

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 843 Session of 2023

INTRODUCED BY D. MILLER, MIHALEK, BENHAM, SANCHEZ, KINSEY, PISCIOTTANO, GUENST, KULIK, MATZIE, MARKOSEK, VENKAT, McANDREW, GERGELY, SALISBURY, DEASY, GILLEN, INNAMORATO, STRUZZI, MARSHALL, MERCURI, GAYDOS, KAIL, FLEMING, SCIALABBA, KINKEAD, WENTLING, TAKAC, GREEN, OTTEN, MUSTELLO AND HILL-EVANS, APRIL 28, 2023

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, MARCH 19, 2024

AN ACT

1 ~~Amending Title 35 (Health and Safety) of the Pennsylvania~~ <--
2 ~~Consolidated Statutes, in emergency management services,~~
3 ~~providing for counterterrorism planning, preparedness and~~
4 ~~response; in Emergency Management Assistance Compact,~~
5 ~~providing for construction; and making repeals.~~

6 AMENDING TITLE 35 (HEALTH AND SAFETY) OF THE PENNSYLVANIA <--
7 CONSOLIDATED STATUTES, IN EMERGENCY MANAGEMENT SERVICES,
8 PROVIDING FOR COUNTERTERRORISM PLANNING, PREPAREDNESS AND
9 RESPONSE; IN EMERGENCY MANAGEMENT ASSISTANCE COMPACT,
10 PROVIDING FOR CONSTRUCTION; AND MAKING REPEALS.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 ~~Section 1. Title 35 of the Pennsylvania Consolidated~~ <--
14 ~~Statutes is amended by adding a chapter to read:~~

CHAPTER 72

COUNTERTERRORISM PLANNING, PREPAREDNESS AND RESPONSE

Subchapter

A. Preliminary Provisions

B. Counterterrorism Planning, Preparedness and Response



~~task force's specialized regional counterterrorism response team.~~

~~(2) Workers' compensation and death benefits.~~

~~(3) Use of county 911 communications centers, county emergency management agencies or the State emergency operations center.~~

~~(4) Member participation in training exercises, drills and actual activation and deployment.~~

~~"Municipal" or "municipality." A city, borough, incorporated town, township or home rule municipality of this Commonwealth.~~

~~"Mutual aid." A county's, municipality's or volunteer service organization's affirmative act of sending its personnel, equipment or resources to the scene of an actual or potential disaster, whether inside or outside the boundaries of this Commonwealth, in response to an official dispatch request from a county 911 communications center, county emergency management agency or the State emergency operations center.~~

~~"Mutual aid agreement." A written agreement between a regional counterterrorism task force and a county, municipality or volunteer service organization that provides for:~~

~~(1) The county, municipality or volunteer service organization to provide personnel, equipment or other resources in response to an actual or potential disaster.~~

~~(2) Workers' compensation and death benefits.~~

~~(3) Use of county 911 communications centers, county emergency management agencies or the State emergency operations center.~~

~~(4) Member participation in training exercises, drills and actual activation and deployment.~~

~~"NIMS." The National Incident Management System.~~

1 ~~"PEMA." The Pennsylvania Emergency Management Agency.~~  
2 ~~"Regional counterterrorism task force." A complement of~~  
3 ~~Federal, State, county and municipal emergency management,~~  
4 ~~health, law enforcement, public safety and other officials and~~  
5 ~~representatives from volunteer service organizations, private~~  
6 ~~business and industry, hospitals and medical care facilities and~~  
7 ~~other entities within a multicounty area as determined by the~~  
8 ~~agency that is responsible for conducting counterterrorism~~  
9 ~~planning, training preparedness and response activities.~~

10 ~~"Specialized regional counterterrorism response team." As~~  
11 ~~follows:~~

12 ~~(1) A complement of individuals established by a~~  
13 ~~regional counterterrorism task force and organized in~~  
14 ~~accordance with standards developed by the agency and~~  
15 ~~applicable Federal agencies to respond to emergencies~~  
16 ~~involving an actual or potential disaster.~~

17 ~~(2) The term includes a disaster medical assistance team~~  
18 ~~and disaster mortuary response team.~~

19 ~~"Specialized Statewide response team." As follows:~~

20 ~~(1) A complement of individuals organized by the~~  
21 ~~Commonwealth to provide specialized personnel, equipment and~~  
22 ~~other support capabilities in response to an actual or~~  
23 ~~potential disaster in this Commonwealth.~~

24 ~~(2) The term includes a disaster medical assistance team~~  
25 ~~and disaster mortuary response team.~~

26 ~~"Urban search and rescue task force." A multidisciplined~~  
27 ~~complement of individuals organized by the agency in accordance~~  
28 ~~with standards developed by the agency and FEMA to provide~~  
29 ~~emergency response and search and rescue capabilities and~~  
30 ~~resources at the scene of a disaster consistent with NIMS~~

1 ~~guidelines.~~

2 ~~"Volunteer service organization." A volunteer fire company,~~  
3 ~~volunteer ambulance or medical company, volunteer rescue squad~~  
4 ~~or any other volunteer entity organized and chartered or~~  
5 ~~incorporated in this Commonwealth or chartered by the Congress~~  
6 ~~of the United States for the primary purpose of providing~~  
7 ~~emergency services as defined in section 7102 (relating to~~  
8 ~~definitions).~~

9 ~~§ 7203. Joint State Government Commission study.~~

10 ~~(a) Duty. The commission shall conduct a comprehensive~~  
11 ~~study and assessment on the need, readiness and state of~~  
12 ~~operations of Pennsylvania Task Force 1 and the Commonwealth's~~  
13 ~~urban search and rescue capabilities and identify~~  
14 ~~vulnerabilities, gaps in the system and areas of necessary and~~  
15 ~~appropriate improvement.~~

16 ~~(b) Advisory board. The commission shall establish an~~  
17 ~~advisory board to conduct the study under this section. The~~  
18 ~~board shall consist of the following members or their designee:~~

19 ~~(1) The Director of PEMA.~~

20 ~~(2) The Adjutant General.~~

21 ~~(3) The State Fire Commissioner.~~

22 ~~(4) The Commissioner of the Pennsylvania State Police.~~

23 ~~(5) The Secretary of Conservation and Natural Resources.~~

24 ~~(6) The Secretary of Environmental Protection.~~

25 ~~(7) The Secretary of Health.~~

26 ~~(8) The Secretary of Transportation.~~

27 ~~(9) The Executive Director of the Pennsylvania Fish and~~  
28 ~~Boat Commission.~~

29 ~~(10) The Commander of the Pennsylvania Civil Air Patrol.~~

30 ~~(11) The FEMA Region 3 Representative.~~

1           ~~(12) One emergency management coordinator each from~~  
2 ~~western, eastern and central Pennsylvania.~~

3           ~~(13) A representative of the National Emergency Number~~  
4 ~~Association.~~

5           ~~(14) A representative of the Association of Public~~  
6 ~~Safety Communications Officials.~~

7           ~~(15) A representative of the Pennsylvania Association of~~  
8 ~~Hazardous Materials Technicians.~~

9           ~~(16) A representative of the Pennsylvania State~~  
10 ~~Association of Boroughs.~~

11           ~~(17) A representative of the executive board of the~~  
12 ~~Pennsylvania State Association of Township Supervisors.~~

13           ~~(18) A representative of the Municipal League.~~

14           ~~(19) A representative of the Pennsylvania State~~  
15 ~~Association of Township Commissioners.~~

16           ~~(20) The President of Pennsylvania Task Force 1.~~

17           ~~(21) A representative of the Pennsylvania Fire Advisory~~  
18 ~~Board.~~

19           ~~(22) A representative of the Ambulance Association of~~  
20 ~~Pennsylvania.~~

21           ~~(23) Three directors of regional task forces, which task~~  
22 ~~forces must be located in western Pennsylvania, central~~  
23 ~~Pennsylvania and eastern Pennsylvania.~~

24           ~~(24) A representative of the County Commissioners~~  
25 ~~Association of Pennsylvania.~~

26           ~~(c) Conduct and assessment. The commission shall:~~

27           ~~(1) Conduct the study by reviewing the following:~~

28           ~~(i) Strategies developed and utilized by agencies~~  
29 ~~and businesses throughout this Commonwealth for dealing~~  
30 ~~with disaster emergencies under the all hazards~~

1 ~~preparedness standards provided by NIMS.~~

2 ~~(ii) Security measures and response plans in place~~  
3 ~~for critical emergency management and response for~~  
4 ~~infrastructure such as bridges, roads, power stations,~~  
5 ~~airports, dockyards and other critical infrastructure.~~

6 ~~(iii) In consultation with PEMA, the overall~~  
7 ~~emergency response system plan for this Commonwealth in~~  
8 ~~accordance with NIMS standards and guidelines.~~

9 ~~(iv) The level of training required and competency~~  
10 ~~among Pennsylvania Task Force 1 staff, including current~~  
11 ~~operations conducted by Pennsylvania Task Force 1.~~

12 ~~(v) The current capabilities of Pennsylvania Task~~  
13 ~~Force 1 and the Commonwealth's regional task forces~~  
14 ~~related to extraction from damaged or collapsed~~  
15 ~~structures in this Commonwealth.~~

