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CHAMBER ACTION

1 The Finance & Tax Committee recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5
6 A bill to be entitled

7 An act relating to disaster preparedness response and
8 recovery; creating s. 252.63, F.S.; creating the Florida
9 Disaster Supplier Program Council under the Department of
10 Community Affairs; requiring the council to make
11 recommendations for a voluntary local program to be
12 established as the Florida Disaster Supplier Program;
13 providing membership and organization of the council;
14 providing duties and responsibilities of the council;
15 authorizing the council to recommend the assessment of an
16 annual program membership fee; providing for certification
17 of program participants; providing requirements with
18 respect to collection and use of program membership fees;
19 requiring the council to submit a report; providing for
20 termination of the council; providing intended purposes of
21 the program; providing that participation in the program
22 shall be at the option of each county; providing for
23 administration of the program by participating counties;

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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24 | creating s. 526.143, F.S.; providing that each motor fuel
25 | terminal facility and wholesaler that sells motor fuel in
26 | the state must be capable of operating its distribution
27 | loading racks using an alternate power source for a
28 | specified period by a certain date; providing requirements
29 | with respect to the operation of such equipment following
30 | a major disaster; providing requirements with respect to
31 | inspection of such equipment; requiring newly constructed
32 | or substantially renovated motor fuel retail outlets to be
33 | capable of operation using an alternate power source;
34 | defining "substantially renovated"; providing inspection
35 | requirements; requiring certain motor fuel retail outlets
36 | located within a specified distance from an interstate
37 | highway or state or federally designated evacuation route
38 | to be capable of operation using an alternate power source
39 | by a specified date; providing inspection and
40 | recordkeeping requirements; providing applicability;
41 | providing severability; creating s. 526.144, F.S.;
42 | creating the Florida Disaster Motor Fuel Supplier Program
43 | within the Department of Community Affairs; providing
44 | purpose of the program; providing requirements for
45 | participation in the program; providing that participation
46 | in the program shall be at the option of each county;
47 | providing for administration of the program; providing
48 | requirements of businesses certified as State Emergency
49 | Response Team members; providing for preemption to the
50 | state of the regulation of and requirements for siting and
51 | placement of an alternate power source and any related

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52 | equipment at motor fuel terminal facilities, wholesalers,
53 | and retail sales outlets; providing for review of the
54 | program; providing a report; amending s. 553.509, F.S.,
55 | relating to requirements with respect to vertical
56 | accessibility under pt. II of ch. 553, F.S., the "Florida
57 | Americans With Disabilities Accessibility Implementation
58 | Act"; requiring specified existing and newly constructed
59 | residential multifamily dwellings to have at least one
60 | public elevator that is capable of operating on an
61 | alternate power source for emergency purposes; providing
62 | requirements with respect to the alternate power source;
63 | providing for verification of compliance by specified
64 | dates; providing requirements with respect to emergency
65 | operations plans and inspection records; requiring any
66 | person, firm, or corporation that owns or operates
67 | specified multistory affordable residential dwellings to
68 | attempt to obtain grant funding to comply with the act;
69 | requiring an owner or operator of such a dwelling to
70 | develop an evacuation plan in the absence of compliance
71 | with the act; providing additional inspection requirements
72 | under ch. 399, F.S., the "Elevator Safety Act"; amending
73 | s. 252.35, F.S.; expanding the duty of the Division of
74 | Emergency Management to conduct a public educational
75 | campaign on emergency preparedness issues; providing an
76 | additional duty of the division with respect to
77 | educational outreach concerning disaster preparedness;
78 | providing legislative findings; providing criteria for

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79 construction of emergency operations centers; providing
80 appropriations; providing an effective date.

81

82 Be It Enacted by the Legislature of the State of Florida:

83

84 Section 1. Section 252.63, Florida Statutes, is created to
85 read:

86 252.63 Florida Disaster Supplier Program Council; Florida
87 Disaster Supplier Program.--

88 (1) FLORIDA DISASTER SUPPLIER PROGRAM COUNCIL.--

89 (a) The Florida Disaster Supplier Program Council is
90 created under the Department of Community Affairs. The council
91 shall make recommendations for a voluntary local program to be
92 established as the Florida Disaster Supplier Program. The
93 council shall make recommendations for the effective and
94 efficient administration of the Florida Disaster Supplier
95 Program.

96 (b)1. The council shall consist of seven members,
97 comprised of the county emergency management directors from each
98 of the seven emergency response regions of the Division of
99 Emergency Management as designated by the Florida Emergency
100 Preparedness Association.

