

As Introduced

**136th General Assembly
Regular Session
2025-2026**

S. B. No. 343

Senator Manning

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| To amend sections 5502.29 and 5502.41 and to enact | 1 |
| section 5502.301 of the Revised Code regarding | 2 |
| workers' compensation coverage for a member of | 3 |
| an urban search and rescue unit rendering | 4 |
| assistance in Ohio at the request of the state's | 5 |
| Emergency Management Agency Executive Director. | 6 |

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

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| Section 1. That sections 5502.29 and 5502.41 be amended | 7 |
| and section 5502.301 of the Revised Code be enacted to read as | 8 |
| follows: | 9 |

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| Sec. 5502.29. (A) As used in this section, "political | 10 |
| subdivision" has the same meaning as in section 5502.41 of the | 11 |
| Revised Code. | 12 |

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| (B) Political subdivisions, in collaboration with other | 13 |
| public and private agencies within this state, may develop | 14 |
| mutual assistance or aid agreements for reciprocal emergency | 15 |
| management assistance or aid for purposes of preparing for, | 16 |
| responding to, and recovering from an incident, disaster, | 17 |
| exercise, training activity, planned event, or emergency, any of | 18 |
| which requires additional resources. In time of any incident, | 19 |
| disaster, exercise, training activity, planned event, or | 20 |

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 51
subdivision receiving the assistance or aid. 52

(F) Nothing in this section shall be construed to prohibit 53
a private company or its employees from participating in the 54
provision of mutual assistance or aid, if the responding 55
political subdivision approves the participation and the 56
contract between the political subdivision and the private 57
company permits the participation. 58

(G) Nothing in this section shall be construed to prohibit 59
personnel of political subdivisions in this state from 60
responding to a request for mutual assistance or aid resulting 61
from an incident, disaster, exercise, training activity, planned 62
event, or emergency, any of which requires additional resources, 63
when the personnel are responding as part of a regional response 64
team that is under the operational control of the incident 65
command structure. 66

(H) Whenever a person from outside this state who is 67
subject to a mutual assistance or aid agreement authorized by 68
this section holds a license, certificate, or other permit 69
issued by any state evidencing qualification for professional, 70
mechanical, or other skills, such license, certificate, or other 71
permit shall be recognized by this state as authorizing the 72
person to render assistance or aid in this state involving such 73
skill to meet the request for assistance or aid, so long as the 74
person is acting within the scope of the person's license, 75
certificate, or other permit. 76

(I) ~~Personnel~~ Subject to section 5502.301 of the Revised 77
Code, personnel rendering assistance or aid pursuant to a mutual 78
assistance or aid agreement authorized by this section remain 79
employees or agents of their respective political subdivisions, 80

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.

(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.

(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.

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

participate in the national urban search and rescue response 111
system. 112

(2) "Injury" and "occupational disease" have the same 113
meanings as in section 4123.01 of the Revised Code. 114

(B) For purposes of Chapters 4121. and 4123. of the 115
Revised Code, an individual who is a member of a designated 116
urban search and rescue team shall be considered an employee of 117
the emergency management agency established within the 118
department of public safety under section 5502.22 of the Revised 119
Code if all of the following apply: 120

(1) The individual sustains an injury or contracts an 121
occupational disease that is compensable under Chapter 4121., 122
4123., 4127., or 4131. of the Revised Code. 123

(2) The individual sustains the injury or contracts the 124
occupational disease while rendering assistance or aid in this 125
state in the individual's capacity as a member of the designated 126
urban search and rescue team. 127

(3) The individual rendered the assistance or aid at the 128
request of the executive director of the emergency management 129
agency. 130

(4) The assistance was rendered pursuant to an agreement 131
with the executive director of the emergency management agency. 132

Sec. 5502.41. (A) As used in this section: 133

(1) "Chief executive of a participating political 134
subdivision" means the elected chief executive of a 135
participating political subdivision or, if the political 136
subdivision does not have an elected chief executive, a member 137
of the political subdivision's governing body or an employee of 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 197
after an incident, disaster, exercise, training activity, 198
planned event, or emergency, any of which requires additional 199
resources, and that ensures, to the extent possible, eligibility 200
for available state and federal disaster assistance or other 201
funding. 202

(C) Each countywide emergency management agency, regional 203
authority for emergency management, and program for emergency 204
management within a political subdivision, in coordination with 205
all departments, divisions, boards, commissions, agencies, and 206
other instrumentalities within that political subdivision, shall 207
establish procedures or plans that, to the extent possible, 208
accomplish both of the following: 209

(1) Identify hazards that potentially could affect the 210
participating political subdivisions served by that agency, 211
authority, or program; 212

(2) Identify and inventory the current services, 213
equipment, supplies, personnel, and other resources related to 214
the preparedness, response, and recovery activities of the 215
participating political subdivisions served by that agency, 216
authority, or program. 217

(D) (1) The executive director of the state emergency 218
management agency shall coordinate with the countywide emergency 219
management agencies, regional authorities for emergency 220
management, and programs for emergency management within a 221
political subdivision in identifying and formulating appropriate 222
procedures or plans to resolve resource shortfalls. 223

(2) During and after the formulation of the procedures or 224
plans to resolve resource shortfalls, there shall be ongoing 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 257
aid will be needed; 258

(d) The specific place and time for staging of the 259
assistance or aid and a point of contact at that location. 260

(F) A participating political subdivision shall provide 261
assistance or aid to another participating political subdivision 262
that is impacted by an incident, disaster, exercise, training 263
activity, planned event, or emergency, any of which requires 264
additional resources. The provision of the assistance or aid is 265
subject to the following conditions: 266

(1) The responding political subdivision may withhold 267
resources necessary to provide for its own protection. 268

(2) Personnel of the responding political subdivision 269
shall continue under their local command and control structure, 270
but shall be under the operational control of the appropriate 271
officials within the incident management system of the 272
participating political subdivision receiving assistance or aid. 273

(3) Responding law enforcement officers acting pursuant to 274
this section have the same authority to enforce the law as when 275
acting within the territory of their regular employment. 276

(G) (1) Nothing in this section shall do any of the 277
following: 278

(a) Alter the duties and responsibilities of emergency 279
response personnel; 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 373
political subdivision rendering assistance or aid shall be 374
considered in the reimbursement by the participating political 375
subdivision receiving the assistance or aid. 376

(2) A participating political subdivision rendering 377
assistance or aid under this section to another participating 378
political subdivision shall not be reimbursed for either of the 379
following: 380

(a) The first eight hours of mutual assistance or aid it 381
provides to the political subdivision receiving the assistance 382
or aid; 383

(b) Expenses the participating political subdivision 384
incurs under division (H) (1) of this section. 385

(K) A participating political subdivision rendering 386
assistance or aid under this section may do any of the 387
following: 388

(1) Assume, in whole or in part, any loss, damage, 389
expense, or cost the political subdivision incurs in rendering 390
the assistance or aid; 391

(2) Loan, without charge, any equipment, or donate any 392
service, to the political subdivision receiving the assistance 393
or aid; 394

(3) Enter into agreements with one or more other 395
participating political subdivisions to establish different 396
allocations of losses, damages, expenses, or costs among such 397
political subdivisions. 398

Section 2. That existing sections 5502.29 and 5502.41 of 399
the Revised Code are hereby repealed. 400