16 ~~(vi) The status of protocols and capabilities of~~  
17 ~~emergency medical services care provided by and to task~~  
18 ~~forces for entrapped survivors, task force personnel and~~  
19 ~~others. The assessment shall include canine search~~  
20 ~~capability, readiness and care.~~

21 ~~(vii) Pennsylvania Task Force 1's reconnaissance~~  
22 ~~capabilities regarding damage assessment, mission~~  
23 ~~readiness and resource needs.~~

24 ~~(viii) PEMA's protocols and communications~~  
25 ~~capabilities between Pennsylvania Task Force 1, this~~  
26 ~~Commonwealth's current regional task forces and local~~  
27 ~~emergency response personnel, such as fire companies, EMS~~  
28 ~~agencies and State and local law enforcement, as well as~~  
29 ~~Federal, State and local governments regarding their~~  
30 ~~emergency operations.~~

1 ~~(ix) The current protocols, capabilities or needs~~  
2 ~~for hazardous material surveys, extraction and cleanup.~~

3 ~~(x) Pennsylvania Task Force 1's and this~~  
4 ~~Commonwealth's regional task forces' capabilities~~  
5 ~~regarding structural stabilization as well as shoring and~~  
6 ~~cribbing operations to damaged buildings.~~

7 ~~(xi) The current protocols and capabilities of~~  
8 ~~Pennsylvania Task Force 1's aquatic and aerial~~  
9 ~~operations.~~

10 ~~(2) Review, assess, inventory and catalog equipment~~  
11 ~~possessed by Pennsylvania Task Force 1 and each other~~  
12 ~~regional task force in this Commonwealth.~~

13 ~~(3) Conduct a monetary assessment to identify and~~  
14 ~~quantify the funding impacts of Pennsylvania Task Force 1 and~~  
15 ~~the regional task force system, as well as the funding impact~~  
16 ~~and needs of creating an additional FEMA Level 1 through 4~~  
17 ~~task force in this Commonwealth.~~

18 ~~(d) Urban search and rescue. The commission shall examine~~  
19 ~~each of the component parts of the urban search and rescue~~  
20 ~~system in this Commonwealth, including Pennsylvania Task Force~~  
21 ~~1, according to the policies and procedures of the National~~  
22 ~~Urban Search and Rescue Response System. The commission shall~~  
23 ~~examine the capability of the current urban search and rescue~~  
24 ~~system in this Commonwealth to meet the challenges that the~~  
25 ~~current system faces.~~

26 ~~(e) Report and recommendations. In developing a report as~~  
27 ~~required under this section, the commission shall identify gaps~~  
28 ~~in the system and develop recommendations to address the gaps.~~  
29 ~~The information shall include the identification of resources~~  
30 ~~necessary to address gaps and shall include the identification~~

~~1 of areas or regions in this Commonwealth that lack resources in  
2 accordance with the policies and procedures of the National  
3 Urban Search and Rescue Response System.~~

~~4 (f) Time. The commission shall submit to the General  
5 Assembly a report of its findings and recommendations by  
6 November 30, 2024.~~

SUBCHAPTER B

COUNTERTERRORISM PLANNING, PREPAREDNESS AND RESPONSE

Sec.

~~10 7211. Counterterrorism planning, preparedness and response  
11 program.~~

~~12 7212. Regional counterterrorism task forces.~~

~~13 7213. Regional counterterrorism response and preparedness.~~

~~14 7214. Urban search and rescue task forces.~~

~~15 7215. Specialized Statewide response teams.~~

~~16 7216. Grant program.~~

~~17 7217. Miscellaneous provisions.~~

~~18 7218. Commonwealth indemnification.~~

~~19 § 7211. Counterterrorism planning, preparedness and response  
20 program.~~

~~21 (a) Coordination and consultation. The agency shall  
22 coordinate and consult with other State agencies, departments  
23 and offices, including the Office of Homeland Security of the  
24 Commonwealth, to establish, develop and maintain a  
25 counterterrorism planning, preparedness and response program to  
26 promote and protect the health, safety and welfare of emergency  
27 responders, public officials and the general public from actual  
28 or potential disasters in this Commonwealth.~~

~~29 (b) Agency responsibilities. The agency shall:~~

~~30 (1) Define the necessary components and composition of~~

~~1 regional counterterrorism task forces and specialized  
2 regional counterterrorism response teams and the respective  
3 regional counterterrorism zones for each, but shall not be  
4 responsible for appointing individual members to the regional  
5 counterterrorism task forces or the specialized regional  
6 counterterrorism response teams.~~

~~7 (2) Provide training and technical assistance for  
8 counterterrorism planning, preparedness and response.~~

~~9 (3) Establish guidelines and policies to coordinate  
10 emergency response activities with Federal, State, county and  
11 municipal emergency management, health, law enforcement,  
12 public safety and other officials and representatives from  
13 volunteer service organizations, private business and  
14 industry, hospitals and medical care facilities and other  
15 entities responsible for the health, safety and welfare of  
16 the residents of this Commonwealth. The agency shall consult  
17 with representatives of the regional counterterrorism task  
18 forces to develop such policies and guidelines necessary to  
19 carry out this chapter.~~

~~20 (4) Require the regional counterterrorism task forces to  
21 prepare counterterrorism emergency response plans or  
22 protocols, readiness evaluation reports or other documents  
23 deemed necessary by the agency.~~

~~24 (5) Provide grants and other funding assistance as  
25 required by this chapter.~~

~~26 (6) Conduct terrorist incident exercises.~~

~~27 (7) Provide technical assistance to regional  
28 counterterrorism task forces in developing and entering into  
29 mutual aid agreements and letters of agreement.~~

~~30 (8) Establish a certification program for specialized~~

~~1 regional counterterrorism response teams that may include  
2 standards for the administration, composition, training and  
3 equipping of the teams.~~

~~4 § 7212. Regional counterterrorism task forces.~~

~~5 (a) Establishment. The agency, in coordination with State,  
6 county and municipal emergency management, health, law  
7 enforcement, public safety and other officials and  
8 representatives from volunteer service organizations, private  
9 business and industry, hospitals and medical care facilities and  
10 other entities responsible for the health, safety and welfare of  
11 the residents of this Commonwealth, shall establish regional  
12 counterterrorism task forces throughout this Commonwealth.~~

~~13 (b) Response plans. A regional counterterrorism task force  
14 shall prepare a counterterrorism preparedness and response plan  
15 in accordance with guidelines developed by the agency. The  
16 agency shall review and approve each plan in a timely manner,  
17 but no later than 90 days after its submission to the agency.  
18 The task force shall review and update the plan on an annual  
19 basis.~~

~~20 (c) Meetings. Regional counterterrorism task force meetings  
21 that are called to discuss sensitive or classified law  
22 enforcement, terrorist threat assessment or other confidential  
23 public and private facility safety information shall not be  
24 deemed a public record subject to disclosure under 65 Pa.C.S.  
25 Ch. 7 (relating to open meetings).~~

~~26 § 7213. Regional counterterrorism response and preparedness.~~

~~27 (a) Specialized regional counterterrorism response teams. A  
28 regional counterterrorism task force shall establish specialized  
29 regional counterterrorism response teams.~~

~~30 (b) Regional counterterrorism response zones. The agency~~

~~1 shall establish primary and secondary regional response zones  
2 within this Commonwealth for specialized regional  
3 counterterrorism response teams. The regional response zones may  
4 consist of multiple counties or portions of several adjoining  
5 counties as determined by the agency.~~

~~6 (c) Activation and deployment. A specialized regional  
7 counterterrorism response team may be activated and deployed by  
8 the Governor, the Governor's designee or an official designated  
9 by the appropriate regional counterterrorism task force.~~

~~10 § 7214. Urban search and rescue task forces.~~

~~11 (a) Establishment. In addition to any urban search and  
12 rescue task force established by the Federal Government, the  
13 agency shall establish urban search and rescue task forces,  
14 including:~~

~~15 (1) No more than one urban search and rescue task force  
16 that:~~

~~17 (i) is organized by the Commonwealth within each  
18 regional counterterrorism task force; and~~

~~19 (ii) provides comprehensive urban search and rescue  
20 services to all areas of this Commonwealth as deemed  
21 necessary by the agency.~~

~~22 (2) At least one urban search and rescue task force  
23 that:~~

~~24 (i) is organized by the Commonwealth within a  
25 regional counterterrorism task force covering a county of  
26 the second class; and~~

~~27 (ii) no later than January 1, 2026, meets or exceeds  
28 the minimum requirements of a Type 3 urban search and  
29 rescue task force as designated by FEMA in the NIMS  
30 guidelines, as certified by the agency.~~

1 ~~(b) Support. The task forces shall also provide~~  
2 ~~professional, logistical, material and other forms of support to~~  
3 ~~regional counterterrorism task forces and specialized regional~~  
4 ~~counterterrorism response teams.~~

5 ~~(c) Organization. An urban search and rescue task force~~  
6 ~~shall be organized in accordance with guidelines developed by~~  
7 ~~the agency in coordination with FEMA and members of the task~~  
8 ~~force.~~