101 2. The members of the council shall elect a chair and a
102 vice chair from among their membership. The chair shall preside
103 at all meetings of the council.

104 3. The council shall meet at the call of the chair or at
105 the request of a majority of its membership.

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106 4. Members shall serve for the duration of the existence
107 of the council. A vacancy on the council shall be filled by the
108 chair according to the original membership stipulations until
109 the council is terminated.

110 5. Members of the council shall serve without
111 compensation, but shall be entitled to per diem and travel
112 expenses as provided in s. 112.061 while engaged in the
113 performance of their official duties.

114 (c) Duties and responsibilities of the council shall
115 include, but not be limited to, recommending to the division:

116 1. State disaster preparedness criteria necessary for
117 implementation of the Florida Disaster Supplier Program.

118 2. The most effective means of providing access to
119 businesses participating in the program in order to facilitate
120 the operation, supply, and staffing of such businesses, as
121 feasible, under emergency conditions.

122 3. A statewide system of certification for disaster
123 suppliers in the following categories:

124 a. Pharmaceutical.

125 b. Food and water.

126 c. Building supplies.

127 d. Ice.

128 e. Other categories as deemed necessary by the council.

129 4. If deemed necessary by the council, the assessment of
130 an annual program membership fee for businesses voluntarily
131 seeking to obtain certification as a state disaster supplier
132 under the established program guidelines. The determination of
133 the necessity of assessing an annual program membership fee

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134 shall include county surveys and input from business, industry,
135 and state agencies. Any recommendation with respect to the
136 assessment of program fees shall be contained in the report
137 required under subsection (5).

138 5. A State Emergency Response Team logo that bears the
139 name of the State of Florida and the type of supplies being
140 provided by the supplier for display by businesses participating
141 in the program.

142 (2) FLORIDA DISASTER SUPPLIER PROGRAM.--

143 (a) The Florida Disaster Supplier Program Council shall
144 make recommendations for a voluntary local program to be
145 established as the Florida Disaster Supplier Program. The
146 intended purposes of the program are:

147 1. To provide statewide oversight of the availability and
148 provision of necessary supplies prior to, during, and following
149 a state of emergency or natural or manmade disaster or
150 catastrophe.

151 2. To assist in the rapid recovery of an area affected by
152 a natural or manmade disaster or catastrophe and to immediately
153 stimulate the postdisaster recovery of local economies.

154 3. To provide the public with alternative access to
155 certain commodities as recommended by the Florida Disaster
156 Supplier Program Council.

157 (b) Participation in the Florida Disaster Supplier Program
158 shall be at the option of each county governing body. Each
159 county choosing to participate in the program shall be
160 responsible for administering the program within that county.
161 Guidelines and administration standards for participating

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162 counties shall be recommended by the Florida Disaster Supplier
163 Program Council.

164 (c) The Florida Disaster Supplier Program shall allow
165 businesses in counties that choose not to participate in the
166 program to voluntarily participate in the program and provide
167 for the sale of emergency-use supplies and services before,
168 during, and following an emergency or natural or manmade
169 disaster or catastrophe under the conditions set forth in this
170 section.

171 (d) The Florida Disaster Supplier Program shall be
172 designed to in no way interfere with normal and ongoing commerce
173 occurring in any political subdivision of the state.

174 (3) PROGRAM CERTIFICATION.--Upon the recommendation of the
175 council, certification of a business requesting to participate
176 in the program shall be conducted through county emergency
177 management agencies or designees as prescribed by the county's
178 elected governing body. Participating counties shall use
179 certification standards developed by the council.

180 (4) COLLECTION AND USE OF PROGRAM MEMBERSHIP FEES.--If an
181 annual program membership fee is assessed as provided in
182 subparagraph (1)(c)4., the methods for collecting such fee shall
183 be determined by the council. Program membership fees collected
184 shall be used in whole or in part to recover the administrative
185 costs of the program and as may be recommended by the council.
186 Program membership fees shall be used by the participating
187 counties and state agencies as may be determined by the
188 recommendations of the council and as provided by law.

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189 (5) REPORT.--The council shall submit a report on the
 190 development and implementation of the Florida Disaster Supplier
 191 Program to the Governor, the Speaker of the House of
 192 Representatives, and the President of the Senate no later than
 193 February 1, 2007. The report shall include recommendations for
 194 any needed legislation and program fees and an analysis of the
 195 program's effect on the provision of supplies within the state
 196 during a state of emergency or natural or manmade disaster or
 197 catastrophe.

