

1 A bill to be entitled

2 An act relating to emergency public shelters; amending s.
3 252.35, F.S.; providing that the shelter component of the
4 state comprehensive emergency management plan must contain
5 strategies to ensure specified availability of shelter
6 space that is designated and equipped to accept evacuees
7 with pets and provide for coordination with local school
8 boards for the use of high school and middle school locker
9 rooms as pet evacuation facilities; providing that
10 staffing plans for such shelters must provide for local
11 canine search and rescue teams; requiring the component to
12 set forth policy guidance for sheltering people with pets;
13 creating s. 252.3568, F.S.; requiring the Division of
14 Emergency Management to prescribe rules governing the
15 emergency sheltering of persons with pets; prescribing
16 requirements for admittance to such a shelter; amending s.
17 252.51, F.S.; revising provisions relating to liability
18 with respect to the designation or use of real estate or
19 premises for use as a shelter during an actual, impending,
20 mock, or practice emergency, to conform; providing an
21 effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:

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25 Section 1. Paragraph (a) of subsection (2) of section
26 252.35, Florida Statutes, is amended to read:

27 252.35 Emergency management powers; Division of Emergency
28 Management.--

29 (2) The division is responsible for carrying out the
30 provisions of ss. 252.31-252.90. In performing its duties under
31 ss. 252.31-252.90, the division shall:

32 (a) Prepare a state comprehensive emergency management
33 plan, which shall be integrated into and coordinated with the
34 emergency management plans and programs of the Federal
35 Government. The division must adopt the plan as a rule in
36 accordance with chapter 120. The plan shall be implemented by a
37 continuous, integrated comprehensive emergency management
38 program. The plan must contain provisions to ensure that the
39 state is prepared for emergencies and minor, major, and
40 catastrophic disasters, and the division shall work closely with
41 local governments and agencies and organizations with emergency
42 management responsibilities in preparing and maintaining the
43 plan. The state comprehensive emergency management plan shall be
44 operations oriented and:

45 1. Include an evacuation component that includes specific
46 regional and interregional planning provisions and promotes
47 intergovernmental coordination of evacuation activities. This
48 component must, at a minimum: contain guidelines for lifting
49 tolls on state highways; ensure coordination pertaining to
50 evacuees crossing county lines; set forth procedures for
51 directing people caught on evacuation routes to safe shelter;
52 establish strategies for ensuring sufficient, reasonably priced
53 fueling locations along evacuation routes; and establish
54 policies and strategies for emergency medical evacuations.

55 2. Include a shelter component that includes specific
56 regional and interregional planning provisions and promotes

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57 coordination of shelter activities between the public, private,
58 and nonprofit sectors. This component must, at a minimum:
59 contain strategies to ensure the availability of adequate public
60 shelter space in each region of the state, including at least
61 one shelter space in each county that is designated and equipped
62 to accept evacuees with pets; provide for coordination with
63 local school boards for the use of high school and middle school
64 locker rooms as pet evacuation facilities; establish strategies
65 for refuge-of-last-resort programs; provide strategies to assist
66 local emergency management efforts to ensure that adequate
67 staffing plans exist for all shelters, including medical and
68 security personnel and, for those shelters designated to accept
69 evacuees with pets, local canine search and rescue teams;
70 provide for a postdisaster communications system for public
71 shelters; establish model shelter guidelines for operations,
72 registration, inventory, power generation capability,
73 information management, and staffing; and set forth policy
74 guidance for sheltering people with special needs and people
75 with pets.

76 3. Include a postdisaster response and recovery component
77 that includes specific regional and interregional planning
78 provisions and promotes intergovernmental coordination of
79 postdisaster response and recovery activities. This component
80 must provide for postdisaster response and recovery strategies
81 according to whether a disaster is minor, major, or
82 catastrophic. The postdisaster response and recovery component
83 must, at a minimum: establish the structure of the state's
84 postdisaster response and recovery organization; establish

85 | procedures for activating the state's plan; set forth policies
86 | used to guide postdisaster response and recovery activities;
87 | describe the chain of command during the postdisaster response
88 | and recovery period; describe initial and continuous
89 | postdisaster response and recovery actions; identify the roles
90 | and responsibilities of each involved agency and organization;
91 | provide for a comprehensive communications plan; establish
92 | procedures for monitoring mutual aid agreements; provide for
93 | rapid impact assessment teams; ensure the availability of an
94 | effective statewide urban search and rescue program coordinated
95 | with the fire services; ensure the existence of a comprehensive
96 | statewide medical care and relief plan administered by the
97 | Department of Health; and establish systems for coordinating
98 | volunteers and accepting and distributing donated funds and
99 | goods.

