

# OLR Backgrounder: Civil Preparedness Emergency Rights and Responsibilities

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## Issue

To address the COVID-19 pandemic, Governor Lamont declared [public health and civil preparedness emergencies](#) on March 10, 2020. This report summarizes the rights and responsibilities provided under state law surrounding a civil preparedness emergency.

## Summary

Title 28, [Chapter 517 of the Connecticut General Statutes](#), contains most of the statutory rights and responsibilities associated with several types of emergencies, including civil preparedness emergencies. The law authorizes the governor to declare civil preparedness emergencies and, during these emergencies, to exercise a broad range of powers. These powers include taking control of the state's civil preparedness forces and functions and ordering the modification or suspension of any statute, regulation, or requirement when necessary to efficiently and expeditiously execute civil preparedness functions or protect public health ([CGS § 28-9](#)).

Even before a governor declares an emergency, the statutes require certain planning and preparation actions. The Department of Emergency Services and Public Protection (DESPP) commissioner must direct the creation of the state's emergency management program, which is laid out in the [State Response Framework](#) (SRF) and its [annexes](#) ([CGS § 28-5](#)). The commissioner must also establish the [Division of Emergency Management and Homeland Security](#) (DEMHS) within DESPP to implement that program ([CGS § 28-1a](#)). Similarly, each municipality must develop a local emergency operations plan in order to be eligible for state or federal emergency

management benefits and establish a local civil preparedness organization led by an emergency management director ([CGS § 28-7](#)).

The statutes also address several other topics impacting actions during a civil preparedness emergency that apply to a wide range of individuals and entities, from the governor, state agencies, and municipalities to emergency personnel. Topics include specific operation duties and authorizations; compensation for a death, disability, or injury; funding; immunity from liability; and price gouging.

For information on the governor's authority to issue executive orders, see OLR Report [2020-R-0131](#). For summaries of Governor Lamont's executive orders issued during the COVID-19 pandemic, see OLR Reports [2020-R-0109](#), [2020-R-0110](#), [2020-R-0111](#), and [2020-R-0112](#).

## Civil Preparedness Emergency Defined

Chapter 517 defines both "civil preparedness emergency" and "disaster emergency" as an emergency declared by the governor immediately before or during a serious disaster or enemy attack, sabotage, or other hostile action within Connecticut or a neighboring state ([CGS § 28-1\(7\)](#)). Relatedly, the chapter defines "emergency" as any instance in which the governor or president determine state or federal assistance is needed to supplement state or local efforts to save lives and protect property, public health, and safety, or to avert or lessen the threat of a disaster or catastrophe in Connecticut ([CGS § 28-1\(3\)](#)).

Taken together, when a statute within the chapter concerns a "disaster emergency" (e.g., [CGS § 28-9a\(a\)](#)), it relates to a civil preparedness emergency. Additionally, statutes premised on emergency situations (e.g., [CGS § 28-7\(f\)](#)) will necessarily apply when a civil preparedness emergency is declared since it is a type of "emergency."

(There are many statutes that concern public health and safety or emergencies in contexts other than those described in Chapter 517. Those statutes may have significance during civil preparedness emergency situations, however, those laws are generally beyond the scope of this report.)

## Emergency Preparations

### *DESPP & Other State Agencies*

A key emergency preparation responsibility of the DESPP commissioner is to oversee the development of the state's civil preparedness plan and program (i.e., the SRF), which is subject to

the governor's approval ([CGS § 28-5\(b\)](#)). The commissioner may make orders and regulations as necessary to develop and implement the SRF ([CGS § 28-5\(f\)](#)). He is also authorized to make studies and surveys of the state's manpower, industries, resources, and facilities to ascertain their civil preparedness capabilities and to plan for their use in an emergency. Additionally, the commissioner may subpoena individuals or companies to testify or produce documents as necessary for planning the state's civil preparedness ([CGS § 28-5\(a\)](#)).