9 ~~(d) Responsibilities. An urban search and rescue task force~~  
10 ~~shall respond to actual or potential disasters in this~~  
11 ~~Commonwealth and shall also perform search and rescue functions~~  
12 ~~as delineated in The Robert T. Stafford Disaster Relief and~~  
13 ~~Emergency Assistance Act (Public Law 93-288, 42 U.S.C. § 5121 et~~  
14 ~~seq.), the Federal Response Plan or its successor, Emergency~~  
15 ~~Management Assistance Compact missions under Chapter 76~~  
16 ~~(relating to Emergency Management Assistance Compact), as~~  
17 ~~requested, and the counterterrorism preparedness and response~~  
18 ~~plans created in accordance with this chapter.~~

19 ~~(e) Activation and deployment.~~

20 ~~(1) An urban search and rescue task force or any of its~~  
21 ~~components, subgroups or regional elements may only be~~  
22 ~~activated and deployed to the scene of a disaster by either:~~

23 ~~(i) the Governor or the Governor's designee; or~~

24 ~~(ii) the President of the United States or a FEMA-~~  
25 ~~designated official.~~

26 ~~(2) During an activation and deployment by the Governor,~~  
27 ~~the administrative and operational costs of the task force,~~  
28 ~~its individual members and their employers, State agencies~~  
29 ~~and other parties shall be paid under the Governor's~~  
30 ~~declaration of disaster emergency, including paying or~~

~~reimbursing any parties for workers' compensation and death benefits in the event of injury or death of an urban search and rescue task force member.~~

~~(f) Workers' compensation and death benefits. A member of an urban search and rescue task force shall be eligible to receive workers' compensation and death benefits in the event of injury or death that occurs during the period of activation or deployment.~~

~~(g) Funding, grants and donations.~~

~~(1) In addition to money that is provided to a task force under section 7216 (relating to grant program) or the authority of section 1508 of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, the urban search and rescue task force may be eligible to receive grants, donations of equipment and supplies and other funds from any source.~~

~~(2) As an agent of the Commonwealth, an urban search and rescue task force or regional counterterrorism task force is entitled to tax exempt status from the Federal Government.~~

~~(3) Beginning fiscal year 2024-2025 and each year thereafter through fiscal year 2027-2028, \$6,000,000 of the amount appropriated to the Department of Community and Economic Development for local municipal emergency relief shall be allocated to the agency as follows:~~

~~(i) Thirty three percent of the allocation shall be distributed annually to support nonfederal missions within this Commonwealth that are performed by an urban search and rescue task force established within this Commonwealth by the Federal Government.~~

~~(ii) Thirty three percent of the allocation shall be~~

~~distributed annually among the urban search and rescue task forces established under subsection (a) (1), at the discretion of the agency, based on an assessment of the needs of the Commonwealth.~~

~~(iii) Thirty three percent of the allocation shall be distributed annually to the urban search and rescue task force established under subsection (a) (2).~~

~~(iv) One percent of the allocation shall be retained by the agency for administrative costs.~~

~~§ 7215. Specialized Statewide response teams.~~

~~(a) Establishment. The Commonwealth may establish one or more specialized Statewide response teams. These specialized statewide response teams shall also provide professional, logistical, material and other forms of support to the regional counterterrorism task forces and specialized regional counterterrorism response teams organized in this Commonwealth. The Commonwealth may enter into an agreement with a One Call System as defined in the act of December 10, 1974 (P.L.852, No.287), referred to as the Underground Utility Line Protection Law, for the provision of specialized communications services.~~

~~(b) Organization and responsibilities. Specialized Statewide response teams shall be organized in accordance with guidelines developed by the Commonwealth in consultation with applicable Federal or State agencies.~~

~~(c) Activation. Specialized Statewide response teams may only be activated and deployed to the scene of a disaster by the Governor, the Governor's designee or an official designated by the appropriate regional counterterrorism task force.~~

~~§ 7216. Grant program.~~

~~(a) Authorization. The agency may make grants to regional~~

~~1 counterterrorism task forces, specialized regional  
2 counterterrorism response teams, specialized Statewide response  
3 teams and urban search and rescue task forces to assist them in  
4 carrying out this chapter, including entering into letters of  
5 agreement or mutual aid agreements or providing mutual aid.~~

~~6 (b) Grants and funding. Regional counterterrorism task  
7 forces, specialized regional counterterrorism response teams,  
8 specialized Statewide response teams and urban search and rescue  
9 task forces may receive grants and funding from the Federal  
10 Government and the Commonwealth through application to the  
11 agency or other entity providing grants or funding for the  
12 purposes of this chapter.~~

~~13 (c) Limitation. Grants shall only be made by the agency to  
14 the extent that funding is available.~~

~~15 § 7217. Miscellaneous provisions.~~

~~16 (a) Immunity from liability. The provisions of 42 Pa.C.S. §  
17 8331 (relating to medical good Samaritan civil immunity), 8332  
18 (relating to emergency response provider and bystander good  
19 Samaritan civil immunity) or 8332.4 (relating to volunteer in  
20 public service negligence standard) shall apply to a member of a  
21 specialized regional counterterrorism response team, an urban  
22 search and rescue task force or a specialized Statewide response  
23 team and an individual who provides logistical, material or  
24 other forms of emergency response support to a team or task  
25 force during activation or deployment of a team or task force to  
26 a potential or actual disaster or while engaged in a task force  
27 or team drill or training exercise.~~

~~28 (b) Effect on workers' compensation premiums. Nothing in  
29 this chapter shall be construed to permit an insurer to raise  
30 workers' compensation premiums due to the participation or~~

~~1 membership of a county, municipality, volunteer service~~  
~~2 organization, individual or employer on a regional~~  
~~3 counterterrorism task force, specialized regional~~  
~~4 counterterrorism response team, specialized Statewide response~~  
~~5 team or urban search and rescue task force.~~

~~6 § 7218. Commonwealth indemnification.~~

~~7 The Commonwealth shall indemnify a county or municipality for~~  
~~8 costs related to damaged county or municipal property that~~  
~~9 results from participation in a regional counterterrorism task~~  
~~10 force, specialized regional counterterrorism response team or~~  
~~11 specialized Statewide response team response only when all of~~  
~~12 the following conditions are met:~~

~~13 (1) The county or municipality is responding upon~~  
~~14 activation or deployment by the Governor.~~

~~15 (2) The damage to county or municipal property occurs~~  
~~16 outside of the primary regional counterterrorism response~~  
~~17 zone.~~

~~18 (3) The county's or municipality's insurance does not~~  
~~19 cover the property damage.~~

~~20 (4) The property damage was not caused by the willful~~  
~~21 misconduct of the county or municipality or any of its~~  
~~22 employees or agents.~~

~~23 Section 2. Title 35 is amended by adding a section to read:~~  
~~24 § 7605. Construction.~~

~~25 For purposes of Article VI of the compact, "officers or~~  
~~26 employees of a party state" shall be construed to include urban~~  
~~27 search and rescue task forces as defined in section 7202~~  
~~28 (relating to definitions) that are assets of the Federal~~  
~~29 Emergency Management Agency or Pennsylvania Emergency Management~~  
~~30 Agency and the components, subgroups and regional elements of~~

1 ~~the task forces based in this Commonwealth.~~

2 ~~Section 3. Repeals are as follows:~~

3 ~~(1) The General Assembly finds that the repeals under~~  
4 ~~paragraphs (2) and (3) are necessary to effectuate the~~  
5 ~~addition of 35 Pa.C.S. Ch. 72.~~

6 ~~(2) The definitions, excluding the definitions of~~  
7 ~~"department" and "local health department," in section 102 of~~  
8 ~~the act of December 16, 2002 (P.L.1967, No.227), known as the~~  
9 ~~Counterterrorism Planning, Preparedness and Response Act, are~~  
10 ~~repealed.~~

11 ~~(3) Chapter 2 of the Counterterrorism Planning,~~  
12 ~~Preparedness and Response Act, is repealed.~~

13 ~~Section 4. The addition of 35 Pa.C.S. Ch. 72 is a~~  
14 ~~continuation of Chapter 2 of the act of December 16, 2002~~  
15 ~~(P.L.1967, No.227), known as the Counterterrorism Planning,~~  
16 ~~Preparedness and Response Act. The following apply:~~

17 ~~(1) Except as otherwise provided in 35 Pa.C.S. Ch. 72,~~  
18 ~~all activities initiated under Chapter 2 of the~~  
19 ~~Counterterrorism Planning, Preparedness and Response Act,~~  
20 ~~shall continue and remain in full force and effect and may be~~  
21 ~~completed under 35 Pa.C.S. Ch. 72. Orders, regulations, rules~~  
22 ~~and decisions which were made under Chapter 2 of the~~  
23 ~~Counterterrorism Planning, Preparedness and Response Act and~~  
24 ~~which are in effect on the effective date of this section~~  
25 ~~shall remain in full force and effect until revoked, vacated~~  
26 ~~or modified under 35 Pa.C.S. Ch. 72. Contracts, obligations~~  
27 ~~and collective bargaining agreements entered into under~~  
28 ~~Chapter 2 of the Counterterrorism Planning, Preparedness and~~  
29 ~~Response Act are not affected nor impaired by the repeal of~~  
30 ~~Chapter 2 of the Counterterrorism Planning, Preparedness and~~

