

Sub. H. B. No. 96
As Passed by the Senate
DPSCD21

_____ moved to amend as follows:

After line 123522, insert:

"Sec. 5502.30. (A) The state, any political subdivision,
any municipal agency, any emergency management volunteer,
another state, or an emergency management agency thereof or of
the federal government or of another country or province or
subdivision thereof performing emergency management services in
this state pursuant to an arrangement, agreement, or compact for
mutual aid and assistance, or any agency, member, agent, or
representative of any of them, or any individual, partnership,
corporation, association, trustee, or receiver, or any of the
agents thereof, in good faith carrying out, complying with, or
attempting to comply with any state or federal law or any
arrangement, agreement, or compact for mutual aid and
assistance, or any order issued by federal or state military
authorities relating to emergency management, is not liable for
any injury to or death of persons or damage to property as the
result thereof during training periods, test periods, practice
periods, or other emergency management operations, or false
alerts, as well as during any hazard, actual or imminent, and



subsequent to the same except in cases of willful misconduct. As 20
used in this division, "emergency management volunteer" means 21
only an individual who is authorized to assist any agency 22
performing emergency management during a hazard. 23

(B) The state, any political subdivision, any individual, 24
partnership, corporation, association, trustee, or receiver, or 25
any agent, agency, representative, officer, or employee of any 26
of them that owns, maintains, occupies, operates, or controls 27
all or part of any building, structure, or premises shall not be 28
liable for any injury or death sustained by any person or damage 29
caused to any property while that person or property is in the 30
building, structure, or premises for duty, training, or shelter 31
purposes during a hazard, drill, test, or false warning, or is 32
entering therein for such purposes or departing therefrom, or 33
for any injury, death, or property damage as the result of any 34
condition in or on the building, structure, or premises or of 35
any act or omission with respect thereto, except a willful act 36
intended to cause injury or damage. 37

(C) Any person deployed by the emergency management agency 38
to render aid in another state pursuant to section 5502.40 of 39
the Revised Code, including a full-time or part-time paid 40
employee of a political subdivision of this state or a nonprofit 41
organization, a paid or unpaid volunteer of a for-profit or 42
nonprofit organization, and a health care worker of a for-profit 43
or nonprofit organization, that is rendering aid in another 44
state is considered an officer or employee of the state for 45
purposes of the immunity established under Article VI of the 46
emergency management assistance compact enacted under section 47
5502.40 of the Revised Code. Nothing in this division entitles 48
~~an employee of a political subdivision~~ any person deployed 49

pursuant to section 5502.40 of the Revised Code to any other 50
right or benefit of a state officer or employee. 51

(D) This section does not affect the right of any person 52
to receive benefits to which the person may be entitled under 53
Chapter 4123. of the Revised Code or any pension law, nor the 54
rights of any person to receive any benefits or compensation 55
under any act of congress or under any law of this state. " 56

Update the title, amend, enact, or repeal clauses accordingly 57

The motion was _____ agreed to.

SYNOPSIS 58

DPS Emergency management compact immunity 59

R.C. 5502.30 60

Restores provisions from the As Introduced/As Passed by 61
the House version of the bill that apply the immunity provisions 62
related to the Emergency Management Assistance Compact, which 63
currently apply only to an employee of a political subdivision 64
rendering aid in another state, to any person deployed to render 65
aid in another state by an emergency management agency, 66
including: 67

1. A full-time or part-time employee of a nonprofit 68
organization; or 69

2. A paid or unpaid volunteer or health care worker of a 70
for-profit or nonprofit organization. 71