198 (6) TERMINATION.--The council shall terminate on July 1,
 199 2008.

200 Section 2. Section 526.143, Florida Statutes, is created
 201 to read:

202 526.143 Alternate means of power generation for motor fuel
 203 dispensing facilities.--

204 (1) No later than December 31, 2006, each motor fuel
 205 terminal facility, as defined in s. 526.303(16), and wholesaler,
 206 as defined in s. 526.303(17), that sells motor fuel in this
 207 state must be capable of operating its distribution loading
 208 racks using an alternate power source for a minimum of 72 hours.
 209 Pending a postdisaster examination of the equipment by the
 210 operator to determine any extenuating damage that would render
 211 it inoperable or unsafe to use, the facility must have such
 212 alternate power source available for operation no later than 36
 213 hours after a major disaster, as defined in s. 252.34. Initial
 214 inspection for proper installation and operation shall be
 215 completed by a local building inspector, and verification of the
 216 inspection must be submitted to the local county emergency

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217 management agency. Inspectors from the Department of Agriculture
218 and Consumer Services shall perform a periodic visual inspection
219 of the alternate power source to ensure that the emergency
220 auxiliary electrical equipment is installed. Each facility shall
221 perform annual inspections to ensure that the emergency
222 auxiliary electrical generators are in good working order and
223 show proof of those inspections in order to be deemed in
224 compliance with and to participate in the fuel supplier program.

225 (2) Each newly constructed or substantially renovated
226 motor fuel retail outlet, as defined in s. 526.303(14), for
227 which a certificate of occupancy is issued on or after July 1,
228 2006, must be prewired with an appropriate transfer switch and
229 be capable of operating all fuel pumps, dispensing equipment,
230 life-safety systems, and payment acceptance equipment using an
231 alternate power source. As used in this subsection, the term
232 "substantially renovated" means a renovation that results in an
233 increase of greater than 50 percent in the assessed value of the
234 motor fuel retail outlet. Local building inspectors shall
235 include an equipment and operations check for compliance with
236 this subsection in the normal inspection process before issuing
237 a certificate of occupancy. A copy of the certificate of
238 occupancy shall be provided to the county emergency management
239 agency upon issuance of such certificate. Each facility shall
240 perform periodic inspections to ensure that the installed
241 transfer switch and emergency auxiliary electrical generators
242 are in good working order and provide proof of those inspections
243 to the county emergency management agency in order to be in

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244 compliance with and to participate in the Florida Disaster Motor
245 Fuel Supplier Program under s. 526.144.

246 (3)(a) No later than December 31, 2006, each motor fuel
247 retail outlet described in subparagraph 1., subparagraph 2., or
248 subparagraph 3. that is located within 1/2 mile of an interstate
249 highway or state or federally designated evacuation route must
250 be prewired with an appropriate transfer switch and be capable
251 of operating all fuel pumps, dispensing equipment, life-safety
252 systems, and payment-acceptance equipment using an alternate
253 power source:

254 1. A motor fuel retail outlet located in a county having a
255 population of 300,000 or more which has 16 or more fueling
256 positions.

257 2. A motor fuel retail outlet located in a county having a
258 population of 100,000 or more, but fewer than 300,000, which has
259 12 or more fueling positions.

260 3. A motor fuel retail outlet located in a county having a
261 population of fewer than 100,000 which has eight or more fueling
262 positions.

263 (b) Installation of the wiring and transfer switch shall
264 be performed by a certified electrical contractor. Each retail
265 outlet subject to this subsection must keep a copy of the
266 documentation of such installation on site or at its corporate
267 headquarters. In addition, each retail outlet must keep a
268 written record that confirms the periodic testing and ensured
269 operational capacity of the equipment. The required documents
270 must be made available upon request to the Division of Emergency
271 Management and the county emergency management agency.

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272 (4) (a) Subsections (2) and (3) apply to any self-service,
 273 full-service, or combination self-service and full-service motor
 274 fuel outlet regardless of whether the business is located on the
 275 grounds of, or is owned by, another retail business
 276 establishment that does not engage in the business of selling
 277 motor fuel.

278 (b) Subsections (2) and (3) do not apply to:

- 279 1. An automobile dealer;
 280 2. A person who operates a fleet of motor vehicles; or
 281 3. A person who sells motor fuel exclusively to a fleet of
 282 motor vehicles.

