

By: Representatives Mims, Dixon

To: Insurance

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 112

1 AN ACT TO AMEND SECTION 33-15-15, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT PERSONS REGISTERED IN THE MISSISSIPPI RESPONDER
3 MANAGEMENT SYSTEM SHALL BE REIMBURSED FOR DEATH, DISABILITY OR
4 INJURY TO SUCH PERSONS, AND THAT THE STATE SHALL PAY COMPENSATION
5 TO THE HEIRS OR TO THE INDIVIDUAL IN ACCORDANCE WITH PAYMENT
6 SCHEDULES CONTAINED IN THE WORKERS' COMPENSATION LAW, FOR DEATH OR
7 INJURIES TO THE INDIVIDUAL WHILE RESPONDING TO AN OFFICIALLY
8 DECLARED EMERGENCY OR DURING EMERGENCY PREPAREDNESS TRAINING; AND
9 FOR RELATED PURPOSES.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

11 **SECTION 1.** Section 33-15-15, Mississippi Code of 1972, is
12 amended as follows:

13 33-15-15. (a) The agency is authorized to provide, within
14 or without the state, such support from available personnel,
15 equipment and other resources of state agencies and the political
16 subdivisions of the state as may be necessary to reinforce
17 emergency management agencies in areas stricken by emergency.
18 Such support shall be rendered with due consideration of the plans
19 of the federal government, this state, the other states and of the
20 criticalness of the existing situation. Emergency management
21 support forces shall be called to duty upon orders of the agency



22 and shall perform their functions in any part of the state, or,
23 upon the conditions specified in this section, in other states.

24 (b) Personnel of emergency management support forces while
25 on duty, whether within or without the state, shall:

26 (1) If they are employees of the state, have the
27 powers, duties, rights, privileges and immunities and receive the
28 compensation incidental to their employment;

29 (2) If they are employees of a political subdivision of
30 the state, and whether serving within or without such political
31 subdivision, have the powers, duties, rights, privileges and
32 immunities and receive the compensation incidental to their
33 employment; and

34 (3) If they are not employees of the state or a
35 political subdivision thereof, be entitled to compensation by the
36 state at a rate commensurate with their duties and
37 responsibilities and to the same rights and immunities as are
38 provided by law for the employees of this state.

39 All personnel of emergency management support forces shall,
40 while on duty, be subject to the operational control of the
41 authority in charge of emergency management activities in the area
42 in which they are serving, and shall be reimbursed for all actual
43 and necessary travel and subsistence expenses, and for death,
44 disability or injury to such personnel while on such emergency
45 duty as a member of an emergency management support force, the
46 state shall pay compensation to the heirs in event of death or the



47 individual in event of injury or disability in accordance with
48 payment schedules contained in the Mississippi Workers'
49 Compensation Law.

50 (c) Personnel who are not otherwise covered by subsection
51 (b) of this section, but who are registered in the Mississippi
52 Responder Management System, developed to facilitate health and
53 medical response through identification, credentialing and
54 deployment of responders for the State of Mississippi, shall be
55 reimbursed for death, disability or injury to such personnel, and
56 the state shall pay compensation to the heirs in event of death or
57 to the individual in event of injury or disability in accordance
58 with payment schedules contained in the Mississippi Workers'
59 Compensation Law, for death or injuries to the individual while
60 responding to an officially declared emergency or during emergency
61 preparedness training.

62 (* * *d) The state shall reimburse a political subdivision
63 for the actual and necessary travel, subsistence and maintenance
64 expenses of employees of such political subdivision while serving
65 as members of an emergency management support force, and for all
66 payments for death, disability or injury of such employees
67 incurred in the course of such duty, and for all losses of or
68 damage to supplies and equipment of such political subdivision
69 resulting from the operation of such emergency management support
70 force. The state may also reimburse a political subdivision for
71 employees' overtime while deployed as members of an emergency



72 management support force and backfill of deployed forces when
73 determined by the director to be necessary to avoid serious
74 financial consequences for the political subdivision providing
75 support and when requested by the chief elected official of the
76 political subdivision stating the circumstances for the request.

77 (* * *e) Whenever an emergency management support force of
78 another state shall render aid in this state pursuant to the
79 orders of the governor of its home state and upon the request of
80 the Governor of this state, the personnel thereof shall have the
81 powers, duties, rights, privileges and immunities of emergency
82 management personnel serving in similar capacities in this state,
83 except compensation, and this state shall reimburse such other
84 state for the compensation paid and actual and necessary travel,
85 subsistence and maintenance expenses of the personnel of such
86 emergency management support force while rendering such aid, and
87 for all payments for death, disability or injury of such personnel
88 incurred in the course of rendering such aid, and for all losses
89 of or damage to supplies and equipment of such other state or a
90 political subdivision thereof resulting from the rendering of such
91 aid; provided that the laws of such other state contain provisions
92 substantially similar to this section.

93 (* * *f) No personnel of emergency management support
94 forces of this state shall be ordered by the Governor to operate
95 in any other state unless the laws of such other state contain
96 provisions substantially similar to this section.



97 **SECTION 2.** This act shall take effect and be in force from
98 and after July 1, 2016.

