

As Introduced

136th General Assembly

Regular Session

2025-2026

S. B. No. 343

Senator Manning

To amend sections 5502.29 and 5502.41 and to enact
section 5502.301 of the Revised Code regarding
workers' compensation coverage for a member of
an urban search and rescue unit rendering
assistance in Ohio at the request of the state's
Emergency Management Agency Executive Director.

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

Section 1. That sections 5502.29 and 5502.41 be amended
and section 5502.301 of the Revised Code be enacted to read as
follows:

Sec. 5502.29. (A) As used in this section, "political
subdivision" has the same meaning as in section 5502.41 of the
Revised Code.

(B) Political subdivisions, in collaboration with other
public and private agencies within this state, may develop
mutual assistance or aid agreements for reciprocal emergency
management assistance or aid for purposes of preparing for,
responding to, and recovering from an incident, disaster,
exercise, training activity, planned event, or emergency, any of
which requires additional resources. In time of any incident,
disaster, exercise, training activity, planned event, or

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emergency, any of which requires additional resources, each 21
political subdivision may render assistance in accordance with 22
such mutual assistance or aid agreements. Such mutual assistance 23
or aid agreements shall not in any manner relieve the chief 24
elected official of any political subdivision of the 25
responsibility for providing emergency management. 26

(C) Political subdivisions, in collaboration with 27
political subdivisions in adjacent states, may develop 28
agreements for mutual assistance or aid for purposes of 29
preparing for, responding to, and recovering from an incident, 30
disaster, exercise, training activity, planned event, or 31
emergency, any of which requires additional resources. Each 32
political subdivision may render assistance in accordance with 33
the mutual assistance or aid agreements. A mutual assistance or 34
aid agreement with political subdivisions in adjacent states 35
shall be approved by the chief elected officials of the agreeing 36
political subdivisions or their designees and shall be prepared 37
in accordance with the laws, regulations, ordinances, and 38
resolutions applicable to the agreeing political subdivisions. 39

(D) When engaged in preparation for, response to, or 40
recovery from an incident, disaster, exercise, training 41
activity, planned event, or emergency, any of which requires 42
additional resources, and in accordance with the applicable 43
mutual assistance or aid agreement, personnel from political 44
subdivisions outside this state shall be permitted to provide 45
services within this state in accordance with this section and 46
the terms of the mutual assistance or aid agreement. 47

(E) Personnel of the responding political subdivision 48
shall continue under their local command and control structure, 49
but shall be under the operational control of the appropriate 50

officials within the incident management system of the political subdivision receiving the assistance or aid. 51
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(F) Nothing in this section shall be construed to prohibit a private company or its employees from participating in the provision of mutual assistance or aid, if the responding political subdivision approves the participation and the contract between the political subdivision and the private company permits the participation. 53
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(G) Nothing in this section shall be construed to prohibit personnel of political subdivisions in this state from responding to a request for mutual assistance or aid resulting from an incident, disaster, exercise, training activity, planned event, or emergency, any of which requires additional resources, when the personnel are responding as part of a regional response team that is under the operational control of the incident command structure. 59
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(H) Whenever a person from outside this state who is subject to a mutual assistance or aid agreement authorized by this section holds a license, certificate, or other permit issued by any state evidencing qualification for professional, mechanical, or other skills, such license, certificate, or other permit shall be recognized by this state as authorizing the person to render assistance or aid in this state involving such skill to meet the request for assistance or aid, so long as the person is acting within the scope of the person's license, certificate, or other permit. 67
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(I) Personnel Subject to section 5502.301 of the Revised Code, personnel rendering assistance or aid pursuant to a mutual assistance or aid agreement authorized by this section remain employees or agents of their respective political subdivisions, 77
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including for purposes of tort liability and immunity from tort liability, and nothing in this section or any mutual assistance or aid agreement entered into pursuant to this section creates an employment relationship between the political subdivision requesting aid and the employees or agents of the political subdivision rendering aid. 81
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(J) Responding political subdivisions and the personnel of that political subdivision, while rendering assistance or aid under this section, or while in route to or from rendering assistance or aid under this section, in a political subdivision in an adjacent state under an agreement authorized by this section, shall be deemed to be exercising governmental functions as defined in section 2744.01 of the Revised Code, shall have the defenses to and immunities from civil liability provided in sections 2744.02 and 2744.03 of the Revised Code, and shall be entitled to all applicable limitations on recoverable damages under section 2744.05 of the Revised Code. 87
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(K) All pension, disability, death benefits, workers' compensation, and other benefits enjoyed by personnel rendering interstate or intrastate mutual assistance or aid shall extend to the services they perform outside their respective political subdivisions to the same extent as while acting within the boundaries of the political subdivisions, and personnel are entitled to the rights and benefits of Chapter 4123. of the Revised Code to the same extent as while performing service within the boundaries of the political subdivisions. 98
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Sec. 5502.301. (A) As used in this section:

