

SENATE BILL NO. 308—SENATOR NOLAN

MARCH 16, 2009

Referred to Committee on Energy, Infrastructure and Transportation

SUMMARY—Revises provisions governing emergency management. (BDR 36-548)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to emergency management; requiring the Division of Emergency Management of the Department of Public Safety to prepare a plan and program for emergency management in this State; requiring the Division to adopt regulations prescribing standards and requirements for emergency management plans adopted by political subdivisions and local organizations for emergency management; requiring the Division to establish a statewide program for public awareness of emergency preparedness; requiring emergency plans adopted by political subdivisions and local organizations for emergency management to be consistent with and coordinated with the plan and program for emergency management prepared by the Division; requiring emergency management plans in this State to include provisions requiring that registered sex offenders not be housed or sheltered in facilities with other evacuees; authorizing sheriffs to declare an emergency or disaster and provide for and compel evacuations in certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law authorizes the Governor to prepare a comprehensive plan and
- 2 program for emergency management in this State. (NRS 414.060) **Sections 10 and**
- 3 **11** of this bill transfer the responsibility for preparing the plan and program for
- 4 emergency management in this State from the Governor to the Division of
- 5 Emergency Management of the Department of Public Safety. (NRS 414.040,



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6 414.060) **Section 13** of this bill authorizes political subdivisions and local
7 organizations for emergency management to adopt local emergency management
8 plans, and **section 4** of this bill requires that any such plan: (1) be coordinated with
9 and consistent with the plan and program for emergency management prepared by
10 the Division; and (2) contain specific provisions concerning evacuations and
11 shelters. (NRS 414.090) **Section 3** of this bill requires the Division to: (1) adopt
12 regulations concerning emergency management plans adopted by political
13 subdivisions and local organizations for emergency management; (2) assist in the
14 preparation of such emergency management plans; (3) review the emergency
15 management plans adopted by political subdivisions and local organizations for
16 emergency management not less frequently than every 2 years; (4) review the
17 emergency operating procedures of state agencies; and (5) establish a statewide
18 program for public awareness of emergency preparedness. **Section 8** of this bill
19 requires each emergency management plan prepared or adopted in this State to
20 contain provisions requiring that registered sex offenders not be knowingly housed
21 or sheltered in a facility or shelter with other evacuees. **Section 8** further requires
22 that any person who has knowledge that a registered sex offender is housed or
23 sheltered in a facility or shelter in which the general population of evacuees is
24 sheltered to notify the sheriff of the county in which the facility or shelter is located
25 of the identity of the registered sex offender. In addition, **section 8** provides that a
26 person who provides such notice to a sheriff is immune from any civil or criminal
27 liability for any action taken or not taken as a result of the notification.

28 **Section 7** of this bill authorizes a sheriff or his designee to: (1) declare an
29 emergency or disaster in the area within his jurisdiction; and (2) provide for and
30 compel the evacuation of any portion of the population from stricken or threatened
31 areas within his jurisdiction pursuant to the declaration. **Section 7** requires the
32 sheriff or his designee to provide notice of the declaration to the Governor and the
33 Division not later than 24 hours after the declaration is made.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 414 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 8, inclusive, of this
3 act.

4 **Sec. 2.** *“Special needs populations” means persons who have*
5 *additional needs concerning communication, transportation,*
6 *supervision or medical care before, during or after an emergency*
7 *or disaster, including, without limitation:*

- 8 1. *Persons with disabilities;*
- 9 2. *Older persons;*
- 10 3. *Children and families with children;*
- 11 4. *Persons in an institutional setting, including, without*
12 *limitation, persons who are confined in or committed to a city or*
13 *county jail or detention facility or an institution or facility of the*
14 *Department of Corrections;*
- 15 5. *Persons with limited or no ability to provide for their own*
16 *transportation;*
- 17 6. *Persons from different cultures; and*



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1 7. *Persons with limited proficiency in the English language*
2 *or persons who do not speak English.*