1 ~~Response Act.~~

2 ~~(2) Except as specified in paragraph (3), any difference~~  
3 ~~in language between 35 Pa.C.S. Ch. 72 and Chapter 2 of the~~  
4 ~~Counterterrorism Planning, Preparedness and Response Act is~~  
5 ~~intended only to conform to the style of the Pennsylvania~~  
6 ~~Consolidated Statutes and is not intended to change or affect~~  
7 ~~the legislative intent, judicial construction or~~  
8 ~~administration and implementation of Chapter 2 of the~~  
9 ~~Counterterrorism Planning, Preparedness and Response Act.~~

10 ~~(3) Paragraph (2) does not apply to the addition of the~~  
11 ~~following provisions:~~

12 ~~(i) The definitions of "disaster mortuary response~~  
13 ~~team," "NIMS" and "urban search and rescue task force" in~~  
14 ~~35 Pa.C.S. § 7202.~~

15 ~~(ii) 35 Pa.C.S. § 7212(b).~~

16 ~~(iii) 35 Pa.C.S. § 7214(a), (b), (d) and (g).~~

17 ~~(iv) 35 Pa.C.S. § 7215(c).~~

18 ~~Section 5. This act shall take effect in 60 days.~~

19 SECTION 1. TITLE 35 OF THE PENNSYLVANIA CONSOLIDATED

<--

20 STATUTES IS AMENDED BY ADDING A CHAPTER TO READ:

21 CHAPTER 72

22 COUNTERTERRORISM PLANNING, PREPAREDNESS AND RESPONSE

23 SUBCHAPTER

24 A. PRELIMINARY PROVISIONS

25 B. COUNTERTERRORISM PLANNING, PREPAREDNESS AND RESPONSE

26 SUBCHAPTER A

27 PRELIMINARY PROVISIONS

28 SEC.

29 7201. SCOPE OF CHAPTER.

30 7202. DEFINITIONS.

1 7203. JOINT STATE GOVERNMENT COMMISSION STUDY.

2 § 7201. SCOPE OF CHAPTER.

3 THIS CHAPTER RELATES TO COUNTERTERRORISM PLANNING,  
4 PREPAREDNESS AND RESPONSE.

5 § 7202. DEFINITIONS.

6 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER  
7 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
8 CONTEXT CLEARLY INDICATES OTHERWISE:

9 "COMMISSION." THE JOINT STATE GOVERNMENT COMMISSION.

10 "DISASTER MEDICAL ASSISTANCE TEAM." A COMPLEMENT OF  
11 INDIVIDUALS ORGANIZED IN ACCORDANCE WITH STANDARDS DEVELOPED BY  
12 THE AGENCY AND APPLICABLE FEDERAL AGENCIES TO PROVIDE MEDICAL  
13 SERVICE AT THE SCENE OF DISASTERS AND MASS CASUALTY INCIDENTS.

14 "DISASTER MORTUARY RESPONSE TEAM." A COMPLEMENT OF  
15 INDIVIDUALS ORGANIZED IN ACCORDANCE WITH STANDARDS DEVELOPED BY  
16 THE AGENCY AND APPLICABLE FEDERAL AGENCIES TO PROVIDE MORTUARY  
17 SERVICE AT THE SCENE OF DISASTERS AND MASS CASUALTY INCIDENTS.

18 "FEMA." THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

19 "LETTER OF AGREEMENT." A WRITTEN AGREEMENT BETWEEN A  
20 REGIONAL COUNTERTERRORISM TASK FORCE AND A PUBLIC, SEMIPUBLIC,  
21 PRIVATE OR NONPROFIT CORPORATION, BUSINESS, ASSOCIATION,  
22 PARTNERSHIP, AUTHORITY, INDIVIDUAL OR OTHER ENTITY THAT PROVIDES  
23 FOR:

24 (1) PERSONNEL, EQUIPMENT, SUPPLIES, TRAINING FACILITIES  
25 OR OTHER RESOURCES EITHER DIRECTLY TO OR IN SUPPORT OF THE  
26 TASK FORCE'S SPECIALIZED REGIONAL COUNTERTERRORISM RESPONSE  
27 TEAM.

28 (2) WORKERS' COMPENSATION AND DEATH BENEFITS.

29 (3) MEMBER PARTICIPATION IN TRAINING EXERCISES, DRILLS  
30 AND ACTUAL ACTIVATION AND DEPLOYMENT.

1 "MUNICIPAL" OR "MUNICIPALITY." A CITY, BOROUGH, INCORPORATED  
2 TOWN, TOWNSHIP OR HOME RULE MUNICIPALITY OF THIS COMMONWEALTH.

3 "MUTUAL AID." A COUNTY'S, MUNICIPALITY'S OR VOLUNTEER  
4 SERVICE ORGANIZATION'S AFFIRMATIVE ACT OF SENDING ITS PERSONNEL,  
5 EQUIPMENT OR RESOURCES TO THE SCENE OF AN ACTUAL OR POTENTIAL  
6 DISASTER, WHETHER INSIDE OR OUTSIDE THE BOUNDARIES OF THIS  
7 COMMONWEALTH, IN RESPONSE TO AN OFFICIAL DISPATCH REQUEST FROM A  
8 COUNTY 911 COMMUNICATIONS CENTER, COUNTY EMERGENCY MANAGEMENT  
9 AGENCY OR THE STATE EMERGENCY OPERATIONS CENTER.

10 "MUTUAL AID AGREEMENT." A WRITTEN AGREEMENT BETWEEN A  
11 REGIONAL COUNTERTERRORISM TASK FORCE AND A COUNTY, MUNICIPALITY  
12 OR VOLUNTEER SERVICE ORGANIZATION THAT PROVIDES FOR:

13 (1) THE COUNTY, MUNICIPALITY OR VOLUNTEER SERVICE  
14 ORGANIZATION TO PROVIDE PERSONNEL, EQUIPMENT OR OTHER  
15 RESOURCES IN RESPONSE TO AN ACTUAL OR POTENTIAL DISASTER.

16 (2) WORKERS' COMPENSATION AND DEATH BENEFITS.

17 (3) MEMBER PARTICIPATION IN TRAINING EXERCISES, DRILLS  
18 AND ACTUAL ACTIVATION AND DEPLOYMENT.

19 "NIMS." THE NATIONAL INCIDENT MANAGEMENT SYSTEM.

20 "PEMA." THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY.

21 "REGIONAL COUNTERTERRORISM TASK FORCE." A COMPLEMENT OF  
22 FEDERAL, STATE, COUNTY AND MUNICIPAL EMERGENCY MANAGEMENT,  
23 HEALTH, LAW ENFORCEMENT, PUBLIC SAFETY AND OTHER OFFICIALS AND  
24 REPRESENTATIVES FROM VOLUNTEER SERVICE ORGANIZATIONS, PRIVATE  
25 BUSINESS AND INDUSTRY, HOSPITALS AND MEDICAL CARE FACILITIES AND  
26 OTHER ENTITIES WITHIN A MULTICOUNTY AREA AS DETERMINED BY THE  
27 AGENCY THAT IS RESPONSIBLE FOR CONDUCTING COUNTERTERRORISM  
28 PLANNING, TRAINING PREPAREDNESS AND RESPONSE ACTIVITIES.

29 "SPECIALIZED REGIONAL COUNTERTERRORISM RESPONSE TEAM." AS  
30 FOLLOWS:

1           (1) A COMPLEMENT OF INDIVIDUALS ESTABLISHED BY A  
2           REGIONAL COUNTERTERRORISM TASK FORCE AND ORGANIZED IN  
3           ACCORDANCE WITH STANDARDS DEVELOPED BY THE AGENCY IN  
4           ACCORDANCE WITH APPLICABLE FEDERAL OR STATE GUIDELINES TO  
5           RESPOND TO EMERGENCIES INVOLVING AN ACTUAL OR POTENTIAL  
6           DISASTER.

7           (2) THE TERM INCLUDES A DISASTER MEDICAL ASSISTANCE TEAM  
8           AND DISASTER MORTUARY RESPONSE TEAM.

9           "SPECIALIZED STATEWIDE RESPONSE TEAM." AS FOLLOWS:

10           (1) A COMPLEMENT OF INDIVIDUALS ORGANIZED BY THE  
11           COMMONWEALTH TO PROVIDE SPECIALIZED PERSONNEL, EQUIPMENT AND  
12           OTHER SUPPORT CAPABILITIES IN RESPONSE TO AN ACTUAL OR  
13           POTENTIAL DISASTER IN THIS COMMONWEALTH.

14           (2) THE TERM INCLUDES A DISASTER MEDICAL ASSISTANCE TEAM  
15           AND DISASTER MORTUARY RESPONSE TEAM.

16           "SPONSORING AGENCY." A MUNICIPALITY, COUNTY OR VOLUNTEER  
17           SERVICE ORGANIZATION THAT HAS AN AGREEMENT WITH THE AGENCY TO BE  
18           THE SPONSOR OF AN URBAN SEARCH AND RESCUE RESPONSE TEAM OR  
19           SPECIALIZED REGIONAL COUNTERTERRORISM RESPONSE TEAM.

