

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

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

Prepared By: The Professional Staff of the Community Affairs Committee

BILL: SB 2202

INTRODUCER: Senator Garcia

SUBJECT: Standards for Emergency Management Officials

DATE: March 27, 2009

REVISED: 03/31/09

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Wolfgang	Yeatman	CA	<b>Fav/1 amendment</b>
2.			MS	
3.			GO	
4.			TA	
5.				
6.				

**Please see Section VIII. for Additional Information:**

- |                              |                                     |   |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input type="checkbox"/>            | Statement of Substantial Changes        |
| B. AMENDMENTS.....           | <input type="checkbox"/>            | Technical amendments were recommended   |
|                              | <input type="checkbox"/>            | Amendments were recommended             |
|                              | <input checked="" type="checkbox"/> | Significant amendments were recommended |

**I. Summary:**

This bill sets standards for the position of division director of the Division of Emergency Management and for county emergency management directors.

This bill substantially amends sections 20.18 and 252.38, and creates section 252.381 of the Florida Statutes.

**II. Present Situation:**

The Division of Emergency Management plans for and responds to both natural and man-made disasters. These range from floods and hurricanes to incidents involving hazardous materials or nuclear power. The division prepares and implements a statewide Comprehensive Emergency Management Plan, and routinely conducts extensive exercises to test state and county emergency response capabilities. The division director is the agency head and is appointed by the Governor.

Each county has an emergency management plan<sup>1</sup> created pursuant to s. 252.35, F.S. Unless part of an interjurisdictional emergency management agreement, each county must establish and maintain an emergency management agency and shall develop an emergency management plan and program that is coordinated and consistent with the state's program.<sup>2</sup> Each county emergency management agency has a director. The director must meet the minimum training and education qualifications established in a job description approved by the county. The director is appointed by the board of county commissioners or the chief administrative officer of the county. The director coordinates emergency management activities, services, and programs within the county and shall serve as liaison to the division and other local emergency management agencies and organizations.

The State of Florida has been directly affected by 7 of the 10 most expensive presidentially declared disasters in history. Florida also ranks 3<sup>rd</sup> in the total number of historically declared disasters with 61 disasters. In a survey by the Division of Emergency Management, 34% of those counties that responded indicated that their county had no specific job requirements for the emergency management director.

### III. Effect of Proposed Changes:

**Section 1** amends s. 20.18, F.S., to require that the director of the Division of Emergency Management have a demonstrated ability in and knowledge of emergency management and homeland security and not less than 5 years of executive leadership and management experience in the public or private sector.

**Section 2** amends s. 252.38, F.S., to state that the director of each county emergency management agency must meet the minimum certification qualifications established under s. 252.381, F.S.

**Section 3** creates s. 252.381, F.S., to set out qualifications for the position of county emergency management director. Each director appointed after July 1, 2009, must:

- have completed either a 2-year degree in emergency management, a 4-year degree from an accredited university, or have at least 4 years of documented work experience as an emergency management professional;
- possess at least 4 years of documented work experience in emergency response, emergency management, or as a first responder;
- not have been convicted or pled nolo contendere to a felony;
- have satisfactorily completed 200 hours of course work in emergency management as established by rule of the division;
- have passed a written examination administered by the division; and
- complete 40 hours of emergency management continuing education every 3 years.

The Division of Emergency Management shall establish by rule the reporting requirements and specifics regarding the examination, eligible courses, continuing education, and training required under the new statutory provisions.

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<sup>1</sup> For a list of county emergency management plans, see [http://www.floridadisaster.org/fl\\_county\\_em.asp](http://www.floridadisaster.org/fl_county_em.asp).

<sup>2</sup> Section 252.38, F.S.

An acting or interim county emergency management director may serve in that capacity for 90 days without being in compliance with the requirements of this section.

**Other Potential Implications:**

Setting minimum requirements for emergency management directors helps to protect the state from natural disasters and other emergencies by helping to ensure that people who hold these positions have knowledge and experience dealing with emergency management issues. This is important for a state like Florida that is particularly vulnerable to hurricanes.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Division of Emergency management will have to promulgate rules and design examinations to implement the new statutory provision. However, according to the Division of Emergency Management this proposed legislation would provide no financial impact on the Division. Local governments may be required to increase the salary for the position of county emergency management director to attract qualified candidates.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

- A. **Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

**Barcode 217498 by Community Affairs on March 31, 2009:**

The amendment deletes the section of the bill that places standards on county emergency management directors. (WITH TITLE AMENDMENT)

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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