283 (5) If any provision of this section or its application to
 284 any person or circumstance is held invalid, the invalidity does
 285 not affect other provisions or applications of the section which
 286 can be given effect without the invalid provision or
 287 application, and to this end the provisions of this section are
 288 declared severable.

289 Section 3. Section 526.144, Florida Statutes, is created
 290 to read:

291 526.144 Florida Disaster Motor Fuel Supplier Program.--

292 (1) (a) There is created the Florida Disaster Motor Fuel
 293 Supplier Program within the Department of Community Affairs. The
 294 Florida Disaster Motor Fuel Supplier Program shall allow any
 295 retail motor fuel outlet doing business in the state to
 296 participate in a network of emergency responders to provide fuel
 297 supplies and services to government agencies, medical
 298 institutions and facilities, critical infrastructure, and other

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299 responders, as well as the general public, before, during, and
300 after a declared disaster as described in s. 252.36(2).

301 (b) Participation in the Florida Disaster Motor Fuel
302 Supplier Program shall be at the option of each county governing
303 body. In counties choosing to participate in the program, the
304 local county emergency management agency shall be primarily
305 responsible for administering the program within that county. In
306 counties that do not choose to participate in the program, the
307 Division of Emergency Management shall have the authority to
308 certify businesses as members of the State Emergency Response
309 Team and issue appropriate signage. Guidelines and
310 administration standards for participating counties shall be
311 recommended by the Division of Emergency Management and the
312 county emergency management agency.

313 (c) Participation in the program shall require
314 certification by the Division of Emergency Management or the
315 county emergency management agency of a retail motor fuel
316 outlet's preparedness to provide emergency services.
317 Requirements for certification shall be established by the
318 Division of Emergency Management or the county emergency
319 management agency no later than July 1, 2007. Businesses that
320 are certified shall be issued a State Emergency Response Team
321 logo for public display to alert emergency responders and the
322 public that the business is capable of assisting in an
323 emergency.

324 (2) At a minimum, businesses that are certified as State
325 Emergency Response Team members must have the onsite capability
326 to provide fuel dispensing services to other State Emergency

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327 Response Team members within 36 hours after a major disaster has
328 occurred, or demonstrate the ability to have such service
329 available, and agree to make such service available as needed.
330 Businesses may choose to sell motor fuel through a preexisting
331 contract with local, state, and federal response agencies or may
332 provide point-of-sale service to such agencies. In addition,
333 businesses may choose to sell motor fuel to the general public
334 or may be directed by county or state emergency management
335 officials to provide such service pursuant to ss. 252.35 and
336 252.38. If requested, appropriate law enforcement security may
337 be provided to the participating business for the purpose of
338 maintaining civil order during operating hours.

339 (3) Persons who are designated as State Emergency Response
340 Team members and who can produce appropriate identification, as
341 determined by state or county emergency management officials,
342 shall be given priority for the purchase of motor fuel at
343 businesses designated as State Emergency Response Team members.
344 Businesses may be directed by county or state emergency
345 management officials to remain open for specified periods during
346 a declared curfew to provide service for emergency management
347 personnel. Under such direction, a business shall not be in
348 violation of the curfew and shall not be penalized for such
349 operation, nor shall emergency management personnel be in
350 violation of such curfew. Persons traveling during periods of a
351 declared curfew shall be required to produce valid official
352 documentation of their position as a State Emergency Response
353 Team member or local emergency response agency staff member or
354 official. Such documentation may include, but is not limited to,

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355 | a current State Emergency Response Team identification badge,
356 | current law enforcement agency identification or shield or the
357 | identification or shield of another emergency response agency,
358 | current health care employee identification card, or current
359 | government services identification card indicating a critical
360 | services position, as applicable.

361 | (4) A retail motor fuel outlet that is designated as State
362 | Emergency Response Team member may request priority
363 | consideration with respect to the resupply of motor fuel in
364 | order to continue to provide fuel and necessary services to
365 | emergency responders. Such request is not binding but shall be
366 | considered by emergency management agencies in determining
367 | appropriate disaster response protocol.

368 | (5) Notwithstanding any other law or local ordinance, to
369 | ensure an appropriate emergency management response to major
370 | disasters in the state, the regulation of and requirements for
371 | the siting and placement of an alternate power source and any
372 | related equipment at motor fuel terminal facilities,
373 | wholesalers, and retail sales outlets shall be exclusively
374 | controlled by the state.

