

1 A bill to be entitled
 2 An act relating to emergency management; creating s.
 3 252.515, F.S.; providing a short title; providing immunity
 4 from civil liability for providers of temporary housing
 5 and aid to emergency first responders and their immediate
 6 family members following a declared emergency; providing
 7 definitions; providing nonapplicability; authorizing
 8 specified registration with a county emergency management
 9 agency as a provider of housing for emergency first
 10 responders; providing an effective date.

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

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 14 Section 1. Section 252.515, Florida Statutes, is created
 15 to read:

16 252.515 Postdisaster Relief Assistance Act; immunity from
 17 civil liability.-

18 (1) This act may be cited as the "Postdisaster Relief
 19 Assistance Act."

20 (2) Any person who gratuitously and in good faith provides
 21 temporary housing, food, water, or electricity to emergency
 22 first responders or the immediate family members of emergency
 23 first responders in response to an emergency situation related
 24 to and arising out of a public health emergency declared
 25 pursuant to s. 381.00315 or a state of emergency declared
 26 pursuant to s. 252.36, may not be held liable for any civil
 27 damages as a result of providing the temporary housing, food,
 28 water, or electricity unless the person acts in a manner that

29 demonstrates a reckless disregard for the consequences of
 30 another.

31 (3) As used in this section, the term:

32 (a) "Emergency first responder" means:

33 1. A physician licensed under chapter 458.

34 2. An osteopathic physician licensed under chapter 459.

35 3. A chiropractic physician licensed under chapter 460.

36 4. A podiatric physician licensed under chapter 461.

37 5. A dentist licensed under chapter 466.

38 6. An advanced registered nurse practitioner certified
 39 under s. 464.012.

40 7. A physician assistant licensed under s. 458.347 or s.
 41 459.022.

42 8. A worker employed by a public or private hospital in
 43 the state.

44 9. A paramedic as defined in s. 401.23(17).

45 10. An emergency medical technician as defined in s.
 46 401.23(11).

47 11. A firefighter as defined in s. 633.30.

48 12. A law enforcement officer as defined in s. 943.10.

49 13. A member of the Florida National Guard.

50 14. Any other personnel designated as emergency personnel
 51 by the Governor pursuant to a declared emergency.

52 (b) "Immediate family member" means any parent, spouse,
 53 child, or sibling.

54 (4) The immunity provided by this section does not apply
 55 to damages as a result of any act or omission:

56 (a) That occurs more than 6 months after the declaration

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57 of an emergency by the Governor, unless the declared state of
58 emergency is extended by the Governor, in which case the
59 immunity provided by this section continues to apply for the
60 duration of the extension and 6 months thereafter; or

61 (b) That is unrelated to the original declared emergency
62 or any extension thereof.

63 (5) As used in this section, the term "reckless disregard"
64 means such conduct that a reasonable person knew or should have
65 known, at the time such services were provided, would be likely
66 to result in injury so as to affect the life or health of
67 another, taking into account the extent or serious nature of the
68 prevailing circumstances.

69 (6) A person may register with a county emergency
70 management agency as a temporary provider of housing, food,
71 water, or electricity for emergency first responders if the
72 county provides for such registration. A person who has
73 registered with a county emergency management agency as a
74 provider of temporary housing, food, water, or electricity to
75 emergency first responders or the immediate family members of
76 emergency first responders is presumed to have acted in good
77 faith in providing such housing, food, water, or electricity.

78 Section 2. This act shall take effect July 1, 2011.