3 **Sec. 3.** *The Division of Emergency Management of the*
4 *Department of Public Safety shall:*

5 1. *Adopt regulations setting forth standards and requirements*
6 *for emergency management plans prepared by a political*
7 *subdivision or a local organization for emergency management.*
8 *The regulations must include, without limitation, a requirement*
9 *that such emergency management plans be coordinated with and*
10 *consistent with the plan and program for emergency management*
11 *in this State prepared by the Division pursuant to NRS 414.040.*

12 2. *Assist political subdivisions and local organizations for*
13 *emergency management in preparing, reviewing, updating and*
14 *maintaining emergency management plans.*

15 3. *Not less frequently than every 2 years, review the*
16 *emergency management plans adopted by political subdivisions*
17 *and local organizations for emergency management to ensure that*
18 *the plans are consistent with the plan and program for emergency*
19 *management in this State prepared by the Division pursuant to*
20 *NRS 414.040 and with current recommendations and guidelines*
21 *provided by the Federal Government.*

22 4. *As often as it determines necessary, review the emergency*
23 *operating procedures of state agencies to ensure that those*
24 *operating procedures are consistent with the plan and program for*
25 *emergency management in this State prepared by the Division*
26 *pursuant to NRS 414.040 and with current recommendations and*
27 *guidelines provided by the Federal Government.*

28 5. *Establish a statewide program for public awareness of*
29 *emergencies and emergency preparedness which must include,*
30 *without limitation:*

31 (a) *The guidelines for emergency preparedness issued by the*
32 *Federal Emergency Management Agency, including, without*
33 *limitation, the guidelines concerning the personal responsibility of*
34 *individual citizens to be self-sufficient during and after a natural*
35 *or man-made disaster; and*

36 (b) *Relevant information concerning statewide disaster plans,*
37 *evacuation routes, fuel suppliers and emergency shelters.*

38 ↪ *The information provided through the program must be*
39 *provided to the public in alternative formats and media to ensure*
40 *that persons with disabilities and persons who do not speak*
41 *English receive the information.*

42 **Sec. 4.** *An emergency management plan adopted by a*
43 *political subdivision or local organization for emergency*
44 *management must be coordinated with and consistent with the*
45 *plan and program for emergency management in this State*



1 *prepared by the Division of Emergency Management of the*
2 *Department of Public Safety pursuant to NRS 414.040 and must*
3 *include, without limitation:*

4 *1. An evacuation component that:*

5 *(a) Provides for the orderly evacuation of the civilian*
6 *population of the political subdivision or the area served by the*
7 *local organization for emergency management; and*

8 *(b) Establishes policies and strategies for:*

9 *(1) The transportation of evacuees;*

10 *(2) Determining the numbers of evacuees to be received in*
11 *different evacuation areas;*

12 *(3) The manner in which food, clothing, shelter and*
13 *medical care will be provided to evacuees;*

14 *(4) The registration of evacuees;*

15 *(5) The provision to evacuees of facilities for the*
16 *notification of relatives and friends; and*

17 *(6) The provision of materials and supplies to each*
18 *evacuation area.*

19 *2. A shelter component that:*

20 *(a) Includes specific provisions concerning regional and*
21 *interregional planning;*

22 *(b) Promotes the coordination of shelter activities among the*
23 *public, private and nonprofit sectors; and*

24 *(c) Establishes policies and strategies for:*

25 *(1) Ensuring the availability of adequate public shelters in*
26 *the region;*

27 *(2) The designation and provision of shelters of last resort;*

28 *(3) Ensuring that adequate staffing plans exist for all*
29 *shelters, including, without limitation, plans that provide for*
30 *adequate medical staff and security personnel; and*

31 *(4) The provision of shelter to special needs populations.*

32 **Sec. 5. 1. Public facilities that are suitable for use as public**
33 **evacuation shelters, including schools and other facilities owned**
34 **or leased by the State or a political subdivision of the State but not**
35 **including hospitals, facilities for hospice care, assisted living**
36 **facilities and nursing homes, must be made available for use as**
37 **public evacuation shelters at the request of a political subdivision**
38 **or local organization for emergency management.**