375 | (6) The Florida Energy Office of the Department of
376 | Environmental Protection shall review progress in postdisaster
377 | motor fuel supply distribution and provide a report to the
378 | Speaker of the House of Representatives and the President of the
379 | Senate by March 1, 2007. The report shall include information on
380 | statewide compliance with s. 526.143 and identification of all
381 | retail motor fuel outlets that are participating in the Florida
382 | Disaster Motor Fuel Supplier Program.

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383 Section 4. Section 553.509, Florida Statutes, is amended
384 to read:

385 553.509 Vertical accessibility.--Nothing in sections
386 553.501-553.513 or the guidelines shall be construed to relieve
387 the owner of any building, structure, or facility governed by
388 those sections from the duty to provide vertical accessibility
389 to all levels above and below the occupiable grade level,
390 regardless of whether the guidelines require an elevator to be
391 installed in such building, structure, or facility, except for
392 the areas, rooms, and spaces described in subsections (1), (2),
393 and (3):

394 (1) Elevator pits, elevator penthouses, mechanical rooms,
395 piping or equipment catwalks, and automobile lubrication and
396 maintenance pits and platforms.~~;~~

397 (2) Unoccupiable spaces, such as rooms, enclosed spaces,
398 and storage spaces that are not designed for human occupancy,
399 for public accommodations, or for work areas.~~;~~~~and~~

400 (3) Occupiable spaces and rooms that are not open to the
401 public and that house no more than five persons, including, but
402 not limited to, equipment control rooms and projection booths.

403 (4) (a) Any person, firm, or corporation that owns or
404 operates a residential multifamily dwelling, including a
405 condominium, that is at least 75 feet high and contains a public
406 elevator, as described in s. 399.035(2) and (3) and rules
407 adopted by the Florida Building Commission, shall have at least
408 one public elevator that is capable of operating on an alternate
409 power source for emergency purposes. Alternate power shall be
410 available for the purpose of allowing all residents access for a

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411 specified number of hours each day over a 5-day period following
412 a natural disaster, manmade disaster, emergency, or other civil
413 disturbance that disrupts the normal supply of electricity. The
414 alternate power source that controls elevator operations must
415 also be capable of powering any connected fire alarm system in
416 the building.

417 (b) At a minimum, the elevator must be appropriately
418 prewired and prepared to accept an alternate power source and
419 must have a connection on the line side of the main disconnect,
420 pursuant to National Electric Code Handbook, Article 700. In
421 addition to the required power source for the elevator and
422 connected fire alarm system in the building, the alternate power
423 supply must be sufficient to provide emergency lighting to the
424 lobbies, hallways, and other portions of the building used by
425 the public. Residential multifamily dwellings must have an
426 available generator and fuel source on the property or have
427 proof of a current guaranteed service contract for such
428 equipment and fuel source to operate the elevator on an on-call
429 basis within 24 hours after a request. By December 31, 2006,
430 local building inspectors must provide to the county emergency
431 management agency verification of engineering plans for
432 residential multifamily dwellings that provide for the
433 capability to generate power by alternate means. Compliance with
434 installation requirements and operational capability
435 requirements must be verified by local building inspectors and
436 reported to the county emergency management agency by December
437 31, 2007.

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438 (c) Each newly constructed residential multifamily
439 dwelling, including a condominium, that is at least 75 feet high
440 and contains a public elevator, as described in s. 399.035(2)
441 and (3) and rules adopted by the Florida Building Commission,
442 must have at least one public elevator that is capable of
443 operating on an alternate power source for the purpose of
444 allowing all residents access for a specified number of hours
445 each day over a 5-day period following a natural disaster,
446 manmade disaster, emergency, or other civil disturbance that
447 disrupts the normal supply of electricity. The alternate power
448 source that controls elevator operations must be capable of
449 powering any connected fire alarm system in the building. In
450 addition to the required power source for the elevator and
451 connected fire alarm system, the alternate power supply must be
452 sufficient to provide emergency lighting to the lobbies,
453 hallways, and other portions of the building used by the public.
454 Engineering plans and verification of operational capability
455 must be provided by the local building inspector to the county
456 emergency management agency before occupancy of the newly
457 constructed building.

458 (d) Each person, firm, or corporation that is required to
459 maintain an alternate power source under this subsection shall
460 maintain a written emergency operations plan that details the
461 sequence of operations before, during, and after a natural or
462 manmade disaster or other emergency situation. The plan must
463 include, at a minimum, a life safety plan for evacuation,
464 maintenance of the electrical and lighting supply, and
465 provisions for the health, safety, and welfare of the residents.