There are few explicit statutory requirements of what must be included in the SRF. Specifically, the law requires it to (1) address the needs of children during natural disasters, man-made disasters, and terrorism and (2) consider a change in sea level to the state coastline ([CGS §§ 28-5\(c\) and \(g\)](#)). In practice, the SRF contains emergency operation concepts that normally apply in preparation for, response to, and recovery from emergencies requiring a state level response. It also outlines the general responsibilities of emergency management partners at the local, state, and federal government level, as well as in the private sector.

According to the latest version of the SRF (dated July 2019), the state emergency management director and key state agency liaisons review the SRF annually and revise it as needed based on after action reports and improvement plans. Every five years, they complete a full plan update in coordination with state agencies.

By law, the DESPP commissioner must:

1. integrate and coordinate the SRF with the federal government's and other states' civil preparedness plans as well as with the civil preparedness activities of the state's municipalities,
2. institute civil preparedness training and public information programs, and
3. take all other preparatory steps that may be needed for the prompt and effective operation of the SRF ([CGS §§ 28-5\(b\) and \(d\)](#)).

He is also responsible for:

1. coordinating planning, equipment, training, and exercise activities with state and local government personnel, agencies, authorities, and the private sector;
2. coordinating homeland security communications and the state government's communication systems with those entities and the general public;
3. distributing information and security warnings to state and local government personnel, agencies, and authorities and the general public; and

4. establishing standards and security protocols for the use of any intelligence information ([CGS § 28-1a\(b\)](#)).

Additionally, the law empowers the commissioner to purchase and maintain a stockpile of medical supplies, blankets, food and provisions, fuel, equipment, and any other supplies he deems necessary to assist residents in an emergency ([CGS § 28-16](#)). He may also adopt regulations for the department and conduct civil preparedness exercises as he deems necessary ([CGS §§ 28-1a\(c\)](#) and [28-5\(d\)](#)).

In terms of administrative infrastructure, the commissioner must organize DEMHS and its personnel to carry out emergency management, civil preparedness, and homeland security missions ([CGS § 28-1a\(a\)](#)). Subject to the governor's approval, he may establish local offices to control and coordinate civil preparedness planning as well as represent the state on any regional or interstate civil preparedness organization ([CGS § 28-4](#)). State department, office, and agency heads, under the direction of the commissioner, are responsible for planning and implementing civil preparedness activities that will involve the use of facilities within their respective departments, offices, or agencies and for participating in training and exercises ([CGS § 28-5\(e\)](#)).

Building on the above statutes, DEMHS has produced several [publications](#) for itself and its partners that impact emergency planning and operations, including its [Administrative Plan](#) and [Local Emergency Management Director & Municipal Official Handbook](#). DEMHS's [Training and Exercise Unit](#) provides a yearly class schedule along with other related assistance to state agencies, local governments, and the public.

Administratively, DEMHS has divided the state into [five emergency planning regions](#) with a division office in each (located in Bridgeport, Middletown, Hartford, Colchester, and Waterbury). The DEMHS regional offices provide administrative support and planning assistance to local governments within their jurisdictions.

## ***Municipalities***

By law, each municipality must establish its own local civil preparedness organization or, with the approval of the DESPP commissioner, a joint organization with two or more municipalities. These organizations must consist of an emergency management director appointed by the municipality's chief executive officer (CEO) and an advisory council made up of representatives important to its civil preparedness program ([CGS §§ 28-7\(a\) and \(b\)](#)). According to the SRF, a few directors are full-time, paid directors, but a majority are part-time with no staff support. Many of the part-time directors are volunteers. By law, CEOs may remove directors for cause ([CGS § 28-7\(b\)](#)).

These organizations must have a local emergency operations plan (LEOP) approved by the DESPP commissioner on a biennial basis in order to be eligible for state or federal emergency management benefits. Plans will generally not be approved by the commissioner unless they (1) were pre-approved by the organization's emergency management director and municipality's CEO and (2) address all civil preparedness activities and measures identified in [CGS § 28-1\(4\)](#). By law, municipalities must consider whether to include plan provisions addressing the evacuation and temporary sheltering of certain animals. Additionally, the plans for shoreline municipalities must have provisions concerning emergencies caused by the liquefied natural gas terminal located on the Long Island Sound and be approved by the Public Safety and Security Committee ([CGS §§ 28-7\(a\) and \(b\)](#)).