(1) "Designated urban search and rescue team" means an urban search and rescue team designated by the administrator of the federal emergency management agency under 42 U.S.C. 5165f to 107
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<u>participate in the national urban search and rescue response system.</u>	111 112
<u>(2) "Injury" and "occupational disease" have the same meanings as in section 4123.01 of the Revised Code.</u>	113 114
<u>(B) For purposes of Chapters 4121. and 4123. of the Revised Code, an individual who is a member of a designated urban search and rescue team shall be considered an employee of the emergency management agency established within the department of public safety under section 5502.22 of the Revised Code if all of the following apply:</u>	115 116 117 118 119 120
<u>(1) The individual sustains an injury or contracts an occupational disease that is compensable under Chapter 4121., 4123., 4127., or 4131. of the Revised Code.</u>	121 122 123
<u>(2) The individual sustains the injury or contracts the occupational disease while rendering assistance or aid in this state in the individual's capacity as a member of the designated urban search and rescue team.</u>	124 125 126 127
<u>(3) The individual rendered the assistance or aid at the request of the executive director of the emergency management agency.</u>	128 129 130
<u>(4) The assistance was rendered pursuant to an agreement with the executive director of the emergency management agency.</u>	131 132
Sec. 5502.41. (A) As used in this section:	133
<u>(1) "Chief executive of a participating political subdivision" means the elected chief executive of a participating political subdivision or, if the political subdivision does not have an elected chief executive, a member of the political subdivision's governing body or an employee of</u>	134 135 136 137 138

the political subdivision appointed by the governing body's	139
members to be its representative for purposes of the intrastate	140
mutual aid program created pursuant to this section.	141
(2) "Countywide emergency management agency" means a	142
countywide emergency management agency established under section	143
5502.26 of the Revised Code.	144
(3) "Emergency" means any period during which the congress	145
of the United States, a chief executive as defined in section	146
5502.21 of the Revised Code, or a chief executive of a	147
participating political subdivision has declared or proclaimed	148
that an emergency exists.	149
(4) "Participating political subdivision" means each	150
political subdivision in this state except a political	151
subdivision that enacts or adopts, by appropriate legislation,	152
ordinance, resolution, rule, bylaw, or regulation signed by its	153
chief executive, a decision not to participate in the intrastate	154
mutual aid program created by this section and that provides a	155
copy of the legislation, ordinance, resolution, rule, bylaw, or	156
regulation to the state emergency management agency and to the	157
countywide emergency management agency, regional authority for	158
emergency management, or program for emergency management within	159
the political subdivision.	160
(5) "Planned event" means a scheduled nonemergency	161
activity as defined by the national incident management system	162
adopted under section 5502.28 of the Revised Code as the state's	163
standard procedure for incident management. "Planned event"	164
includes, but is not limited to, a sporting event, concert, or	165
parade.	166
(6) "Political subdivision" or "subdivision" has the same	167

meaning as in section 2744.01 of the Revised Code and also 168
includes a health district established under Chapter 3709. of 169
the Revised Code. 170

(7) "Program for emergency management within a political 171
subdivision" means a program for emergency management created by 172
a political subdivision under section 5502.271 of the Revised 173
Code. 174

(8) "Regional authority for emergency management" means a 175
regional authority for emergency management established under 176
section 5502.27 of the Revised Code. 177

(9) "Regional response team" means a group of persons from 178
participating political subdivisions who provide mutual 179
assistance or aid in preparation for, response to, or recovery 180
from an incident, disaster, exercise, training activity, planned 181
event, or emergency, any of which requires additional resources. 182
"Regional response team" includes, but is not limited to, an 183
incident management team, hazardous materials response team, 184
water rescue team, bomb team, or search and rescue team. 185

(B) There is hereby created the intrastate mutual aid 186
program to be known as "the intrastate mutual aid compact" to 187
complement existing mutual aid agreements. The program shall 188
have two purposes: 189

(1) Provide for mutual assistance or aid among the 190
participating political subdivisions for purposes of preparing 191
for, responding to, and recovering from an incident, disaster, 192
exercise, training activity, planned event, or emergency, any of 193
which requires additional resources; 194