39 **2. In adopting an emergency management plan, a political**
40 **subdivision or local organization for emergency management**
41 **shall coordinate with the entities that operate public facilities**
42 **described in subsection 1 to ensure that the facilities are ready for**
43 **use as public evacuation shelters before a disaster occurs.**

44 **Sec. 6. 1. School buses and other vehicles owned or leased**
45 **by universities, colleges and school districts must be made**



1 available to officials of this State, political subdivisions and local
2 organizations for emergency management upon request for
3 emergency planning exercises and for service during any
4 emergency evacuation.

5 2. In adopting an emergency management plan, a political
6 subdivision or local organization for emergency management may
7 enter into agreements with entities that provide private
8 transportation for the use of their vehicles and facilities during
9 emergencies.

10 **Sec. 7. 1.** Subject to any order issued by the Governor, in
11 the event of an emergency or disaster, the sheriff or his designee
12 in each county of this State may:

13 (a) Declare a state of emergency or disaster in the area within
14 his jurisdiction; and

15 (b) Pursuant to the declaration of a state of emergency or
16 disaster, provide for and compel the evacuation of any portion of
17 the population from any stricken or threatened area within his
18 jurisdiction.

19 2. A sheriff or his designee who declares a state of emergency
20 or disaster pursuant to subsection 1 shall provide notice of the
21 declaration to the Governor and the Division of Emergency
22 Management of the Department of Public Safety not later than 24
23 hours after the declaration is made.

24 **Sec. 8. 1.** An emergency management plan prepared by the
25 Division of Emergency Management of the Department of Public
26 Safety pursuant to NRS 414.040 or adopted by a political
27 subdivision or a local organization for emergency management
28 must provide that:

29 (a) A registered sex offender must not knowingly be housed or
30 sheltered in a facility or shelter with other evacuees;

31 (b) To the extent possible, a registered sex offender must be
32 provided housing or shelter separate and apart from the general
33 population of evacuees; and

34 (c) After the termination of a declared state of emergency, a
35 registered sex offender must not knowingly be housed or sheltered
36 in any shelter, hotel or other housing which is provided by the
37 Federal Emergency Management Agency and in which the
38 general population of evacuees is sheltered.

39 2. During or after a declared state of emergency, any person,
40 including, without limitation, any official or employee of this
41 State, the Federal Government, a charitable organization or an
42 institution who has knowledge that a registered sex offender is
43 being housed or sheltered in a facility or shelter in which the
44 general population of evacuees is sheltered shall notify the sheriff



1 *of the county in which the facility or shelter is located of the*
2 *identity of the registered sex offender.*

3 3. *A person who in good faith notifies a sheriff of the identity*
4 *of a registered sex offender pursuant to subsection 2 is immune*
5 *from civil or criminal liability for any action taken or not taken*
6 *based upon that notification.*


7 4. *As used in this section, "registered sex offender" means a*
8 *person who is required to register as a sex offender pursuant to*
9 *the laws of this State, any other state, the District of Columbia,*
10 *any territory or possession of the United States or any foreign*
11 *state, province or country.*

12 **Sec. 9.** NRS 414.030 is hereby amended to read as follows:

13 414.030 As used in this chapter, the words and terms defined
14 in NRS 414.031 to 414.038, inclusive, *and section 2 of this act* have
15 the meanings ascribed to them in those sections.

16 **Sec. 10.** NRS 414.040 is hereby amended to read as follows:

17 414.040 1. A Division of Emergency Management is hereby
18 created within the Department of Public Safety. The Chief of
19 the Division is appointed by and holds office at the pleasure of the
20 Director of the Department of Public Safety. The Division is the
21 State Agency for Emergency Management and the State Agency for
22 Civil Defense for the purposes of the Compact ratified by the
23 Legislature pursuant to NRS 415.010. The Chief is the State's
24 Director of Emergency Management and the State's Director of
25 Civil Defense for the purposes of that Compact.