DEMHS maintains a [LEOP Resources webpage](#), which makes available a LEOP template, FAQ, guide, and checklist.

### ***Aid Agreements***

[CGS § 28-4](#) authorizes the DESPP commissioner, subject to the governor's approval, to enter into reciprocal mutual aid arrangements with other states. Similarly, [CGS § 28-7\(d\)](#) allows local emergency management directors, subject to the commissioner's approval and consistency with the SRF, to enter into mutual aid agreements with civil preparedness agencies and organizations inside and outside of Connecticut.

Three specific mutual aid agreements are codified in Title 28 of the General Statutes. [Chapter 517a](#) concerns the Intrastate Mutual Aid Compact (IMAC), which provides a structure for assistance between Connecticut municipalities. Under the provisions of the compact, all municipalities are members unless they opt out. According to the SRF, no municipality has opted out. [Chapter 518](#) involves the Emergency Management Assistance Compact (EMAC), which concerns interstate aid. All of the U.S. states are currently members based on the [Compact's website](#). Lastly, [Chapter 517b](#) concerns the International Emergency Management Assistance Compact (IEMAC), which is an assistance arrangement between Connecticut and certain New England states and eastern Canadian provinces (see the group's website [here](#)). All of these compacts require members engage in certain cross-planning and inventorying of resources.

Outside of those arrangements, the DESPP commissioner is required to enter into a memorandum of understanding with the state Military Department to provide for interagency information sharing and facilitate the temporary assignment of that department's employees to work in DESPP ([CGS § 28-1a\(d\)](#)). Also, the law permits the commissioner and local emergency management directors to make agreements with federal government agencies or officers to provide storage space on state

or local premises for federally owned civil preparedness supplies and equipment so long as (1) the commissioner or director can revoke the agreement upon 30 days' notice if the space is required for state or local use and (2) providing the space does not impose additional costs on the state ([CGS § 28-20](#)). Beyond the Title 28 statutes, [CGS §§ 7-277a](#) and [7-310](#) authorize municipalities to enter into certain assistance agreements to share police and fire services respectively.

## **Emergency Actions**

Overall, the rights and responsibilities associated with conducting operations during a civil preparedness emergency are fundamentally set out in the statutes, with more specifics contained in the SRF and other administrative materials. Generally, once the SRF is approved by the governor, all state and local government agencies, civil preparedness forces, and public service companies must carry out the duties and functions assigned to them by the SRF ([CGS § 28-5\(b\)](#)).

### ***Governor & Secretary of the State***

A civil preparedness emergency declared by the governor becomes effective upon filing the declaration with the secretary of the state, subject to the disapproval authority of certain legislative leaders if the declaration is based on a man-made disaster (see *Legislature* below) ([CGS § 28-9\(a\)](#)).

Following a declaration, the governor must (1) order and enforce U.S. Army authorized blackouts and radio silences while taking any other precautionary measures that may be reasonably necessary ([CGS § 28-9\(b\)\(3\)](#)), and (2) take appropriate measures to protect the health and safety of inmates of state institutions and children in schools ([CGS § 28-9\(b\)\(5\)](#)).

By law, the governor may, through executive order, modify or suspend in whole or in part any statute, regulation, or requirement that conflicts with the efficient and expeditious execution of civil preparedness functions or the protection of public health. The governor must specify in an order the reasons for the suspension or modification and how long it will remain in effect, which can be no more than six months. Any statute, regulation, or requirement, or part thereof, inconsistent with the order is inoperative while the order is in effect. An order becomes effective once it is filed with the secretary of the state. The governor must communicate the order to the legislature at the earliest date and the secretary of the state must publish it in at least one issue of a newspaper published in each county and having general circulation there within four days of receiving the order (failure to publish though does not impair the order's validity) ([CGS § 28-9\(b\)\(1\)](#)).

