedness forces in a stricken or threatened area.

(7) "Civil preparedness emergency" or "disaster emergency" means an emergency declared by the Governor under the provisions of this chapter in the event of serious disaster or of enemy attack, sabotage or other hostile action within the state or a neighboring state, or in the event of the imminence thereof.

(8) "Local civil preparedness emergency" or "disaster emergency" means an emergency declared by the chief executive officer of any town or city in the event of serious disaster affecting such town or city.

(9) "Governor" means the Governor or anyone legally administering the office of Governor.

(10) "Commissioner" means the Commissioner of Emergency Management and Homeland Security.

(11) "Department" means the Department of Emergency

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Management and Homeland Security.

(12) "Political subdivision" means any city, town, municipality, borough or other unit of local government.

Approved May 2, 2006