26 2. The Chief may employ technical, clerical, stenographic and
27 other personnel as may be required  and may make such
28 expenditures therefor and for other expenses of his office within the
29 appropriation therefor, or from other money made available to him
30 for purposes of emergency management, as may be necessary to
31 carry out the purposes of this chapter.

32 3. The Chief, subject to the direction and control of the
33 Director, shall carry out the program for emergency management in
34 this State. He shall coordinate the activities of all organizations for
35 emergency management within the State, maintain liaison with and
36 cooperate with agencies and organizations of other states and of the
37 Federal Government for emergency management and carry out such
38 additional duties as may be prescribed by the Director.

39 4. The Chief shall assist in the development of comprehensive,
40 coordinated plans for emergency management by adopting an
41 integrated process, using the partnership of governmental entities,
42 business and industry, volunteer organizations and other interested
43 persons, for the mitigation of, preparation for, response to and
44 recovery from emergencies or disasters. In adopting this process, he
45 shall conduct activities designed to:



(a) Eliminate or reduce the probability that an emergency will occur or to reduce the effects of unavoidable disasters;

(b) Prepare state and local governmental agencies, private organizations and other persons to be capable of responding appropriately if an emergency or disaster occurs by fostering the adoption of plans for emergency operations, conducting exercises to test those plans, training necessary personnel and acquiring necessary resources;

(c) Test periodically plans for emergency operations to ensure that the activities of state and local governmental agencies, private organizations and other persons are coordinated;

(d) Provide assistance to victims, prevent further injury or damage to persons or property and increase the effectiveness of recovery operations; and

(e) Restore the operation of vital community life-support systems and return persons and property affected by an emergency or disaster to a condition that is comparable to or better than what existed before the emergency or disaster occurred.

5. *The Division shall prepare a comprehensive emergency management plan and develop a comprehensive program for continuous, integrated emergency management in this State. In developing and maintaining the plan and program for emergency management in this State, the Division shall work closely with all entities and persons who have emergency management responsibilities, including, without limitation, state agencies, local governments, community leaders and business, labor, industrial, agricultural, civic and volunteer organizations. The plan and program for emergency management for this State must:*

(a) Be operations-oriented;

(b) Contain provisions which ensure that the State is prepared for emergencies and minor, major and catastrophic disasters;

(c) Include an evacuation component that:

(I) Promotes intergovernmental coordination of evacuation activities;

(2) Ensures coordination of evacuations across county and state lines; and

(3) Establishes policies and strategies for:

(I) Emergency medical evacuations;

(II) Methods for the transportation of evacuees;

(III) The numbers of evacuees to be received in different evacuation areas;

(IV) The manner in which food, clothing, shelter and medical care will be provided to evacuees;

(V) The registration of evacuees;



(VI) The provision to evacuees of facilities for the notification of relatives and friends;

(VII) The transportation of evacuees to other evacuation areas;

(VIII) The provision of materials and supplies for each evacuation area; and

(IX) Any other relevant issues as determined by the Division;

(d) Include a shelter component that:

(1) Includes specific provisions concerning regional and interregional planning;

(2) Promotes the coordination of shelter activities among the public, private and nonprofit sectors;

(3) Establishes policies and strategies for:

(I) Ensuring the availability of adequate public shelters in each region of the State;

(II) The designation and provision of shelters of last resort;

(III) Assisting local emergency management efforts to ensure that adequate staffing plans exist for all shelters, including, without limitation, plans that provide for adequate medical staff and security personnel;

(IV) Postdisaster communications systems for public shelters; and

(V) The provision of shelter to special needs populations; and

(4) Establishes model guidelines for the operation of shelters, including, without limitation, guidelines concerning the registration of evacuees, the inventorying of shelters, power generation, information management and staffing;

(e) Be integrated into and coordinated with the emergency management plans of the Federal Government and of other states to the fullest possible extent; and

(f) Include any other provisions concerning preparedness, response, recovery and mitigation as the Division determines necessary.