The governor, in the event of a shortage or disaster and necessary for the public's protection, may take possession of the following:

1. land, buildings, machinery, or equipment;
2. horses, vehicles, motor vehicles, aircraft, ships, boats, rolling stock of steam, diesel or electric railroads, or other means of conveyance;
3. antitoxins, pharmaceutical products, vaccines, or other biological products;
4. cattle, poultry, or other provisions; and
5. fuel, gasoline, or other means of propulsion needed for the Connecticut or U.S. military or naval forces or to protect the state or its inhabitants.

He may generally use the taken property as he deems in the best interest of the state or its inhabitants. If he believes the public exigency so requires, he may lease, sell, or, when conditions warrant, distribute the property to people within the state. The law outlines a process for making records of property that is taken as well as for returning property to, or compensating, owners whose property is seized ([CGS § 28-11](#)).

Additionally, if he obtains the legally required preauthorization and, in some instances, indemnification, the governor may use the state agencies to clear or remove debris and wreckage from public or private land or water if they threaten public or private property or the public's health or safety. Relatedly, he is also authorized to accept federal funds and grant them to municipalities towards removing debris or wreckage from public or private land or water ([CGS § 28-9c](#)).

The governor may also do the following:

1. order DESPP or any local civil preparedness organization into action ([CGS § 28-9\(b\)\(2\)](#));
2. designate vehicles and people that may move and the routes they must take ([CGS § 28-9\(b\)\(4\)](#));
3. order the evacuation of people from stricken or threatened areas and take any steps necessary to receive and care for them ([CGS § 28-9\(b\)\(6\)](#));
4. enter into purchase, lease, or other arrangements with federal agencies to provide temporary housing for disaster victims and make them available to municipalities ([CGS § 28-9a\(a\)\(1\)](#));
5. assist municipalities in acquiring and preparing sites for temporary housing by providing certain funds through specific means ([CGS § 28-9a\(a\)\(2\)](#)); and



6. take other steps that are reasonably necessary to protect the health, safety, and welfare of residents, prevent or minimize property loss or destruction, and minimize the effects of hostile action ([CGS § 28-9\(b\)\(7\)](#)).

The above rights and responsibilities are effective immediately upon the governor's declaration and continue until he declares the end of the civil preparedness emergency ([CGS §§ 28-9\(b\)](#), [28-9a\(a\)](#), [28-9c\(a\)](#), and [28-11\(a\)](#)). One additional power is granted to the governor after a declaration, however its timing is capped. Specifically, he may temporarily suspend or modify any public health, safety, zoning, transportation, or other requirement of law or regulation within the state when doing so is essential to provide temporary housing for disaster victims so long as the suspension or modification does not last more than 60 days ([CGS § 28-9a\(a\)\(3\)](#)).

Lastly, the governor may issue preemptive civil preparedness emergency declarations and orders if they would insure automatic and effective civil preparedness operations in the event of enemy attacks, sabotages, or other hostile actions. These would not become effective until the contemplated attack, sabotage, or action was about to or actually took place ([CGS § 28-9\(b\)\(8\)](#)).

## ***Legislature***

As soon as possible after a civil preparedness emergency declaration, if the legislature is not in session, the governor must meet with the Senate president pro tempore, House speaker, and House and Senate majority and minority leaders, and confer with them on the advisability of calling a special legislative session.

If a civil preparedness emergency declaration or an order issued by the governor under it is based on a man-made disaster, then a joint legislative committee consisting of the legislative leaders identified above may disapprove the declaration or order by majority vote so long as at least one of the minority leaders votes for the disapproval. To be effective, the leadership must file its disapproval with the secretary of the state within 72 hours after the governor's filing ([CGS § 28-9\(a\)](#)).

## ***Judiciary***

In the event of a civil preparedness emergency, the chief justice of the state Supreme Court and the chief court administrator are both authorized to take any action necessary to ensure the (1) continued efficient operation of the state's courts, (2) prompt disposition of cases, and (3) proper administration of judicial business ([CGS §§ 51-1b\(c\)](#) and [51-5a\(a\)\(6\)](#)).