20           "URBAN SEARCH AND RESCUE RESPONSE TEAM." A MULTIDISCIPLINED  
21           COMPLEMENT OF INDIVIDUALS ORGANIZED BY THE AGENCY IN ACCORDANCE  
22           WITH STANDARDS DEVELOPED BY THE AGENCY AND FEMA, CONSISTENT WITH  
23           NIMS GUIDELINES, TO PROVIDE EMERGENCY RESPONSE AND SEARCH AND  
24           RESCUE CAPABILITIES AND RESOURCES AT THE SCENE OF A DISASTER.

25           "VOLUNTEER SERVICE ORGANIZATION." A VOLUNTEER FIRE COMPANY,  
26           VOLUNTEER AMBULANCE OR MEDICAL COMPANY, VOLUNTEER RESCUE SQUAD  
27           OR ANY OTHER VOLUNTEER ENTITY ORGANIZED AND CHARTERED OR  
28           INCORPORATED IN THIS COMMONWEALTH OR CHARTERED BY THE CONGRESS  
29           OF THE UNITED STATES FOR THE PRIMARY PURPOSE OF PROVIDING  
30           EMERGENCY SERVICES AS DEFINED IN SECTION 7102 (RELATING TO

1 DEFINITIONS).

2 § 7203. JOINT STATE GOVERNMENT COMMISSION STUDY.

3 (A) DUTY.--THE COMMISSION SHALL CONDUCT A COMPREHENSIVE  
4 STUDY AND ASSESSMENT OF THE COMMONWEALTH'S URBAN SEARCH AND  
5 RESCUE CAPABILITIES.

6 (B) ADVISORY BOARD.--THE COMMISSION SHALL ESTABLISH AN  
7 ADVISORY BOARD TO CONDUCT THE STUDY UNDER THIS SECTION. THE  
8 BOARD SHALL CONSIST OF THE FOLLOWING MEMBERS OR THEIR DESIGNEE:

9 (1) THE DIRECTOR OF PEMA.

10 (2) THE ADJUTANT GENERAL.

11 (3) THE STATE FIRE COMMISSIONER.

12 (4) THE COMMISSIONER OF PENNSYLVANIA STATE POLICE.

13 (5) THE SECRETARY OF CONSERVATION AND NATURAL RESOURCES.

14 (6) THE SECRETARY OF ENVIRONMENTAL PROTECTION.

15 (7) THE SECRETARY OF HEALTH.

16 (8) THE SECRETARY OF TRANSPORTATION.

17 (9) THE EXECUTIVE DIRECTOR OF THE PENNSYLVANIA FISH AND  
18 BOAT COMMISSION.

19 (10) THE COMMANDER OF THE PENNSYLVANIA CIVIL AIR PATROL.

20 (11) THE FEMA REGION 3 ADMINISTRATOR OR A DESIGNEE.

21 (12) THE PRESIDENT, OR A DESIGNEE OF THE PRESIDENT, OF  
22 THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS IN A FIRE  
23 COMPANY IN A CITY THAT IS A SPONSORING AGENCY UNDER SECTION  
24 7386(A)(1)(V)(A) (RELATING TO STATE FIRE ADVISORY BOARD).

25 (13) THE PRESIDENT, OR A DESIGNEE OF THE PRESIDENT, OF  
26 THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS IN A FIRE  
27 COMPANY IN A CITY OF THE FIRST CLASS.

28 (14) ONE EMERGENCY MANAGEMENT COORDINATOR EACH FROM  
29 WESTERN, EASTERN AND CENTRAL PENNSYLVANIA.

30 (15) A REPRESENTATIVE OF THE PENNSYLVANIA ASSOCIATION OF

1 HAZARDOUS MATERIALS TECHNICIANS.

2 (16) A REPRESENTATIVE OF THE PENNSYLVANIA STATE  
3 ASSOCIATION OF BOROUGHES.

4 (17) A REPRESENTATIVE OF THE EXECUTIVE BOARD OF THE  
5 PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP SUPERVISORS.

6 (18) A REPRESENTATIVE OF THE MUNICIPAL LEAGUE.

7 (19) A REPRESENTATIVE OF THE EXECUTIVE BOARD OF THE  
8 PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP COMMISSIONERS.

9 (20) THE SPONSORING AGENCY CHIEF OR A DESIGNEE OF  
10 PENNSYLVANIA TASK FORCE 1.

11 (21) A REPRESENTATIVE OF THE PENNSYLVANIA FIRE ADVISORY  
12 BOARD.

13 (22) A REPRESENTATIVE OF THE PENNSYLVANIA CAREER FIRE  
14 CHIEFS ASSOCIATION.

15 (23) A REPRESENTATIVE OF THE PENNSYLVANIA FIRE AND  
16 EMERGENCY SERVICES INSTITUTE.

17 (24) A REPRESENTATIVE OF THE AMBULANCE ASSOCIATION OF  
18 PENNSYLVANIA.

19 (25) THE EXECUTIVE BOARD CHAIRPERSON OR A DESIGNEE OF  
20 EACH OF THE REGIONAL TASK FORCES.

21 (26) A REPRESENTATIVE OF THE COUNTY COMMISSIONERS  
22 ASSOCIATION OF PENNSYLVANIA.

23 (27) THE PRESIDENT, OR A DESIGNEE OF THE PRESIDENT, FROM  
24 THE PENNSYLVANIA PROFESSIONAL FIREFIGHTERS ASSOCIATION.

25 (C) CONDUCT AND ASSESSMENT.--THE COMMISSION SHALL:

26 (1) CONDUCT THE STUDY BY REVIEWING THE FOLLOWING:

27 (I) IN CONSULTATION WITH PEMA, THE OVERALL EMERGENCY  
28 RESPONSE SYSTEM PLAN FOR THIS COMMONWEALTH IN ACCORDANCE  
29 WITH NIMS STANDARDS AND GUIDELINES.

30 (II) THE CURRENT CAPABILITIES OF PENNSYLVANIA TASK

1 FORCE 1, THE PENNSYLVANIA NATIONAL GUARD CBRN ENHANCED  
2 RESPONSE FORCE PACKAGE (CERF-P) AND CIVIL SUPPORT TEAM  
3 (CST) AND THE COMMONWEALTH'S REGIONAL TASK FORCES RELATED  
4 TO EXTRACTION FROM DAMAGED OR COLLAPSED STRUCTURES IN  
5 THIS COMMONWEALTH.

6 (III) THE STATUS OF PROTOCOLS AND CAPABILITIES OF  
7 EMERGENCY MEDICAL SERVICES CARE PROVIDED BY AND TO URBAN  
8 RESCUE AND RESPONSE TEAMS FOR ENTRAPPED SURVIVORS, URBAN  
9 RESCUE AND RESPONSE TEAM PERSONNEL AND OTHERS. THE  
10 ASSESSMENT SHALL INCLUDE PHYSICAL, VISUAL AND AUDIO  
11 SEARCH CAPABILITIES.

12 (IV) THE RECONNAISSANCE CAPABILITIES OF PENNSYLVANIA  
13 TASK FORCE 1, THE PENNSYLVANIA NATIONAL GUARD CBRN  
14 ENHANCED RESPONSE FORCE PACKAGE (CERF-P) AND CIVIL  
15 SUPPORT TEAM (CST) AND THE COMMONWEALTH'S REGIONAL TASK  
16 FORCES REGARDING DAMAGE ASSESSMENT, MISSION READINESS AND  
17 RESOURCE NEEDS.

18 (V) PEMA'S PROTOCOLS AND COMMUNICATIONS CAPABILITIES  
19 AMONG PENNSYLVANIA TASK FORCE 1, THIS COMMONWEALTH'S  
20 REGIONAL TASK FORCES AND LOCAL EMERGENCY RESPONSE  
21 PERSONNEL, SUCH AS FIRE COMPANIES, EMS AGENCIES AND STATE  
22 AND LOCAL LAW ENFORCEMENT, AS WELL AS FEDERAL, STATE AND  
23 LOCAL GOVERNMENTS REGARDING THEIR EMERGENCY OPERATIONS.

24 (VI) THE CURRENT PROTOCOLS, CAPABILITIES OR NEEDS  
25 FOR HAZARDOUS MATERIAL SURVEYS, EXTRACTION AND CLEANUP.

26 (VII) THE CAPABILITIES REGARDING STRUCTURAL  
27 STABILIZATION AS WELL AS SHORING AND CRIBBING OPERATIONS  
28 TO DAMAGED BUILDINGS OF PENNSYLVANIA TASK FORCE 1, THE  
29 PENNSYLVANIA NATIONAL GUARD CBRN ENHANCED RESPONSE FORCE  
30 PACKAGE (CERF-P) AND CIVIL SUPPORT TEAM (CST) AND THIS

1 COMMONWEALTH'S REGIONAL TASK FORCES.

2 (2) REVIEW, ASSESS, INVENTORY AND CATALOG URBAN SEARCH  
3 AND RESCUE EQUIPMENT POSSESSED BY PENNSYLVANIA TASK FORCE 1,  
4 THE PENNSYLVANIA NATIONAL GUARD CBRN ENHANCED RESPONSE FORCE  
5 PACKAGE (CERF-P) AND EACH URBAN SEARCH AND RESCUE TEAM OF A  
6 REGIONAL TASK FORCE IN THIS COMMONWEALTH.