6. The Division shall perform the duties required pursuant to NRS 353.2753 at the request of a state agency or local government.

Sec. 11. NRS 414.060 is hereby amended to read as follows:

414.060 1. The Governor is responsible for carrying out the provisions of this chapter ~~6~~ and , in the event of an emergency or disaster beyond local control, may assume direct operational control over all or any part of the functions of emergency management within this State.



2. In performing his duties under this chapter, the Governor may cooperate with the Federal Government, with other states and with private agencies in all matters pertaining to emergency management in this State and the nation.

3. In performing his duties under this chapter and to effect its policy and purpose, the Governor may:

(a) Make, amend and rescind the necessary orders and regulations to carry out the provisions of this chapter within the limits of the authority conferred upon him in this chapter, with due consideration of the plans provided by the Federal Government.

~~(b) [Prepare a comprehensive state emergency management plan and develop a program for emergency management in this State to be integrated into and coordinated with the plans of the Federal Government and of other states for emergency management to the fullest possible extent, and coordinate the preparation of plans and programs for emergency management by the political subdivisions of this State to be integrated into and coordinated with the plan and program of this State to the fullest possible extent.~~

~~(c)~~ In accordance with the plan and program for ~~the~~ emergency management in this State ~~[]~~ *prepared by the Division of Emergency Management of the Department of Public Safety pursuant to NRS 414.040*, procure supplies and equipment, institute planning, training and exercise programs, carry out public information programs ~~[]~~ and take all other preparatory steps, including the partial or full mobilization of organizations for emergency management in advance of an actual emergency or disaster, to ensure the availability of adequately trained and equipped forces in time of need.

~~(d)~~ (c) Make such studies and surveys of industries, resources and facilities in this State as may be necessary to ascertain the capabilities of the State for emergency management and plan for the most efficient use thereof.

~~(e)~~ (d) On behalf of this State, enter into mutual aid agreements with other states and coordinate mutual aid plans between political subdivisions of this State.

~~(f)~~ (e) Delegate any administrative authority vested in him under this chapter ~~[]~~ and provide for the subdelegation of any such authority.

~~(g)~~ (f) Cooperate with the President of the United States and the heads of the Armed Forces, the agency of the United States for emergency management and other appropriate federal officers and agencies, and with the officers and agencies of other states in matters pertaining to emergency management in the State and nation, including the direction or control of:



(1) Mobilizing forces for emergency management and other tests and exercises.

(2) Mechanical devices to be used in connection with warnings and signals for emergencies or disasters.

(3) The effective screening or extinguishing of all lights and lighting devices and appliances.

(4) Coordinating the efforts of all public utilities in terminating and restoring service to the general public during an emergency or disaster.

(5) The conduct of the general public and the movement and cessation of movement of pedestrians and vehicular traffic during, before and after exercises or an emergency or disaster.

(6) Public meetings or gatherings.

(7) The evacuation and reception of the general public during an attack or an emergency or disaster.

Sec. 12. NRS 414.070 is hereby amended to read as follows:

414.070 The provisions of this section are operative only during the existence of a state of emergency or declaration of disaster. The existence of such an emergency or disaster may be proclaimed by the Governor or by resolution of the Legislature if the Governor in his proclamation, or the Legislature in its resolution, finds that an attack upon the United States has occurred or is anticipated in the immediate future, or that a natural, technological or man-made emergency or disaster of major proportions has actually occurred within this State ~~and~~ and that the safety and welfare of the inhabitants of this State require an invocation of the provisions of this section. Any such emergency or disaster, whether proclaimed by the Governor or by the Legislature, terminates upon the proclamation of the termination thereof by the Governor ~~and~~ or the passage by the Legislature of a resolution terminating the emergency or disaster. During the period when a state of emergency or declaration of disaster exists or continues, the Governor may exercise the following additional powers:

1. To enforce all laws and regulations relating to emergency management and to assume direct operational control of any or all forces, including, without limitation, volunteers and auxiliary staff for emergency management in the State.