## ***Governor & DESPP***

The law authorizes the governor and the DESPP commissioner, in case of certain emergencies, including civil preparedness emergencies, to order the state's civil preparedness units, forces, facilities, supplies, and equipment to provide mutual aid or mobile support (i.e., supplemental aid in a stricken or threatened area) ([CGS §§ 28-6\(a\)](#) and [28-1\(6\)](#)). The governor may order those personnel and items to operate in another state if its laws contain provisions substantially similar to CGS § 28-6 or it is an EMAC signatory ([CGS §§ 28-6\(a\) and \(e\)](#)). Requests for mutual aid may be made to EMAC and IEMAC members, subject to the conditions and limitations of those compacts ([CGS Chapters 518](#) and [517b](#)). According to the SRF, those requests are made through DEMHS, at the governor's direction.

Beyond the coordination responsibilities described above and to the extent they concern emergency preparations and operations, the DESPP commissioner has a general duty to use the state's personnel, services, equipment, supplies, and facilities to the maximum extent possible ([CGS § 28-5\(e\)](#)). He may request and receive from any federal, state, or local agency cooperation and assistance for DESPP, including the temporary assignment of personnel ([CGS § 28-1a\(e\)](#)). The commissioner may also specifically order that municipal CEOs assign police, fire fighting, and other civil preparedness forces under their control for duty and use outside their jurisdiction if another municipality requests aid ([CGS § 28-8\(a\)](#)).

## ***Other State Agencies***

Following a governor's civil preparedness emergency declaration and related executive order, the Department of Public Health (DPH) commissioner may temporarily suspend certain license renewal and inspection requirements and functions. By law, the commissioner's suspension period may continue for the duration of the declared emergency and for a six-month period after the emergency ends ([CGS § 19a-131j](#)).

The Office of Early Childhood commissioner, after a civil preparedness emergency declaration, may waive the provisions of any family child care home, child care center, or group child care home regulation if doing so would not endanger the life, health, or safety of any child. By law, the commissioner must establish criteria for making a waiver request and conditions for granting or denying a waiver as well as prescribe a waiver's duration up to the declared emergency's duration ([CGS §§ 19a-79\(d\)](#) and [19a-87b\(g\)](#)).

During certain emergencies, including a civil preparedness emergency, the Department of Motor Vehicles commissioner may, subject to the approval of the governor, extend the expiration date or period of validity of any registration, license, permit, certificate, or other form or credential the

department issues. If the commissioner exercises this authority, she must inform the public and law enforcement agencies of the extensions in a manner that she deems necessary or appropriate ([CGS § 14-5c](#)).

The Department of Energy and Environmental Protection commissioner, in certain emergency situations, including civil preparedness emergencies, may suspend certain statutes and regulations concerning floodplain management activities and flood control projects ([CGS § 25-68e](#)).

## ***Municipalities***

Local civil preparedness organizations have a duty to perform civil preparedness functions (1) within their territorial limits as the DESPP commissioner prescribes and (2) outside their territorial limits as prescribed in the SRF or any mutual aid agreements their municipalities are parties to ([CGS § 28-7\(c\)](#)). In an emergency, they must provide assistance according to the terms of those mutual aid agreements unless otherwise ordered by the commissioner ([CGS § 28-7\(d\)](#)).

Local emergency management directors are responsible for the organization, administration, and operation of their local civil preparedness organizations, subject to the DESPP commissioner's direction and control ([CGS § 28-7\(b\)](#)). The directors may also, subject to the commissioner's approval, authorize volunteer civil preparedness forces for temporary civil preparedness missions ([CGS § 28-7\(h\)](#)).