7 (3) CONDUCT A MONETARY ASSESSMENT TO IDENTIFY AND  
8 QUANTIFY EXISTING FEDERAL, STATE AND LOCAL FUNDING RESOURCES  
9 AND THE FUNDING IMPACTS OF PENNSYLVANIA TASK FORCE 1 AND THE  
10 REGIONAL TASK FORCE SYSTEM, AS WELL AS THE SHORT-TERM AND  
11 LONG-TERM FUNDING IMPACT OF CREATING AN ADDITIONAL NIMS-TYPED  
12 URBAN SEARCH AND RESCUE RESOURCE IN THIS COMMONWEALTH.

13 (D) URBAN SEARCH AND RESCUE.--THE COMMISSION SHALL EXAMINE  
14 EACH OF THE COMPONENT PARTS OF THE URBAN SEARCH AND RESCUE  
15 SYSTEM IN THIS COMMONWEALTH, INCLUDING PENNSYLVANIA TASK FORCE  
16 1, THE NATIONAL GUARD CBRN ENHANCED RESPONSE FORCE PACKAGE  
17 (CERF-P) AND REGIONAL TASK FORCE URBAN SEARCH AND RESCUE AND  
18 SPECIALIZED REGIONAL COUNTERTERRORISM RESPONSE TEAMS, ACCORDING  
19 TO THE APPLICABLE STANDARD-SETTING ORGANIZATIONS OF EACH  
20 RESPECTIVE TEAM, INCLUDING, BUT NOT LIMITED TO, THE NATIONAL  
21 URBAN SEARCH AND RESCUE RESPONSE SYSTEM, THE NATIONAL FIRE  
22 PROTECTION ASSOCIATION (NFPA) AND STANDARDS DEVELOPED BY THE  
23 NATIONAL GUARD BUREAU. THE COMMISSION SHALL EXAMINE THE  
24 CAPABILITY OF THE CURRENT URBAN SEARCH AND RESCUE SYSTEM IN THIS  
25 COMMONWEALTH TO PROVIDE THE NEEDED CAPABILITIES IN ACCORDANCE  
26 WITH THE COMMONWEALTH'S CURRENT HAZARD/RISK PROFILE AND THE  
27 CAPABILITIES IDENTIFIED IN EACH REGIONAL TASK FORCE THREAT AND  
28 HAZARD IDENTIFICATION AND RISK ASSESSMENT (THIRA).

29 (E) REPORT AND RECOMMENDATIONS.--IN DEVELOPING A REPORT AS  
30 REQUIRED UNDER THIS SECTION, THE COMMISSION SHALL IDENTIFY GAPS

1 IN THE SYSTEM AND DEVELOP RECOMMENDATIONS TO ADDRESS THE GAPS.  
2 THE INFORMATION SHALL INCLUDE THE IDENTIFICATION OF RESOURCES  
3 NECESSARY TO ADDRESS GAPS AND SHALL INCLUDE THE IDENTIFICATION  
4 OF AREAS OR REGIONS IN THIS COMMONWEALTH THAT LACK RESOURCES TO  
5 RESPOND TO EMERGENCIES REQUIRING URBAN SEARCH AND RESCUE  
6 CAPABILITY IN ACCORDANCE WITH THEIR HAZARD PROFILE IDENTIFIED IN  
7 THE REGIONAL TASK FORCE THREAT AND HAZARD IDENTIFICATION AND  
8 RISK ASSESSMENT (THIRA).

9 (F) TIME.--THE COMMISSION SHALL SUBMIT TO THE GENERAL  
10 ASSEMBLY A REPORT OF ITS FINDINGS AND RECOMMENDATIONS BY  
11 NOVEMBER 30, 2024, OR 180 DAYS AFTER THE EFFECTIVE DATE OF THIS  
12 SUBSECTION, WHICHEVER IS LATER.

13 SUBCHAPTER B

14 COUNTERTERRORISM PLANNING, PREPAREDNESS AND RESPONSE  
15 SEC.

16 7211. COUNTERTERRORISM PLANNING, PREPAREDNESS AND RESPONSE  
17 PROGRAM.

18 7212. REGIONAL COUNTERTERRORISM TASK FORCES.

19 7213. REGIONAL COUNTERTERRORISM RESPONSE AND PREPAREDNESS.

20 7214. URBAN SEARCH AND RESCUE RESPONSE TEAMS.

21 7215. SPECIALIZED STATEWIDE RESPONSE TEAMS.

22 7216. GRANT PROGRAM.

23 7217. MISCELLANEOUS PROVISIONS.

24 7218. COMMONWEALTH INDEMNIFICATION.

25 § 7211. COUNTERTERRORISM PLANNING, PREPAREDNESS AND RESPONSE  
26 PROGRAM.

27 (A) COORDINATION AND CONSULTATION.--THE AGENCY SHALL  
28 COORDINATE AND CONSULT WITH OTHER STATE AGENCIES, DEPARTMENTS  
29 AND OFFICES, INCLUDING THE OFFICE OF HOMELAND SECURITY OF THE  
30 COMMONWEALTH, TO ESTABLISH, DEVELOP AND MAINTAIN A

1 COUNTERTERRORISM PLANNING, PREPAREDNESS AND RESPONSE PROGRAM TO  
2 PROMOTE AND PROTECT THE HEALTH, SAFETY AND WELFARE OF EMERGENCY  
3 RESPONDERS, PUBLIC OFFICIALS AND THE GENERAL PUBLIC FROM ACTUAL  
4 OR POTENTIAL DISASTERS IN THIS COMMONWEALTH.

5 (B) AGENCY RESPONSIBILITIES.--THE AGENCY SHALL:

6 (1) DEFINE THE NECESSARY COMPONENTS AND COMPOSITION OF  
7 REGIONAL COUNTERTERRORISM TASK FORCES AND SPECIALIZED  
8 REGIONAL COUNTERTERRORISM RESPONSE TEAMS AND THE RESPECTIVE  
9 REGIONAL COUNTERTERRORISM ZONES FOR EACH, BUT SHALL NOT BE  
10 RESPONSIBLE FOR APPOINTING INDIVIDUAL MEMBERS TO THE REGIONAL  
11 COUNTERTERRORISM TASK FORCES OR THE SPECIALIZED REGIONAL  
12 COUNTERTERRORISM RESPONSE TEAMS.

13 (2) PROVIDE TRAINING AND TECHNICAL ASSISTANCE FOR  
14 COUNTERTERRORISM PLANNING, PREPAREDNESS AND RESPONSE.

15 (3) ESTABLISH GUIDELINES AND POLICIES TO COORDINATE  
16 EMERGENCY RESPONSE ACTIVITIES WITH FEDERAL, STATE, COUNTY AND  
17 MUNICIPAL EMERGENCY MANAGEMENT, HEALTH, LAW ENFORCEMENT,  
18 PUBLIC SAFETY AND OTHER OFFICIALS AND REPRESENTATIVES FROM  
19 VOLUNTEER SERVICE ORGANIZATIONS, PRIVATE BUSINESS AND  
20 INDUSTRY, HOSPITALS AND MEDICAL CARE FACILITIES AND OTHER  
21 ENTITIES RESPONSIBLE FOR THE HEALTH, SAFETY AND WELFARE OF  
22 THE RESIDENTS OF THIS COMMONWEALTH. THE AGENCY SHALL CONSULT  
23 WITH REPRESENTATIVES OF THE REGIONAL COUNTERTERRORISM TASK  
24 FORCES TO DEVELOP SUCH POLICIES AND GUIDELINES NECESSARY TO  
25 CARRY OUT THIS CHAPTER.

26 (4) REQUIRE THE REGIONAL COUNTERTERRORISM TASK FORCES TO  
27 PREPARE COUNTERTERRORISM EMERGENCY RESPONSE PLANS OR  
28 PROTOCOLS, READINESS EVALUATION REPORTS OR OTHER DOCUMENTS  
29 DEEMED NECESSARY BY THE AGENCY.

30 (5) PROVIDE GRANTS AND OTHER FUNDING ASSISTANCE AS

1 REQUIRED BY THIS CHAPTER.

2 (6) CONDUCT TERRORIST INCIDENT EXERCISES.

3 (7) PROVIDE TECHNICAL ASSISTANCE TO REGIONAL  
4 COUNTERTERRORISM TASK FORCES IN DEVELOPING AND ENTERING INTO  
5 MUTUAL AID AGREEMENTS AND LETTERS OF AGREEMENT.

6 (8) ESTABLISH A CERTIFICATION PROGRAM FOR SPECIALIZED  
7 REGIONAL COUNTERTERRORISM RESPONSE TEAMS THAT MAY INCLUDE  
8 STANDARDS FOR THE ADMINISTRATION, COMPOSITION, TRAINING AND  
9 EQUIPPING OF THE TEAMS.

