

**As Reported by the Senate Financial Institutions, Insurance and  
Technology Committee**

**136th General Assembly**

**Regular Session  
2025-2026**

**Am. S. B. No. 343**

**Senator Manning**

**Cosponsor: Senator Liston**



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.

**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 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 81  
liability, and nothing in this section or any mutual assistance 82  
or aid agreement entered into pursuant to this section creates 83  
an employment relationship between the political subdivision 84  
requesting aid and the employees or agents of the political 85  
subdivision rendering aid. 86

(J) Responding political subdivisions and the personnel of 87  
that political subdivision, while rendering assistance or aid 88  
under this section, or while in route to or from rendering 89  
assistance or aid under this section, in a political subdivision 90  
in an adjacent state under an agreement authorized by this 91  
section, shall be deemed to be exercising governmental functions 92  
as defined in section 2744.01 of the Revised Code, shall have 93  
the defenses to and immunities from civil liability provided in 94  
sections 2744.02 and 2744.03 of the Revised Code, and shall be 95  
entitled to all applicable limitations on recoverable damages 96  
under section 2744.05 of the Revised Code. 97

(K) All pension, disability, death benefits, workers' 98  
compensation, and other benefits enjoyed by personnel rendering 99  
interstate or intrastate mutual assistance or aid shall extend 100  
to the services they perform outside their respective political 101  
subdivisions to the same extent as while acting within the 102  
boundaries of the political subdivisions, and personnel are 103  
entitled to the rights and benefits of ~~Chapter~~ Chapters 4121. 104  
and 4123. of the Revised Code to the same extent as while 105  
performing service within the boundaries of the political 106  
subdivisions. 107

**Sec. 5502.301.** (A) As used in this section: 108

(1) "Designated urban search and rescue team" means an 109

urban search and rescue team designated by the administrator of 110  
the federal emergency management agency under 42 U.S.C. 5165f to 111  
participate in the national urban search and rescue response 112  
system. 113

(2) "Injury" and "occupational disease" have the same 114  
meanings as in section 4123.01 of the Revised Code. 115

(B) For purposes of Chapters 4121. and 4123. of the 116  
Revised Code, an individual who is a member of a designated 117  
urban search and rescue team shall be considered an employee of 118  
the emergency management agency established within the 119  
department of public safety under section 5502.22 of the Revised 120  
Code if all of the following apply: 121

(1) The individual sustains an injury or contracts an 122  
occupational disease that is compensable under Chapter 4121. or 123  
4123. of the Revised Code. 124

(2) The individual sustains the injury or contracts the 125  
occupational disease while rendering assistance or aid in this 126  
state in the individual's capacity as a member of the designated 127  
urban search and rescue team. 128

(3) The individual rendered the assistance or aid at the 129  
request of the executive director of the emergency management 130  
agency. 131

(4) The assistance was rendered pursuant to a written 132  
agreement with the executive director of the emergency 133  
management agency. 134

**Sec. 5502.41.** (A) As used in this section: 135

(1) "Chief executive of a participating political 136  
subdivision" means the elected chief executive of a 137

participating political subdivision or, if the political 138  
subdivision does not have an elected chief executive, a member 139  
of the political subdivision's governing body or an employee of 140  
the political subdivision appointed by the governing body's 141  
members to be its representative for purposes of the intrastate 142  
mutual aid program created pursuant to this section. 143

(2) "Countywide emergency management agency" means a 144  
countywide emergency management agency established under section 145  
5502.26 of the Revised Code. 146

(3) "Emergency" means any period during which the congress 147  
of the United States, a chief executive as defined in section 148  
5502.21 of the Revised Code, or a chief executive of a 149  
participating political subdivision has declared or proclaimed 150  
that an emergency exists. 151

(4) "Participating political subdivision" means each 152  
political subdivision in this state except a political 153  
subdivision that enacts or adopts, by appropriate legislation, 154  
ordinance, resolution, rule, bylaw, or regulation signed by its 155  
chief executive, a decision not to participate in the intrastate 156  
mutual aid program created by this section and that provides a 157  
copy of the legislation, ordinance, resolution, rule, bylaw, or 158  
regulation to the state emergency management agency and to the 159  
countywide emergency management agency, regional authority for 160  
emergency management, or program for emergency management within 161  
the political subdivision. 162