Municipal CEOs may, during certain emergencies that occur within their jurisdictions, including civil preparedness emergencies, generally take any action they deem necessary to mitigate the emergency ([CGS § 28-8a\(a\)](#)). Additionally, they may, when it is necessary for protecting the public's health and safety, request the governor or DESPP commissioner to authorize the temporary use of civil preparedness forces, including auxiliary police and firemen, as the governor deems necessary ([CGS § 28-7\(f\)](#)). CEOs may, under IMAC, request from or provide assistance to other municipalities, subject to the agreement's procedures and conditions ([CGS Chapter 517a](#)). By law, CEOs may also assign police, fire fighting, and other civil preparedness forces under their control for duty and use outside their jurisdiction if another municipality requests aid and the commissioner approves ([CGS § 28-8\(a\)](#)).

Municipalities are authorized, independent of similar powers afforded to the governor, to temporarily or permanently acquire sites and materials in order to temporarily house disaster victims ([CGS § 28-9a\(b\)](#)).

Beyond Title 28, municipal CEOs have broad powers under [CGS Title 7](#) and local charters or ordinances may contain additional emergency-related duties and powers.

### ***Civil Preparedness Personnel***

State law considers an assortment of people as civil preparedness personnel. The main term for them, “civil preparedness forces,” provides some specific examples (e.g., state and municipal police and fire forces), but, generally, they are anyone who is part of an organized unit that is carrying out civil preparedness functions ([CGS § 28-1\(5\)](#)). Civil preparedness functions generally are actions to (1) minimize or control the effects of an emergency on the civilian population, (2) deal with immediate emergency conditions, and (3) make emergency repairs to vital utilities and facilities destroyed or damaged by an emergency. They include measures taken in preparation for, during, and following an emergency ([CGS § 28-1\(4\)](#)).

Civil preparedness personnel are generally responsible for executing lawful orders and regulations ([CGS § 28-18](#)). State employees engaged in officially authorized civil preparedness work have the same powers, duties, rights, and privileges that are incident to their employment ([CGS § 28-6\(b\)](#)). Similarly, municipal civil preparedness personnel, including police and fire fighters, serving inside or outside of their municipality have the same powers, duties, rights, and privileges as if they were acting in their home jurisdiction ([CGS §§ 28-6\(b\)\(2\)](#), [28-8\(b\)](#), and [Chapter 517a](#)). The three main mutual aid agreements (i.e., the IMAC, EMAC, and IEMAC) contain provisions that provide for the carrying over of licenses, certificates, and other permits evidencing professional, mechanical, and other skill qualifications across member jurisdictions ([CGS Chapters 517a](#), [518](#), and [517b](#)).

Additionally, whenever the governor orders clearance of debris or wreckage during a civil preparedness emergency, personnel are authorized to enter private land or waters and perform any task necessary to the operation ([CGS § 28-9c\(b\)\(2\)](#)).

## **Civil Preparedness Personnel Compensation and Protections**

### ***Salary***

State and municipal employees engaged in officially authorized civil preparedness work receive the compensation incident to their employment. If personnel are not state or municipal employees, they are entitled to compensation as determined by the Department of Administrative Services commissioner that must be at least as high as the state’s minimum wage ([CGS § 28-6\(b\)](#)). If DESPP conducts a homeland security drill that exceeds 24 hours, it must compensate certain volunteer organization members who participate in the drill and are otherwise employed. The compensation must be at the same rate as the volunteer is compensated for in his or her public or private sector

employment but the payment the volunteer receives must be reduced by any compensation his or her employer provides for participating in the drill ([CGS § 28-14a](#)).

## ***Benefits***

Civil preparedness personnel must generally receive some form of compensation if they die or are disabled or injured while training for or on civil preparedness duty. The specific amount of compensation varies, generally depending on a person's employment status ([CGS §§ 28-14](#) and [28-14a\(c\)](#)). Several other statutes clarify or set out requirements concerning the eligibility of certain personnel (see [CGS §§ 28-1\(5\)](#), [28-7\(f\) and \(h\)](#), and [28-8a\(b\)](#)). DEMHS has issued a [procedure](#) to ensure that volunteer members of the Community Emergency Response Teams are covered under CGS § 28-14. There are also several state attorney general opinion letters that address questions about the statute and provide guidance (see, e.g., AG Opinions 1984-64, [1991-023](#), and [2006-016](#)).