100 | 4. Include additional provisions addressing aspects of
101 | preparedness, response, recovery, and mitigation as determined
102 | necessary by the division.

103 | 5. Address the need for coordinated and expeditious
104 | deployment of state resources, including the Florida National
105 | Guard. In the case of an imminent major disaster, procedures
106 | should address predeployment of the Florida National Guard, and,
107 | in the case of an imminent catastrophic disaster, procedures
108 | should address predeployment of the Florida National Guard and
109 | the United States Armed Forces.

110 | 6. Establish a system of communications and warning to
111 | ensure that the state's population and emergency management

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112 agencies are warned of developing emergency situations and can
113 communicate emergency response decisions.

114 7. Establish guidelines and schedules for annual exercises
115 that evaluate the ability of the state and its political
116 subdivisions to respond to minor, major, and catastrophic
117 disasters and support local emergency management agencies. Such
118 exercises shall be coordinated with local governments and, to
119 the extent possible, the Federal Government.

120 8. Assign lead and support responsibilities to state
121 agencies and personnel for emergency support functions and other
122 support activities.

123

124 The complete state comprehensive emergency management plan shall
125 be submitted to the President of the Senate, the Speaker of the
126 House of Representatives, and the Governor on February 1 of
127 every even-numbered year.

128 Section 2. Section 252.3568, Florida Statutes, is created
129 to read:

130 252.3568 Emergency sheltering of persons with pets;
131 registration; requirements for admittance.--

132 (1) GENERAL PROVISIONS.--In accordance with the provisions
133 of s. 252.35, the division shall provide within the shelter
134 component of the state comprehensive emergency management plan
135 for at least one shelter space in each county to be designated
136 and equipped to accept evacuees with pets. The division shall
137 prescribe rules that:

138 (a) Restrict the types of pets that may be accepted at
139 such shelters to cats and dogs.

140 (b) Provide for postevacuation cleaning, disinfecting, and
 141 maintenance of the shelter by the local emergency management
 142 agency.

143 (2) REQUIREMENTS FOR ADMITTANCE.--Upon arrival at an
 144 emergency evacuation shelter that accepts pets, the owner of the
 145 pet must present the following:

146 (a) Proof of address verifying that the owner resides
 147 within the evacuation area.

148 (b) The pet's identification tag.

149 (c) The pet's rabies vaccination tag, which should be
 150 attached to the pet.

151 (d) A current photograph of the pet.

152 (e) A sturdy leash or harness.

153 (f) Water and food bowls.

154 (g) A pet carrier, cage, or other container that is
 155 clearly, legibly, and permanently marked with the name of the
 156 owner and the name of the pet.

157 (h) Adequate food for 7 days.

158 (i) A 7-day supply of potable water.

159 (j) Any medications the pet might require.

160 (k) Any of the pet's medical records, which must be stored
 161 in a waterproof container.

162 (l) A pet first-aid kit.

163 (m) Pet beds and toys, if easily transportable.

164 Section 3. Section 252.51, Florida Statutes, is amended to
 165 read:

166 252.51 Liability.--Any person or organization, public or
 167 private, owning or controlling real estate or other premises who

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168 voluntarily and without compensation, other than payment or
169 reimbursement of costs and expenses, grants a license or
170 privilege or otherwise permits the designation by the local
171 emergency management agency or use of the whole or any part of
172 such real estate or premises for the purpose of sheltering
173 persons or animals during an actual, impending, mock, or
174 practice emergency, together with her or his successor in
175 interest, if any, shall not be liable for the death of, or
176 injury to, any person or animal on or about such real estate or
177 premises during the actual, impending, mock, or practice
178 emergency, or for loss of, or damage to, the property of such
179 person, solely by reason or as a result of such license,
180 privilege, designation, or use, unless the gross negligence or
181 the willful and wanton misconduct of such person owning or
182 controlling such real estate or premises or her or his successor
183 in interest is the proximate cause of such death, injury, loss,
184 or damage occurring during such sheltering period. Any such
185 person or organization who provides such shelter space for
186 compensation shall be deemed to be an instrumentality of the
187 state or its applicable agency or subdivision for the purposes
188 of s. 768.28.

189 Section 4. This act shall take effect July 1, 2006.