(5) "Planned event" means a scheduled nonemergency 163  
activity as defined by the national incident management system 164  
adopted under section 5502.28 of the Revised Code as the state's 165  
standard procedure for incident management. "Planned event" 166  
includes, but is not limited to, a sporting event, concert, or 167

parade.	168
(6) "Political subdivision" or "subdivision" has the same meaning as in section 2744.01 of the Revised Code and also includes a health district established under Chapter 3709. of the Revised Code.	169 170 171 172
(7) "Program for emergency management within a political subdivision" means a program for emergency management created by a political subdivision under section 5502.271 of the Revised Code.	173 174 175 176
(8) "Regional authority for emergency management" means a regional authority for emergency management established under section 5502.27 of the Revised Code.	177 178 179
(9) "Regional response team" means a group of persons from participating political subdivisions who provide mutual assistance or aid in preparation for, response to, or recovery from an incident, disaster, exercise, training activity, planned event, or emergency, any of which requires additional resources. "Regional response team" includes, but is not limited to, an incident management team, hazardous materials response team, water rescue team, bomb team, or search and rescue team.	180 181 182 183 184 185 186 187
(B) There is hereby created the intrastate mutual aid program to be known as "the intrastate mutual aid compact" to complement existing mutual aid agreements. The program shall have two purposes:	188 189 190 191
(1) Provide for mutual assistance or aid among the participating political subdivisions 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;	192 193 194 195 196

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

(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:

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

(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.

(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.

(2) During and after the formulation of the procedures or 226  
plans to resolve resource shortfalls, there shall be ongoing 227  
consultation and coordination among the executive director of 228  
the state emergency management agency; the countywide emergency 229  
management agencies, regional authorities for emergency 230  
management, and programs for emergency management within a 231  
political subdivision; and all departments, divisions, boards, 232  
commissions, agencies, and other instrumentalities of, and 233  
having emergency response functions within, each participating 234  
political subdivision, regarding this section, local procedures 235  
and plans, and the resolution of the resource shortfalls. 236

(E) (1) A participating political subdivision that is 237  
impacted by an incident, disaster, exercise, training activity, 238  
planned event, or emergency, any of which requires additional 239  
resources, may request mutual assistance or aid by doing either 240  
of the following: 241

(a) Declaring a state of emergency and issuing a request 242  
for assistance or aid from any other participating political 243  
subdivision; 244

(b) Issuing to another participating political subdivision 245  
a verbal or written request for assistance or aid. If the 246  
request is made verbally, a written confirmation of the request 247  
shall be made not later than seventy-two hours after the verbal 248  
request is made. 249

(2) Requests for assistance or aid made under division (E) 250  
(1) of this section shall be made through the emergency 251  
management agency of a participating political subdivision or an 252  
official designated by the chief executive of the participating 253  
political subdivision from which the assistance or aid is 254  
requested and shall provide the following information: 255

(a) A description of the incident, disaster, exercise,	256
training activity, planned event, or emergency;	257
(b) A description of the assistance or aid needed;	258
(c) An estimate of the length of time the assistance or	259
aid will be needed;	260
(d) The specific place and time for staging of the	261
assistance or aid and a point of contact at that location.	262
(F) A participating political subdivision shall provide	263
assistance or aid to another participating political subdivision	264
that is impacted by an incident, disaster, exercise, training	265
activity, planned event, or emergency, any of which requires	266
additional resources. The provision of the assistance or aid is	267
subject to the following conditions:	268
(1) The responding political subdivision may withhold	269
resources necessary to provide for its own protection.	270
(2) Personnel of the responding political subdivision	271
shall continue under their local command and control structure,	272
but shall be under the operational control of the appropriate	273
officials within the incident management system of the	274
participating political subdivision receiving assistance or aid.	275
(3) Responding law enforcement officers acting pursuant to	276
this section have the same authority to enforce the law as when	277
acting within the territory of their regular employment.	278
(G) (1) Nothing in this section shall do any of the	279
following:	280
(a) Alter the duties and responsibilities of emergency	281
response personnel;	282

(b) Prohibit a private company from participating in the 283  
provision of mutual assistance or aid pursuant to the compact 284  
created pursuant to this section if the participating political 285  
subdivision approves the participation and the contract with the 286  
private company allows for the participation; 287

(c) Prohibit employees of participating political 288  
subdivisions from responding to a request for mutual assistance 289  
or aid precipitated by an incident, disaster, exercise, training 290  
activity, planned event, or emergency, any of which requires 291  
additional resources, when the employees are responding as part 292  
of a regional response team that is under the operational 293  
control of the incident command structure; 294

(d) Authorize employees of participating political 295  
subdivisions to respond to an incident, disaster, exercise, 296  
training activity, planned event, or emergency, any of which 297  
requires additional resources, without a request from a 298  
participating political subdivision. 299