(2) Establish a method by which a participating political 195
subdivision may seek assistance or aid that resolves many of the 196

common issues facing political subdivisions before, during, and after an incident, disaster, exercise, training activity, planned event, or emergency, any of which requires additional resources, and that ensures, to the extent possible, eligibility for available state and federal disaster assistance or other funding.	197 198 199 200 201 202
(C) Each countywide emergency management agency, regional authority for emergency management, and program for emergency management within a political subdivision, in coordination with all departments, divisions, boards, commissions, agencies, and other instrumentalities within that political subdivision, shall establish procedures or plans that, to the extent possible, accomplish both of the following:	203 204 205 206 207 208 209
(1) Identify hazards that potentially could affect the participating political subdivisions served by that agency, authority, or program;	210 211 212
(2) Identify and inventory the current services, equipment, supplies, personnel, and other resources related to the preparedness, response, and recovery activities of the participating political subdivisions served by that agency, authority, or program.	213 214 215 216 217
(D) (1) The executive director of the state emergency management agency shall coordinate with the countywide emergency management agencies, regional authorities for emergency management, and programs for emergency management within a political subdivision in identifying and formulating appropriate procedures or plans to resolve resource shortfalls.	218 219 220 221 222 223
(2) During and after the formulation of the procedures or plans to resolve resource shortfalls, there shall be ongoing	224 225

consultation and coordination among the executive director of	226
the state emergency management agency; the countywide emergency	227
management agencies, regional authorities for emergency	228
management, and programs for emergency management within a	229
political subdivision; and all departments, divisions, boards,	230
commissions, agencies, and other instrumentalities of, and	231
having emergency response functions within, each participating	232
political subdivision, regarding this section, local procedures	233
and plans, and the resolution of the resource shortfalls.	234
(E) (1) A participating political subdivision that is	235
impacted by an incident, disaster, exercise, training activity,	236
planned event, or emergency, any of which requires additional	237
resources, may request mutual assistance or aid by doing either	238
of the following:	239
(a) Declaring a state of emergency and issuing a request	240
for assistance or aid from any other participating political	241
subdivision;	242
(b) Issuing to another participating political subdivision	243
a verbal or written request for assistance or aid. If the	244
request is made verbally, a written confirmation of the request	245
shall be made not later than seventy-two hours after the verbal	246
request is made.	247
(2) Requests for assistance or aid made under division (E)	248
(1) of this section shall be made through the emergency	249
management agency of a participating political subdivision or an	250
official designated by the chief executive of the participating	251
political subdivision from which the assistance or aid is	252
requested and shall provide the following information:	253
(a) A description of the incident, disaster, exercise,	254

training activity, planned event, or emergency;	255
(b) A description of the assistance or aid needed;	256
(c) An estimate of the length of time the assistance or aid will be needed;	257 258
(d) The specific place and time for staging of the assistance or aid and a point of contact at that location.	259 260
(F) A participating political subdivision shall provide assistance or aid to another participating political subdivision that is impacted by an incident, disaster, exercise, training activity, planned event, or emergency, any of which requires additional resources. The provision of the assistance or aid is subject to the following conditions:	261 262 263 264 265 266
(1) The responding political subdivision may withhold resources necessary to provide for its own protection.	267 268
(2) Personnel of the responding political subdivision shall continue under their local command and control structure, but shall be under the operational control of the appropriate officials within the incident management system of the participating political subdivision receiving assistance or aid.	269 270 271 272 273
(3) Responding law enforcement officers acting pursuant to this section have the same authority to enforce the law as when acting within the territory of their regular employment.	274 275 276
(G) (1) Nothing in this section shall do any of the following:	277 278
(a) Alter the duties and responsibilities of emergency response personnel;	279 280
(b) Prohibit a private company from participating in the	281

provision of mutual assistance or aid pursuant to the compact	282
created pursuant to this section if the participating political	283
subdivision approves the participation and the contract with the	284
private company allows for the participation;	285
(c) Prohibit employees of participating political	286
subdivisions from responding to a request for mutual assistance	287
or aid precipitated by an incident, disaster, exercise, training	288
activity, planned event, or emergency, any of which requires	289
additional resources, when the employees are responding as part	290
of a regional response team that is under the operational	291
control of the incident command structure;	292
(d) Authorize employees of participating political	293
subdivisions to respond to an incident, disaster, exercise,	294
training activity, planned event, or emergency, any of which	295
requires additional resources, without a request from a	296
participating political subdivision.	297
(2) This section does not preclude a participating	298
political subdivision from entering into a mutual aid or other	299
agreement with another political subdivision, and does not	300
affect any other agreement to which a participating political	301
subdivision may be a party, or any request for assistance or aid	302
that may be made, under any other section of the Revised Code,	303
including, but not limited to, any mutual aid arrangement under	304
this chapter, any fire protection or emergency medical services	305
contract under section 9.60 of the Revised Code, sheriffs'	306
requests for assistance to preserve the public peace and protect	307
persons and property under section 311.07 of the Revised Code,	308
any agreement for mutual assistance or aid in police protection	309
under section 737.04 of the Revised Code, any agreement for law	310
enforcement services between universities and colleges and	311

political subdivisions under section 3345.041 or 3345.21 of the 312
Revised Code, and mutual aid agreements among emergency planning 313
districts for hazardous substances or chemicals response under 314
sections 3750.02 and 3750.03 of the Revised Code. 315