2. To sell, lend, lease, give, transfer or deliver materials or perform services for the purpose of emergency management on such terms and conditions as the Governor prescribes and without regard to the limitations of any existing law ~~and~~ and to account to the State Treasurer for any ~~funds~~ money received for such property.

3. Except as otherwise provided in NRS 414.155, to procure, by purchase, condemnation, seizure or other means, construct, lease, transport, store, maintain, renovate or distribute materials and



1 facilities for emergency management without regard to the
2 limitations of any existing law. The Governor shall make
3 compensation for the property so seized, taken or condemned on the
4 following basis:

5 (a) If property is taken for temporary use, the Governor, within
6 90 days after the taking, shall fix the amount of compensation to be
7 paid therefor. If the property is returned to the owner in a damaged
8 condition ~~or~~ or is not returned to the owner, the Governor shall fix
9 within 90 days the amount of compensation to be paid for the
10 damage *to* or failure to return the property. If the Governor deems it
11 advisable for the State to take title to property taken under this
12 section, he shall forthwith cause the owner of the property to be
13 notified thereof in writing by registered or certified mail, postage
14 prepaid, or by the best means available, and forthwith cause to be
15 filed a copy of the notice with the Secretary of State.

16 (b) Within the 90-day period prescribed in paragraph (a), the
17 Governor shall make an offer in writing to the person or persons
18 entitled to receive it of the amount of money proposed to be paid as
19 full compensation. If the offer is accepted, the money must be paid
20 out of such fund, funds or other sources as are available and no
21 further action in law or in equity may ever be maintained in
22 connection therewith. If the offer of payment is refused, the person
23 or persons entitled thereto have the same rights as plaintiffs in
24 actions of eminent domain insofar as the fixing of damages and
25 compensation is concerned, NRS 37.060, 37.070, 37.080 and
26 37.090, so far as applicable, apply, and proceedings must be had in
27 conformity therewith so far as possible. The action must be
28 commenced within 1 year after the receipt of the offer of settlement
29 from the Governor.

30 4. ~~[[To]]~~ *If he deems it necessary for the preservation of life or*
31 *for emergency mitigation, response or recovery, to* provide for and
32 compel the evacuation of all or part of the population from any
33 stricken or threatened area or areas within the State and to take such
34 steps as are necessary for the receipt and care of those persons.

35 5. Subject to the provisions of the State Constitution, to remove
36 from office any public officer having administrative responsibilities
37 under this chapter for willful failure to obey an order or regulation
38 adopted pursuant to this chapter. The removal must be upon charges
39 after service upon the officer of a copy of the charges and after
40 giving him an opportunity to be heard in his defense. Pending the
41 preparation and disposition of charges, the Governor may suspend
42 the officer for a period not exceeding 30 days. A vacancy resulting
43 from removal or suspension pursuant to this section must be filled
44 as provided by law.



6. To perform and exercise such other functions, powers and duties as are necessary to promote and secure the safety and protection of the civilian population.

Sec. 13. NRS 414.090 is hereby amended to read as follows:

414.090 1. Each political subdivision of this State may establish a local organization for emergency management in accordance with the ~~{state emergency management}~~ plan and program for emergency management ~~{ }~~ *in this State prepared by the Division of Emergency Management of the Department of Public Safety pursuant to NRS 414.040.* Such a political subdivision may confer or authorize the conferring upon members of the auxiliary police the powers of police officers, subject to such restrictions as it imposes. Each local organization for emergency management must have a director who must be appointed by the executive officer or governing body of the political subdivision ~~{ }~~ and who has direct responsibility for the organization, administration and operation of the local organization for emergency management subject to the direction and control of the executive officer or governing body. Each local organization for emergency management shall perform functions of emergency management within the territorial limits of the political subdivision within which it is organized ~~{ }~~ and, in addition, shall conduct such functions outside of such territorial limits as may be required pursuant to the provisions of NRS 414.100.