(2) This section does not preclude a participating 300  
political subdivision from entering into a mutual aid or other 301  
agreement with another political subdivision, and does not 302  
affect any other agreement to which a participating political 303  
subdivision may be a party, or any request for assistance or aid 304  
that may be made, under any other section of the Revised Code, 305  
including, but not limited to, any mutual aid arrangement under 306  
this chapter, any fire protection or emergency medical services 307  
contract under section 9.60 of the Revised Code, sheriffs' 308  
requests for assistance to preserve the public peace and protect 309  
persons and property under section 311.07 of the Revised Code, 310  
any agreement for mutual assistance or aid in police protection 311  
under section 737.04 of the Revised Code, any agreement for law 312

enforcement services between universities and colleges and 313  
political subdivisions under section 3345.041 or 3345.21 of the 314  
Revised Code, and mutual aid agreements among emergency planning 315  
districts for hazardous substances or chemicals response under 316  
sections 3750.02 and 3750.03 of the Revised Code. 317

(H) (1) Personnel—Subject to section 5502.301 of the 318  
Revised Code, personnel of a responding participating political 319  
subdivision who suffer injury or death in the course of, and 320  
arising out of, their employment while rendering assistance or 321  
aid under this section to another participating political 322  
subdivision are entitled to all applicable benefits under 323  
Chapters 4121. and 4123. of the Revised Code. 324

(2) Personnel of a responding participating political 325  
subdivision shall be considered, while rendering assistance or 326  
aid under this section in another participating political 327  
subdivision, to be agents of the responding political 328  
subdivision for purposes of tort liability and immunity from 329  
tort liability under the law of this state. 330

(3) (a) A responding participating political subdivision 331  
and the personnel of that political subdivision, while rendering 332  
assistance or aid under this section, or while in route to or 333  
from rendering assistance or aid under this section, in another 334  
participating political subdivision, shall be deemed to be 335  
exercising governmental functions as defined in section 2744.01 336  
of the Revised Code, shall have the defenses to and immunities 337  
from civil liability provided in sections 2744.02 and 2744.03 of 338  
the Revised Code, and shall be entitled to all applicable 339  
limitations on recoverable damages under section 2744.05 of the 340  
Revised Code. 341

(b) A participating political subdivision requesting 342

assistance or aid and the personnel of that political 343  
subdivision, while requesting or receiving assistance or aid 344  
under this section from any other participating political 345  
subdivision, shall be deemed to be exercising governmental 346  
functions as defined in section 2744.01 of the Revised Code, 347  
shall have the defenses to and immunities from civil liability 348  
provided in sections 2744.02 and 2744.03 of the Revised Code, 349  
and shall be entitled to all applicable limitations on 350  
recoverable damages under section 2744.05 of the Revised Code. 351

(I) If a person holds a license, certificate, or other 352  
permit issued by a participating political subdivision 353  
evidencing qualification in a professional, mechanical, or other 354  
skill, and if the assistance or aid of that person is asked for 355  
under this section by a participating political subdivision, the 356  
person shall be deemed to be licensed or certified in or 357  
permitted by the participating political subdivision receiving 358  
the assistance or aid to render the assistance or aid, subject 359  
to any limitations and conditions the chief executive of the 360  
participating political subdivision receiving the assistance or 361  
aid may prescribe by executive order or otherwise. 362

(J) (1) Subject to division (K) of this section and except 363  
as provided in division (J) (2) of this section, any 364  
participating political subdivision rendering assistance or aid 365  
under this section in another participating political 366  
subdivision shall be reimbursed by the participating political 367  
subdivision receiving the assistance or aid for any loss or 368  
damage to, or expense incurred in the operation of, any 369  
equipment used in rendering the assistance or aid, for any 370  
expense incurred in the provision of any service used in 371  
rendering the assistance or aid, and for all other costs 372  
incurred in responding to the request for assistance or aid. To 373

avoid duplication of payments, insurance proceeds available to 374  
cover any loss or damage to equipment of a participating 375  
political subdivision rendering assistance or aid shall be 376  
considered in the reimbursement by the participating political 377  
subdivision receiving the assistance or aid. 378

(2) A participating political subdivision rendering 379  
assistance or aid under this section to another participating 380  
political subdivision shall not be reimbursed for either of the 381  
following: 382

(a) The first eight hours of mutual assistance or aid it 383  
provides to the political subdivision receiving the assistance 384  
or aid; 385

(b) Expenses the participating political subdivision 386  
incurs under division (H) (1) of this section. 387

(K) A participating political subdivision rendering 388  
assistance or aid under this section may do any of the 389  
following: 390

(1) Assume, in whole or in part, any loss, damage, 391  
expense, or cost the political subdivision incurs in rendering 392  
the assistance or aid; 393

(2) Loan, without charge, any equipment, or donate any 394  
service, to the political subdivision receiving the assistance 395  
or aid; 396

(3) Enter into agreements with one or more other 397  
participating political subdivisions to establish different 398  
allocations of losses, damages, expenses, or costs among such 399  
political subdivisions. 400

**Section 2.** That existing sections 5502.29 and 5502.41 of 401

the Revised Code are hereby repealed.

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