(H) (1) Personnel—Subject to section 5502.301 of the 316
Revised Code, personnel of a responding participating political 317
subdivision who suffer injury or death in the course of, and 318
arising out of, their employment while rendering assistance or 319
aid under this section to another participating political 320
subdivision are entitled to all applicable benefits under 321
Chapters 4121. and 4123. of the Revised Code. 322

(2) Personnel of a responding participating political 323
subdivision shall be considered, while rendering assistance or 324
aid under this section in another participating political 325
subdivision, to be agents of the responding political 326
subdivision for purposes of tort liability and immunity from 327
tort liability under the law of this state. 328

(3) (a) A responding participating political subdivision 329
and the personnel of that political subdivision, while rendering 330
assistance or aid under this section, or while in route to or 331
from rendering assistance or aid under this section, in another 332
participating political subdivision, shall be deemed to be 333
exercising governmental functions as defined in section 2744.01 334
of the Revised Code, shall have the defenses to and immunities 335
from civil liability provided in sections 2744.02 and 2744.03 of 336
the Revised Code, and shall be entitled to all applicable 337
limitations on recoverable damages under section 2744.05 of the 338
Revised Code. 339

(b) A participating political subdivision requesting 340
assistance or aid and the personnel of that political 341

subdivision, while requesting or receiving assistance or aid 342
under this section from any other participating political 343
subdivision, shall be deemed to be exercising governmental 344
functions as defined in section 2744.01 of the Revised Code, 345
shall have the defenses to and immunities from civil liability 346
provided in sections 2744.02 and 2744.03 of the Revised Code, 347
and shall be entitled to all applicable limitations on 348
recoverable damages under section 2744.05 of the Revised Code. 349

(I) If a person holds a license, certificate, or other 350
permit issued by a participating political subdivision 351
evidencing qualification in a professional, mechanical, or other 352
skill, and if the assistance or aid of that person is asked for 353
under this section by a participating political subdivision, the 354
person shall be deemed to be licensed or certified in or 355
permitted by the participating political subdivision receiving 356
the assistance or aid to render the assistance or aid, subject 357
to any limitations and conditions the chief executive of the 358
participating political subdivision receiving the assistance or 359
aid may prescribe by executive order or otherwise. 360

(J) (1) Subject to division (K) of this section and except 361
as provided in division (J) (2) of this section, any 362
participating political subdivision rendering assistance or aid 363
under this section in another participating political 364
subdivision shall be reimbursed by the participating political 365
subdivision receiving the assistance or aid for any loss or 366
damage to, or expense incurred in the operation of, any 367
equipment used in rendering the assistance or aid, for any 368
expense incurred in the provision of any service used in 369
rendering the assistance or aid, and for all other costs 370
incurred in responding to the request for assistance or aid. To 371
avoid duplication of payments, insurance proceeds available to 372

cover any loss or damage to equipment of a participating political subdivision rendering assistance or aid shall be considered in the reimbursement by the participating political subdivision receiving the assistance or aid.	373 374 375 376
(2) A participating political subdivision rendering assistance or aid under this section to another participating political subdivision shall not be reimbursed for either of the following:	377 378 379 380
(a) The first eight hours of mutual assistance or aid it provides to the political subdivision receiving the assistance or aid;	381 382 383
(b) Expenses the participating political subdivision incurs under division (H) (1) of this section.	384 385
(K) A participating political subdivision rendering assistance or aid under this section may do any of the following:	386 387 388
(1) Assume, in whole or in part, any loss, damage, expense, or cost the political subdivision incurs in rendering the assistance or aid;	389 390 391
(2) Loan, without charge, any equipment, or donate any service, to the political subdivision receiving the assistance or aid;	392 393 394
(3) Enter into agreements with one or more other participating political subdivisions to establish different allocations of losses, damages, expenses, or costs among such political subdivisions.	395 396 397 398
Section 2. That existing sections 5502.29 and 5502.41 of the Revised Code are hereby repealed.	399 400