Beyond these statutes, Article VIII in both the EMAC and IEMAC requires members to cover injuries and deaths to their personnel that occur out of state by providing compensation and benefits on the same terms as if the injury or death were sustained within their own jurisdiction ([CGS Chapters 518](#) and [517b](#)).

## ***Dismissal***

State law generally prohibits employers from discharging an employee because he or she is a civil preparedness organization member ([CGS § 28-17](#)). Civil air patrol members are specifically protected from being discharged by their employers ([CGS § 28-17a\(b\)](#)). Personnel assigned to DEMHS may be removed by the DESPP commissioner for security reasons or for incompetence, subject to reinstatement by the Employees' Review Board ([CGS § 28-1a\(a\)](#)).

## **Other Provisions**

### ***Funding***

Municipalities may make appropriations to pay the salaries and expenses of their local civil preparedness organization and any other civil preparedness agencies ([CGS § 28-7\(e\)](#)). By law, state municipal revenue sharing grants are not reduced based on municipal spending associated with a civil preparedness emergency ([CGS § 4-66/\(h\)\(1\)\(A\)](#)). The Connecticut Coordinated Assistance and Recovery Endowment must establish a public assistance fund to aid municipalities affected by an emergency, including a civil preparedness emergency ([CGS § 4-37u\(a\)\(3\)](#)). The Department of Housing commissioner must account for how civil preparedness emergencies impact the need of

affected municipalities for moderate rental housing projects when reviewing how to allocate state financial assistance for those projects ([CGS § 8-77](#)).

The state, acting through the governor, and every municipality, acting through their CEO, may accept federal government offers for civil preparedness-related services, equipment, supplies, materials, and funds, subject to the terms, rules, and regulations associated with an offer ([CGS § 28-15](#)). DEMHS administers federal preparedness grants and disaster assistance programs for the state (see this [agency webpage](#)). Municipalities are generally not required to agree to the reallocation of any federal or state emergency management or homeland security funds for which they may be eligible ([CGS § 28-1h](#)).

In instances where municipal civil preparedness personnel provide aid outside of their jurisdiction with the approval of the governor or DESPP commissioner, the state must reimburse municipalities for the salaries and certain other expenses and compensation associated with their employees providing such support as well as for equipment expenses ([CGS §§ 28-6\(c\), 28-7\(g\), and 28-8\(c\)](#)). If another state's personnel renders aid, the state is obligated to provide similar reimbursement ([CGS § 28-6\(d\)](#) and [Chapter 518](#)). Connecticut must also provide certain levels of reimbursement to jurisdictions assisting the state under IEMAC ([CGS Chapter 517b](#)). IMAC similarly provides a reimbursement process between municipalities ([CGS Chapter 517a](#)). Under all of the compacts, reimbursement is not required if a member rendering aid decides to donate their services.

### ***Immunity from Liability***

The state, municipalities, state and municipal agents, and civil preparedness personnel who are complying with or attempting to comply with laws, orders, or other measures dealing with civil preparedness are immune from liability for death, injury, or property damages, except in cases of willful misconduct ([CGS § 28-13](#); see also [CGS § 28-1\(5\)](#); [Sena v. American Medical Response of Connecticut Inc.](#), 333 Conn. 30 (2019); [Paige v. Green](#), 2007 WL 4707786 (Conn. Super. Ct. Nov. 28, 2007); [AG Opinion 2006-016](#)).

The three main mutual aid agreements (i.e., the IMAC, EMAC, and IEMAC) contain provisions that make civil preparedness personnel immune from liability while rendering aid, except in cases of willful misconduct, gross negligence, or bad faith ([CGS Chapters 517a, 518, and 517b](#)). State and municipal employees engaged in officially authorized civil preparedness work are entitled to the immunities incident to their employment ([CGS §§ 28-6\(b\) and 28-8\(b\)](#)). The state must indemnify and hold harmless personnel temporarily assigned to and performing duties for DESPP ([CGS § 28-1a\(e\)](#)).