2. *Each political subdivision or local organization for emergency management that prepares an emergency management plan shall prepare a plan which is coordinated with and consistent with the plan and program for emergency management in this State prepared by the Division pursuant to NRS 414.040 and which meets the requirements of this chapter and the regulations adopted pursuant thereto.*

3. In carrying out the provisions of this chapter, each political subdivision in which any emergency or disaster described in NRS 414.020 occurs may enter into contracts and incur obligations necessary to combat such an emergency or disaster, protect the health and safety of persons and property and provide emergency assistance to the victims of such an emergency or disaster. Each political subdivision may exercise the powers vested under this section in the light of the exigencies of the extreme emergency or disaster without regard to time-consuming procedures and formalities prescribed by law, except constitutional requirements, pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and



1 materials, the levying of taxes, and the appropriation and
2 expenditure of public ~~funds.~~ *money.*

3 **Sec. 14.** NRS 414.095 is hereby amended to read as follows:

4 414.095 1. An emergency management plan prepared by the
5 ~~[Governor]~~ *Division of Emergency Management of the*
6 *Department of Public Safety* pursuant to NRS ~~[414.060]~~ *414.040* or
7 adopted by a political subdivision or a local organization for
8 emergency management must, without limitation, address the needs
9 of persons with pets, service animals or service animals in training
10 during and after an emergency or disaster.

11 2. As used in this section:

12 (a) "Pet" has the meaning ascribed to it in NRS 574.615.

13 (b) "Service animal" has the meaning ascribed to it in
14 NRS 426.097.

15 (c) "Service animal in training" has the meaning ascribed to it in
16 NRS 426.099.

17 **Sec. 15.** NRS 414.110 is hereby amended to read as follows:

18 414.110 1. All functions under this chapter and all other
19 activities relating to emergency management are hereby declared to
20 be governmental functions. ~~[Neither the]~~ *The* State, ~~[nor]~~ any
21 political subdivision thereof, ~~[nor]~~ other agencies of the State or
22 political subdivision thereof ~~[, nor]~~ *and*, except in cases of willful
23 misconduct, gross negligence ~~[,]~~ or bad faith, any worker complying
24 with or reasonably attempting to comply with this chapter ~~[,]~~ or any
25 order or regulation adopted pursuant to ~~[the provisions of]~~ this
26 chapter, or ~~[pursuant to]~~ *with* any ordinance relating to any
27 necessary emergency procedures or other precautionary measures
28 enacted by any political subdivision of the State, ~~[is]~~ *are not* liable
29 for the death of or injury to persons, or for damage to property, as a
30 result of any such activity. The provisions of this section do not
31 affect the right of any person to receive benefits to which he would
32 otherwise be entitled under this chapter, or under the provisions of
33 chapters 616A to 616D, inclusive, or chapter 617 of NRS, or under
34 any pension law, ~~[nor]~~ *or* the right of any such person to receive any
35 benefits or compensation pursuant to any act of Congress.

36 2. Any requirement for a license to practice any professional,
37 mechanical or other skill does not apply to any authorized worker
38 who, in the course of performing his duties as such, practices that
39 professional, mechanical or other skill during an emergency or
40 disaster.

41 3. As used in this section, "worker" includes, without
42 limitation, any full-time or part-time paid, volunteer or auxiliary
43 employee of this State, of any political subdivision thereof, of other
44 states, territories, possessions or the District of Columbia, of the
45 Federal Government, of any neighboring country, or of any political



1 subdivision thereof, or of any agency or organization, performing
2 services for emergency management *or emergency response* at any
3 place in this State subject to the order or control of, ~~for~~ pursuant to
4 a request of ~~H~~ *or in support of* the State Government or any
5 political subdivision thereof.

