

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 1634

SPONSOR: Senator Brown-Waite

SUBJECT: Disaster Preparedness

DATE: February 22, 2002 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Cooper	Yeatman	CA	Favorable
2.	Rhea	Wilson	GO	Favorable
3.			AGG	
4.			AP	
5.				
6.				

I. Summary:

This bill revises the process for coordination and approval of disaster-preparedness plans and directs each agency to complete a revised plan by July 1, 2003.

This bill amends s. 252.365 of the Florida Statutes.

II. Present Situation:

Select Committee On Public Security and Crisis Management

After the terrorist attacks of 9-11-01, the Senate created the Select Committee On Public Security and Crisis Management to make recommendations on steps Florida might take to improve the security of it's citizens, infrastructure, and economy. The committee solicited input from public and private interests across the state, to include state agencies and local governments.

On September 14th, Governor Bush directed the Florida Department of Law Enforcement (FDLE) and the Division of Emergency Management (division) in the Department of Community Affairs (DCA) to complete a comprehensive assessment of Florida's capability to prevent, mitigate, and respond to a terrorist attack. Their primary recommendations are outlined in the report titled *Assessing Florida's Anti-Terrorism Capabilities*. The report outlined a number of long-term measures to enhance and expand prevention/regulation/statutory remedies to combat terrorism, to include the development, implementation, and rehearsal of a ". . . business/disaster recovery plan by all state agencies of all state functions in order to continue critical services in times of emergency."

State Emergency Management Act

Chapter 252, F.S., is cited as the *State Emergency Management Act*. Section 252.35, F.S., sets forth the DCA's Division of Emergency Management's powers and responsibilities. The division is required, in part, to prepare a state comprehensive emergency management plan.

Section 252.365, F.S., requires the head of each executive department, the executive director of each water management district, the Public Service Commission, the Fish and Wildlife Conservation Commission, and the Department of Military Affairs to select from within such agency a person to be designated as the emergency coordination officer for the agency and an alternate. The emergency coordination officer is responsible for:

- coordinating with the division on emergency preparedness issues;
- preparing and maintaining emergency preparedness and post-disaster response and recovery plans for such agency;
- maintaining rosters of personnel to assist in disaster operations; and
- coordinating appropriate training for agency personnel.

These individuals are responsible for ensuring that each state facility has a disaster preparedness plan that is approved by the applicable local emergency management agency or the division.

III. Effect of Proposed Changes:

Section 1 amends s. 252.365(3), F.S., to require that each state agency and facility, rather than each state facility, has a disaster preparedness plan that is “. . . coordinated with the applicable local emergency-management agency and approved by” the division in DCA.

In addition, subsections (a), (b), and (c) are created to provide specificity as to what these plans should address. Subsection (a) requires the plan to “. . . outline a comprehensive and effective program to ensure continuity of essential state functions under all circumstances.” The plan must identify a baseline of preparedness for a full range of potential emergencies to establish a viable capability to perform essential functions during any emergency or other situation that disrupts normal operations.

Subsection (b) provides that the plan must include, at a minimum, the following elements:

- identification of essential functions, programs, and personnel;
- procedures to implement the plan and personnel notification and accountability;
- delegations of authority and lines of succession;
- identification of alternative facilities and related infrastructure, including those for communications;
- identification and protection of vital records and databases; and
- schedules and procedures for periodic tests, training, and exercises.

Subsection (c) requires the division to develop and distribute guidelines for developing and implementing the plan. Furthermore, each agency is encouraged to initiate and complete development of its plan immediately, but no later than July 1, 2003.

Section 2 provides that this act will take effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Department of Community Affairs reports that state agencies may incur expenses in the initial development or revision of disaster preparedness plans. In addition, the division will experience costs associated with development and distribution of plan guidance materials and plan review and approval.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.