

As Introduced

132nd General Assembly

Regular Session

2017-2018

S. B. No. 103

Senator Coley

Cosponsors: Senators Williams, Brown

A BILL

To amend sections 5502.26 and 5502.261 of the
Revised Code to permit a board of county
commissioners, as an alternative to entering
into an agreement to establish a countywide
emergency management agency, to enter into a
contract of not longer than four years with the
county sheriff or a chief of a fire department
that has countywide authority to implement a
countywide emergency management program.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 5502.26 and 5502.261 of the
Revised Code be amended to read as follows:

Sec. 5502.26. (A) The board of county commissioners of a
county and the chief executive of all or a majority of the other
political subdivisions within the county may enter into a
written agreement establishing a countywide emergency management
agency.

A representative from each political subdivision entering
into the agreement, selected by the political subdivision's

chief executive, shall constitute a countywide advisory group 19
for the purpose of appointing an executive committee under this 20
~~section~~division through which the countywide agency shall 21
implement emergency management in the county in accordance with 22
this ~~section~~division and for the purpose of advising the 23
executive committee on matters pertaining to countywide 24
emergency management. The executive committee shall consist of 25
at least the following seven members: one county commissioner 26
representing the board of county commissioners entering into the 27
agreement; five chief executives representing the municipal 28
corporations and townships entering into the agreement; and one 29
nonelected representative. The countywide agreement shall 30
specify how many additional members, if any, shall serve on the 31
executive committee and their manner of selection. 32

The agency shall be supported financially by the political 33
subdivisions entering into the countywide agreement. The 34
executive committee shall appoint a director/coordinator of 35
emergency management who shall pursue and complete a 36
professional development training program in accordance with 37
rules adopted under section 5502.25 of the Revised Code. The 38
director/coordinator of emergency management may be an official 39
or employee of any political subdivision entering into the 40
countywide agreement, except that the director/coordinator shall 41
not be the chief executive of any such political subdivision. 42

A countywide emergency management agency organized under 43
this ~~section~~division shall establish a program for emergency 44
management that: 45

(1) Is in accordance with sections 5502.21 to 5502.51 of 46
the Revised Code, rules adopted under those sections, local 47
ordinances pertaining to emergency management, the "Robert T. 48

Stafford Disaster Relief and Emergency Assistance Act," 88 Stat. 49
143, 42 U.S.C. 5121, et. seq., as amended, and all applicable 50
rules and regulations adopted under that act; 51

(2) Includes, without limitation, development of an all- 52
hazards emergency operations plan that has been coordinated with 53
all agencies, boards, and divisions having emergency management 54
functions within the county; 55

(3) Includes the preparation and conduct of an annual 56
exercise of the county's all-hazards emergency operations plan; 57

(4) Is applicable to all political subdivisions entering 58
into the countywide agreement. 59

The director/coordinator of emergency management for a 60
countywide agency organized under this ~~section~~ division shall be 61
responsible for coordinating, organizing, administering, and 62
operating emergency management in accordance with the agency's 63
program established under this ~~section~~ division, subject to the 64
direction and control of the executive committee. All agencies, 65
boards, and divisions having emergency management functions 66
within each political subdivision within the county shall 67
cooperate in the development of the all-hazards emergency 68
operations plan and shall cooperate in the preparation and 69
conduct of the annual exercise. 70

(B) As an alternative to the creation of a countywide 71
emergency management agency under division (A) of this section, 72
the board of county commissioners of a county, by resolution, 73
may enter into a contract, not to exceed four years, to 74
implement a countywide emergency management program that meets 75
the requirements and conditions specified in divisions (A)(1) to 76
(3) of this section. The board shall enter into the contract 77

with the county sheriff or a chief of a fire department that has 78
countywide authority. 79

The county commissioners shall financially support the 80
sheriff or fire department chief pursuant to division (B) of 81
section 5502.261 of the Revised Code. 82

The sheriff or chief of a fire department shall appoint a 83
director/coordinator of emergency management for the countywide 84
emergency management program. The director/coordinator shall 85
pursue and complete a professional development training program 86
in accordance with rules adopted under section 5502.25 of the 87
Revised Code. The director/coordinator is responsible for 88
coordinating, organizing, administering, and operating emergency 89
management in accordance with the program established under this 90
division, subject to the direction of the sheriff or chief of a 91
fire department. All agencies, boards, and divisions having 92
emergency management functions within each political subdivision 93
within the county shall cooperate in the development of the all- 94
hazards emergency operations plan and shall cooperate in the 95
preparation and conduct of the annual exercise. 96

(C) Nothing in this section requires any political 97
subdivision that is located within a county that has entered 98
into a written agreement under division (A) of this section 99
establishing a countywide emergency management agency or that 100
has entered into a contract under division (B) of this section 101
establishing a countywide emergency management program to enter 102
into that agreement or contract, provided that the political 103
subdivision has established a program for emergency management 104
in accordance with section 5502.271 of the Revised Code. 105

~~(C)~~ (D) A countywide emergency management agency shall be 106
is considered a county board and shall receive the services of 107

the auditor, treasurer, and prosecuting attorney of the county 108
in the same manner as other county agencies, boards, or 109
divisions. 110

Sec. 5502.261. (A) A board of county commissioners that 111
has entered into an agreement to establish a countywide 112
emergency management agency may appropriate money from its 113
general fund to support the functions and operations of the 114
agency, including the development, acquisition, operation, and 115
maintenance of a countywide public safety communication system 116
and any communication devices, radios, and other equipment 117
necessary for the system's operation and use. Money appropriated 118
under this ~~section~~ division may be expended to purchase and 119
maintain the assets or equipment of the agency, including 120
equipment used by the personnel of other political subdivisions 121
that have entered into the agreement with the board establishing 122
the agency. Money also may be appropriated under this ~~section~~ 123
division directly to a political subdivision that has entered 124
into the agreement with the board establishing the agency, to 125
enable the political subdivision to purchase communication 126
devices, radios, and other equipment necessary for the 127
countywide public safety communication system's operation and 128
use. 129

(B) A board of county commissioners that has entered into 130
a contract to establish a countywide emergency management 131
program may appropriate money from its general fund to meet its 132
obligations under the contract, including the development, 133
acquisition, operation, and maintenance of a countywide public 134
safety communication system and any communication devices, 135
radios, and other equipment necessary for the system's operation 136
and use. Money appropriated under this division may be expended 137
to purchase and maintain the assets or equipment of the county 138

or of the sheriff or chief of a fire department who has entered 139
into the contract with the board, including equipment used by 140
the personnel of the sheriff or chief. The board also may 141
appropriate money under this division directly to the office of 142
the sheriff or chief who has entered into the contract with the 143
board to enable the sheriff or chief to purchase communication 144
devices, radios, and other equipment necessary for the 145
countywide public safety communication system's operation and 146
use. 147

Section 2. That existing sections 5502.26 and 5502.261 of 148
the Revised Code are hereby repealed. 149