10 § 7212. REGIONAL COUNTERTERRORISM TASK FORCES.

11 (A) ESTABLISHMENT.--THE AGENCY, IN COORDINATION WITH STATE,  
12 COUNTY AND MUNICIPAL EMERGENCY MANAGEMENT, HEALTH, LAW  
13 ENFORCEMENT, PUBLIC SAFETY AND OTHER OFFICIALS AND  
14 REPRESENTATIVES FROM VOLUNTEER SERVICE ORGANIZATIONS, PRIVATE  
15 BUSINESS AND INDUSTRY, HOSPITALS AND MEDICAL CARE FACILITIES AND  
16 OTHER ENTITIES RESPONSIBLE FOR THE HEALTH, SAFETY AND WELFARE OF  
17 THE RESIDENTS OF THIS COMMONWEALTH, SHALL ESTABLISH REGIONAL  
18 COUNTERTERRORISM TASK FORCES THROUGHOUT THIS COMMONWEALTH.

19 (B) RESPONSE PLANS.--A REGIONAL COUNTERTERRORISM TASK FORCE  
20 SHALL PREPARE A COUNTERTERRORISM PREPAREDNESS AND RESPONSE PLAN  
21 IN ACCORDANCE WITH GUIDELINES DEVELOPED BY THE AGENCY. THE  
22 AGENCY SHALL REVIEW AND APPROVE EACH PLAN IN A TIMELY MANNER,  
23 BUT NO LATER THAN 90 DAYS AFTER ITS SUBMISSION TO THE AGENCY.  
24 THE TASK FORCE SHALL REVIEW AND UPDATE THE PLAN ON AN ANNUAL  
25 BASIS. A TASK FORCE THAT DOES NOT HAVE AN APPROVED PLAN SHALL BE  
26 SUSPENDED FROM A GRANT OR FUNDING PROGRAM.

27 (C) MEETINGS.--REGIONAL COUNTERTERRORISM TASK FORCE MEETINGS  
28 THAT ARE CALLED TO DISCUSS SENSITIVE OR CLASSIFIED LAW  
29 ENFORCEMENT, TERRORIST THREAT ASSESSMENT OR OTHER CONFIDENTIAL  
30 PUBLIC AND PRIVATE FACILITY SAFETY INFORMATION SHALL NOT BE

1 DEEMED A PUBLIC RECORD SUBJECT TO DISCLOSURE UNDER 65 PA.C.S.  
2 CH. 7 (RELATING TO OPEN MEETINGS).

3 § 7213. REGIONAL COUNTERTERRORISM RESPONSE AND PREPAREDNESS.

4 (A) SPECIALIZED REGIONAL COUNTERTERRORISM RESPONSE TEAMS.--A  
5 REGIONAL COUNTERTERRORISM TASK FORCE SHALL ESTABLISH SPECIALIZED  
6 REGIONAL COUNTERTERRORISM RESPONSE TEAMS.

7 (B) REGIONAL COUNTERTERRORISM RESPONSE ZONES.--THE AGENCY  
8 SHALL ESTABLISH PRIMARY AND SECONDARY REGIONAL RESPONSE ZONES  
9 WITHIN THIS COMMONWEALTH FOR SPECIALIZED REGIONAL  
10 COUNTERTERRORISM RESPONSE TEAMS. THE REGIONAL RESPONSE ZONES MAY  
11 CONSIST OF MULTIPLE COUNTIES OR PORTIONS OF SEVERAL ADJOINING  
12 COUNTIES AS DETERMINED BY THE AGENCY.

13 (C) ACTIVATION AND DEPLOYMENT.--A SPECIALIZED REGIONAL  
14 COUNTERTERRORISM RESPONSE TEAM MAY BE ACTIVATED AND DEPLOYED BY  
15 THE GOVERNOR, THE GOVERNOR'S DESIGNEE OR AN OFFICIAL DESIGNATED  
16 BY THE APPROPRIATE REGIONAL COUNTERTERRORISM TASK FORCE.

17 § 7214. URBAN SEARCH AND RESCUE RESPONSE TEAMS.

18 (A) ESTABLISHMENT.--

19 (1) THE AGENCY SHALL ESTABLISH URBAN SEARCH AND RESCUE  
20 RESPONSE TEAMS THROUGHOUT THIS COMMONWEALTH TO RESPOND TO  
21 NATURAL AND HUMAN-CAUSED DISASTERS AND OTHER EMERGENCIES AS  
22 DEEMED NECESSARY BY THE AGENCY, INCLUDING:

23 (I) AT LEAST ONE URBAN SEARCH AND RESCUE RESPONSE  
24 TEAM THAT:

25 (A) IS WITHIN A REGIONAL COUNTERTERRORISM TASK  
26 FORCE COVERING A COUNTY OF THE FIRST CLASS PURSUANT  
27 TO A LETTER OF AGREEMENT WITH A SPONSORING AGENCY;  
28 AND

29 (B) MEETS OR EXCEEDS THE MINIMUM REQUIREMENTS OF  
30 A TYPE 1 URBAN SEARCH AND RESCUE TASK FORCE AS

1 DEFINED BY FEMA IN THE RESOURCE-TYPING DEFINITION  
2 CONTAINED IN THE NIMS GUIDELINES, DOCUMENT  
3 IDENTIFICATION NUMBER 8-508-1262, PUBLISHED IN  
4 SEPTEMBER 2020. THE AGENCY WILL CERTIFY WHETHER THE  
5 URBAN SEARCH AND RESCUE RESPONSE TEAM MEETS THESE  
6 CRITERIA.

7 (II) AT LEAST ONE URBAN SEARCH AND RESCUE RESPONSE  
8 TEAM THAT:

9 (A) IS WITHIN A REGIONAL COUNTERTERRORISM TASK  
10 FORCE COVERING A COUNTY OF THE SECOND CLASS; AND

11 (B) BY JANUARY 1, 2026, OR 18 MONTHS AFTER THE  
12 AGENCY ENTERS INTO A LETTER OF AGREEMENT WITH A  
13 SPONSORING AGENCY, WHICHEVER IS LATER, MEETS OR  
14 EXCEEDS THE MINIMUM REQUIREMENTS OF A TYPE 3 URBAN  
15 SEARCH AND RESCUE TASK FORCE AS DEFINED BY FEMA IN  
16 THE RESOURCE-TYPING DEFINITION CONTAINED IN THE NIMS  
17 GUIDELINES, DOCUMENT IDENTIFICATION NUMBER 8-508-  
18 1262, PUBLISHED IN SEPTEMBER 2020. THE AGENCY WILL  
19 CERTIFY WHETHER THE URBAN SEARCH AND RESCUE RESPONSE  
20 TEAM MEETS THESE CRITERIA.

21 (2) THE PROVISIONS OF PARAGRAPH (1) (I) MAY BE SATISFIED  
22 BY THE OPERATION OF AN URBAN SEARCH AND RESCUE RESPONSE TEAM  
23 ESTABLISHED BY THE FEDERAL GOVERNMENT THAT HAS A LETTER OF  
24 AGREEMENT WITH THE AGENCY TO RESPOND TO INCIDENTS WITHIN THIS  
25 COMMONWEALTH.

26 (B) SUPPORT.--THE URBAN SEARCH AND RESCUE RESPONSE TEAMS  
27 SHALL ALSO PROVIDE PROFESSIONAL, LOGISTICAL, MATERIAL AND OTHER  
28 FORMS OF SUPPORT TO REGIONAL COUNTERTERRORISM TASK FORCES AND  
29 SPECIALIZED REGIONAL COUNTERTERRORISM RESPONSE TEAMS.

30 (C) ORGANIZATION.--AN URBAN SEARCH AND RESCUE RESPONSE TEAM

1 SHALL BE ORGANIZED IN ACCORDANCE WITH GUIDELINES DEVELOPED BY  
2 THE AGENCY IN COORDINATION WITH FEMA AND MEMBERS OF THE TASK  
3 FORCE.

4 (D) RESPONSIBILITIES.--AN URBAN SEARCH AND RESCUE RESPONSE  
5 TEAM SHALL RESPOND TO ACTUAL OR POTENTIAL DISASTERS IN THIS  
6 COMMONWEALTH AND SHALL ALSO PERFORM SEARCH AND RESCUE FUNCTIONS  
7 AS DELINEATED IN THE ROBERT T. STAFFORD DISASTER RELIEF AND  
8 EMERGENCY ASSISTANCE ACT (PUBLIC LAW 93-288, 42 U.S.C. § 5121 ET  
9 SEQ.), THE FEDERAL RESPONSE PLAN OR ITS SUCCESSOR, EMERGENCY  
10 MANAGEMENT ASSISTANCE COMPACT MISSIONS UNDER CHAPTER 76  
11 (RELATING TO EMERGENCY MANAGEMENT ASSISTANCE COMPACT), AS  
12 REQUESTED, AND THE COUNTERTERRORISM PREPAREDNESS AND RESPONSE  
13 PLANS CREATED IN ACCORDANCE WITH THIS CHAPTER.