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466 In addition, the owner or operator of the residential
467 multifamily dwelling must keep written records of quarterly
468 inspections of life safety equipment and alternate power
469 generation equipment, which confirm that such equipment is
470 properly maintained and in good working condition, and any
471 contracts for alternate power generation equipment. The written
472 emergency operations plan and inspection records shall be open
473 for periodic inspection by local and state government agencies
474 as deemed necessary. The owner or operator must keep a generator
475 key in a lockbox posted at or near any installed generator unit.

476 (e) Multistory affordable residential dwellings for
477 persons age 62 and older that are financed or insured by the
478 United States Department of Housing and Urban Development must
479 make every effort to obtain grant funding from the Federal
480 Government or the Florida Housing Finance Corporation to comply
481 with this subsection. If an owner of such a residential dwelling
482 cannot comply with the requirements of this subsection, the
483 owner must develop a plan with the local emergency management
484 agency to ensure that residents are evacuated to a place of
485 safety in the event of a power outage resulting from a natural
486 or manmade disaster or other emergency situation that disrupts
487 the normal supply of electricity for an extended period of time.
488 A place of safety may include, but is not limited to, relocation
489 to an alternative site within the building or evacuation to a
490 local shelter.

491 (f) As a part of the annual elevator inspection required
492 under s. 399.061, certified inspectors shall confirm that all
493 installed generators required by this chapter are in working

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494 order, that the inspection records are current, and that the
495 required generator key is present in the lockbox posted at or
496 near the installed generator. If a building does not have an
497 installed generator, the inspector shall confirm that the
498 appropriate rewiring and switching capabilities are operational
499 and that a contract for contingent services for alternate power
500 is current for the operating period.

501

502 However, buildings, structures, and facilities must, as a
503 minimum, comply with the requirements in the Americans with
504 Disabilities Act Accessibility Guidelines.

505 Section 5. Paragraph (i) of subsection (2) of section
506 252.35, Florida Statutes, is amended, paragraphs (j) through (v)
507 are renumbered as paragraphs (k) through (w), respectively, and
508 a new paragraph (j) is added to that subsection, to read:

509 252.35 Emergency management powers; Division of Emergency
510 Management.--

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

514 (i) Institute statewide public awareness programs. This
515 shall include an intensive public educational campaign on
516 emergency preparedness issues, including, but not limited to,
517 the personal responsibility of individual citizens to be self-
518 sufficient for up to 72 hours following a natural or manmade
519 disaster. The public educational campaign shall include relevant
520 information on statewide disaster plans, evacuation routes, fuel
521 suppliers, and shelters. All educational materials must be

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522 available in alternative formats and mediums to ensure that they
523 are available to persons with disabilities.

524 (j) The Division of Emergency Management and the
525 Department of Education shall coordinate with the Agency For
526 Persons with Disabilities to provide an educational outreach
527 program on disaster preparedness and readiness to individuals
528 who have limited English skills and identify persons who are in
529 need of assistance but are not defined under special-needs
530 criteria.

531 Section 6. The Legislature finds that county emergency
532 operations centers should meet the minimum criteria for
533 structural survivability and sufficiency of operational space as
534 determined by assessments performed by the Department of
535 Community Affairs based on guidance from the Federal Emergency
536 Management Agency. Criteria for an appropriation for a county
537 emergency operations center include, but are not limited to,
538 county population, hurricane evacuation clearance time for the
539 vulnerable population of the county, structural survivability of
540 the existing emergency operations center, and Federal Emergency
541 Management Agency guidance for workspace requirements for the
542 emergency operations center. First priority for funding shall be
543 given to county emergency operations centers where no survivable
544 facility exists and where workspace deficits exist. Funding
545 provided under this section may not be used for land acquisition
546 or recurring expenditures. Funding is limited to the
547 construction or structural renovation of a county emergency
548 operations center in order to meet national workspace

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549 recommendations and may not be used to purchase equipment,
550 furnishings, communications, or operational systems.

551 Section 7. There is hereby appropriated \$20 million from
552 nonrecurring general revenue and \$8.6 million from the U. S.
553 Contributions Trust Fund to the Department of Community Affairs
554 in fixed capital outlay to provide for the construction or
555 structural renovation of county emergency operations centers.

556 Section 8. There is hereby appropriated \$826,150 from
557 recurring general revenue to the Department of Community
558 Affairs, which includes \$76,150 for the Florida Disaster
559 Supplier Program Council and \$750,000 for the Division of
560 Emergency Management's public awareness campaign.

561 Section 9. This act shall take effect July 1, 2006.