If anyone voluntarily grants the use of their real estate or premises to the state or a municipality in order to shelter people during an actual, impending, mock, or practice attack or other disaster, he or she will not be civilly liable for negligently causing the death of or injury to any person using the granted property or for the loss of or damage to the person's possessions ([CGS § 28-21](#)).

### ***Price Gouging***

By law, retailers in the state are generally prohibited from price gouging during certain emergencies, including civil preparedness emergencies, though fluctuation in prices that occur during the normal course of business are not prohibited ([CGS § 42-230](#)). Transportation network companies (e.g., Uber and Lyft) are prohibited from increasing the price of a ride by more than 2.5 times the usual price during certain emergencies, including civil preparedness emergencies ([CGS § 13b-118\(b\)\(4\)\(C\)](#)).

### ***Drug Transfers***

When the governor or his authorized representative declares an emergency, a hospital pharmacy, pharmacy, or other registrant authorized by state or federal law to possess controlled substances may transfer or distribute certain drugs or controlled drugs to a licensed pharmacy, registrant, or a location authorized by the Department of Consumer Protection commissioner. This must be done according to applicable federal law, regulations, guidelines, and policy and with the commissioner's prior approval. The registrant must record the transfer accurately in compliance with state and federal law and report the transfer in writing to the commissioner ([CGS § 28-32\(b\)](#)).

### ***Telecommunications***

During certain emergencies, including civil preparedness emergencies, each telephone company, certified telecommunications provider, video franchise authority certificate holder, and cable franchise authority certificate holder with more than 25,000 subscribers must provide a representative to staff an affected electric distribution company's emergency operations center to ensure communication and coordination during emergency response and restoration efforts ([CGS § 16-32e\(c\)](#)).

### ***Loyalty Oath***

Local civil preparedness organization members must take a loyalty oath before starting their duties and every two years after. The oath must be administered by their local emergency management director. On or before August 15 of each year, directors must submit loyalty oath logs to their DEMHS Regional Coordinator ([CGS § 28-12](#); see also this [DEMHS webpage](#)).

## ***Political Activity Prohibition***

By law, local civil preparedness organizations must not be used directly or indirectly for political purposes. Organization members are subject to certain statutory penalties for violating this political activity prohibition ([CGS § 28-3](#)).

## ***Nondiscrimination Requirement***

State law prohibits anyone from discriminating on the basis of race, color, religious creed, sex, gender identity or expression, age, national origin, ancestry, or economic status in carrying out any civil preparedness function ([CGS § 28-15\(b\)](#)); see also [CGS §§ 1-1n](#) and [46a-81aa](#)).

## ***Penalties***

Individuals and companies who deny personnel lawfully acting during a civil preparedness emergency from accessing their property are subject to a fine ranging from \$50 to \$500 ([CGS § 28-13\(b\)](#)). Anyone who willfully and without lawful authority damages certain civil preparedness equipment, impersonates a civil preparedness official, or interferes with a lawful civil preparedness activity is guilty of a class D felony ([CGS § 28-22](#)).

## ***Records and Reporting***

Local civil preparedness organizations must make certain civil preparedness orders and regulations that their personnel execute available for inspection at their offices ([CGS § 28-18](#)). Municipalities providing aid under the IMAC must maintain documentation of all assets they provide ([CGS Chapter 517a](#)). Municipal CEOs may secure and preserve any documents and evidence pertinent to and necessary for a future investigation of actions they took to mitigate an emergency, including a civil preparedness emergency ([CGS § 28-8a\(a\)](#)).

The DESPP commissioner must annually give the Public Safety & Security Committee a report that specifies and evaluates statewide emergency management and homeland security activities during the preceding calendar year ([CGS § 28-1i](#)). The commissioner must also annually report to the General Assembly on homeland preparedness and emergency response plans and activities for children ([CGS § 28-1l](#)).

Administratively, as an emergency management agency and the state administrative agent for federal preparedness grant programs, DEMHS and DESPP file numerous federal and state reports (see Section 4.0 of the [DEMHS Administrative Plan](#)).

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