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1  
2 An act relating to emergency management; creating s.  
3 252.515, F.S.; providing a short title; providing  
4 immunity from civil liability for providers of  
5 temporary housing and aid to emergency first  
6 responders and their immediate family members  
7 following a declared emergency; providing definitions;  
8 providing nonapplicability; authorizing specified  
9 registration with a county emergency management agency  
10 as a provider of housing and aid for emergency first  
11 responders; providing an effective date.  
12

13 Be It Enacted by the Legislature of the State of Florida:  
14

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

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

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

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

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

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

33 (a) "Emergency first responder" means:

34 1. A physician licensed under chapter 458.

35 2. An osteopathic physician licensed under chapter 459.

36 3. A chiropractic physician licensed under chapter 460.

37 4. A podiatric physician licensed under chapter 461.

38 5. A dentist licensed under chapter 466.

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

41 7. A physician assistant licensed under s. 458.347 or s.  
42 459.022.

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

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

46 10. An emergency medical technician as defined in s.  
47 401.23(11).

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

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

50 13. A member of the Florida National Guard.

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

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

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

57 (a) That occurs more than 6 months after the declaration of  
58 the public health emergency pursuant to s. 381.00315 or state of

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59 emergency pursuant to s. 252.36, unless the emergency is  
60 extended as provided in those sections, in which case the  
61 immunity provided by this section continues to apply for the  
62 duration of the extension and 6 months thereafter; or

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

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

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

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