14 (E) ACTIVATION AND DEPLOYMENT.--

15 (1) AN URBAN SEARCH AND RESCUE RESPONSE TEAM OR ANY OF  
16 ITS COMPONENTS, SUBGROUPS OR REGIONAL ELEMENTS MAY ONLY BE  
17 ACTIVATED AND DEPLOYED TO THE SCENE OF A DISASTER IN  
18 ACCORDANCE WITH POLICIES AND COST PRINCIPLES PROMULGATED BY  
19 THE AGENCY.

20 (2) DURING AN ACTIVATION AND DEPLOYMENT AS THE RESULT OF  
21 A GOVERNOR'S DECLARATION OF A DISASTER EMERGENCY, THE  
22 ADMINISTRATIVE AND OPERATIONAL COSTS OF THE RESPONSE TEAM,  
23 ITS INDIVIDUAL MEMBERS AND THEIR EMPLOYERS, STATE AGENCIES  
24 AND OTHER PARTIES SHALL BE PAID UNDER THE GOVERNOR'S  
25 DECLARATION OF DISASTER EMERGENCY, INCLUDING PAYING OR  
26 REIMBURSING ANY PARTIES FOR WORKERS' COMPENSATION AND DEATH  
27 BENEFITS IN THE EVENT OF INJURY OR DEATH OF AN URBAN SEARCH  
28 AND RESCUE RESPONSE TEAM MEMBER.

29 (F) WORKERS' COMPENSATION AND DEATH BENEFITS.--A MEMBER OF  
30 AN URBAN SEARCH AND RESCUE RESPONSE TEAM SHALL BE ELIGIBLE TO

1 RECEIVE WORKERS' COMPENSATION AND DEATH BENEFITS IN THE EVENT OF  
2 INJURY OR DEATH THAT OCCURS DURING THE PERIOD OF ACTIVATION OR  
3 DEPLOYMENT.

4 (G) FUNDING, GRANTS AND DONATIONS.--IN ADDITION TO MONEY  
5 THAT IS PROVIDED TO A TASK FORCE UNDER SECTION 7216 (RELATING TO  
6 GRANT PROGRAM) OR THE AUTHORITY OF SECTION 1508 OF THE ACT OF  
7 APRIL 9, 1929 (P.L.343, NO.176), KNOWN AS THE FISCAL CODE, THE  
8 URBAN SEARCH AND RESCUE RESPONSE TEAM MAY BE ELIGIBLE TO RECEIVE  
9 GRANTS, DONATIONS OF EQUIPMENT AND SUPPLIES AND OTHER FUNDS FROM  
10 ANY SOURCE.

11 § 7215. SPECIALIZED STATEWIDE RESPONSE TEAMS.

12 (A) ESTABLISHMENT.--THE COMMONWEALTH MAY ESTABLISH ONE OR  
13 MORE SPECIALIZED STATEWIDE RESPONSE TEAMS. THESE SPECIALIZED  
14 STATEWIDE RESPONSE TEAMS SHALL ALSO PROVIDE PROFESSIONAL,  
15 LOGISTICAL, MATERIAL AND OTHER FORMS OF SUPPORT TO THE REGIONAL  
16 COUNTERTERRORISM TASK FORCES AND SPECIALIZED REGIONAL  
17 COUNTERTERRORISM RESPONSE TEAMS ORGANIZED IN THIS COMMONWEALTH.

18 (B) ORGANIZATION AND RESPONSIBILITIES.--SPECIALIZED  
19 STATEWIDE RESPONSE TEAMS SHALL BE ORGANIZED IN ACCORDANCE WITH  
20 GUIDELINES DEVELOPED BY THE COMMONWEALTH IN CONSULTATION WITH  
21 APPLICABLE FEDERAL OR STATE AGENCIES.

22 (C) ACTIVATION.--SPECIALIZED STATEWIDE RESPONSE TEAMS MAY  
23 ONLY BE ACTIVATED AND DEPLOYED TO THE SCENE OF A DISASTER IN  
24 ACCORDANCE WITH POLICIES DEVELOPED BY THE AGENCY.

25 § 7216. GRANT PROGRAM.

26 (A) AUTHORIZATION.--THE AGENCY MAY MAKE GRANTS TO REGIONAL  
27 COUNTERTERRORISM TASK FORCES, SPECIALIZED REGIONAL  
28 COUNTERTERRORISM RESPONSE TEAMS, SPECIALIZED STATEWIDE RESPONSE  
29 TEAMS AND URBAN SEARCH AND RESCUE RESPONSE TEAMS TO ASSIST THEM  
30 IN CARRYING OUT THIS CHAPTER, INCLUDING ENTERING INTO LETTERS OF

1 AGREEMENT OR MUTUAL AID AGREEMENTS OR PROVIDING MUTUAL AID.

2 (B) GRANTS AND FUNDING.--REGIONAL COUNTERTERRORISM TASK  
3 FORCES, SPECIALIZED REGIONAL COUNTERTERRORISM RESPONSE TEAMS,  
4 SPECIALIZED STATEWIDE RESPONSE TEAMS AND URBAN SEARCH AND RESCUE  
5 RESPONSE TEAMS MAY RECEIVE GRANTS AND FUNDING FROM THE FEDERAL  
6 GOVERNMENT AND THE COMMONWEALTH THROUGH APPLICATION TO THE  
7 AGENCY OR OTHER ENTITY PROVIDING GRANTS OR FUNDING FOR THE  
8 PURPOSES OF THIS CHAPTER.

9 (C) LIMITATION.--GRANTS SHALL ONLY BE MADE BY THE AGENCY TO  
10 THE EXTENT THAT FUNDING IS AVAILABLE.

11 § 7217. MISCELLANEOUS PROVISIONS.

12 (A) IMMUNITY FROM LIABILITY.--THE PROVISIONS OF 42 PA.C.S. §  
13 8331 (RELATING TO MEDICAL GOOD SAMARITAN CIVIL IMMUNITY), 8332  
14 (RELATING TO EMERGENCY RESPONSE PROVIDER AND BYSTANDER GOOD  
15 SAMARITAN CIVIL IMMUNITY) OR 8332.4 (RELATING TO VOLUNTEER-IN-  
16 PUBLIC-SERVICE NEGLIGENCE STANDARD) SHALL APPLY TO A MEMBER OF A  
17 SPECIALIZED REGIONAL COUNTERTERRORISM RESPONSE TEAM, AN URBAN  
18 SEARCH AND RESCUE RESPONSE TEAM OR A SPECIALIZED STATEWIDE  
19 RESPONSE TEAM AND AN INDIVIDUAL WHO PROVIDES LOGISTICAL,  
20 MATERIAL OR OTHER FORMS OF EMERGENCY RESPONSE SUPPORT TO A TEAM  
21 OR TASK FORCE DURING ACTIVATION OR DEPLOYMENT OF A TEAM OR TASK  
22 FORCE TO A POTENTIAL OR ACTUAL DISASTER OR WHILE ENGAGED IN A  
23 TASK FORCE OR TEAM DRILL OR TRAINING EXERCISE.

24 (B) EFFECT ON WORKERS' COMPENSATION PREMIUMS.--NOTHING IN  
25 THIS CHAPTER SHALL BE CONSTRUED TO PERMIT AN INSURER TO RAISE  
26 WORKERS' COMPENSATION PREMIUMS DUE TO THE PARTICIPATION OR  
27 MEMBERSHIP OF A COUNTY, MUNICIPALITY, VOLUNTEER SERVICE  
28 ORGANIZATION, INDIVIDUAL OR EMPLOYER ON A REGIONAL  
29 COUNTERTERRORISM TASK FORCE, SPECIALIZED REGIONAL  
30 COUNTERTERRORISM RESPONSE TEAM, SPECIALIZED STATEWIDE RESPONSE

1 TEAM OR URBAN SEARCH AND RESCUE RESPONSE TEAM.

2 § 7218. COMMONWEALTH INDEMNIFICATION.

3 THE COMMONWEALTH SHALL INDEMNIFY A COUNTY OR MUNICIPALITY FOR  
4 COSTS RELATED TO DAMAGED COUNTY OR MUNICIPAL PROPERTY THAT  
5 RESULTS FROM PARTICIPATION IN A REGIONAL COUNTERTERRORISM TASK  
6 FORCE, SPECIALIZED REGIONAL COUNTERTERRORISM RESPONSE TEAM OR  
7 SPECIALIZED STATEWIDE RESPONSE TEAM RESPONSE ONLY WHEN ALL OF  
8 THE FOLLOWING CONDITIONS ARE MET:

9 (1) THE COUNTY OR MUNICIPALITY IS RESPONDING UPON  
10 ACTIVATION OR DEPLOYMENT BY THE GOVERNOR.

11 (2) THE DAMAGE TO COUNTY OR MUNICIPAL PROPERTY OCCURS  
12 OUTSIDE OF THE PRIMARY REGIONAL COUNTERTERRORISM RESPONSE  
13 ZONE.

14 (3) THE COUNTY'S OR MUNICIPALITY'S INSURANCE DOES NOT  
15 COVER THE PROPERTY DAMAGE.

16 (4) THE PROPERTY DAMAGE WAS NOT CAUSED BY THE WILLFUL  
17 MISCONDUCT OF THE COUNTY OR MUNICIPALITY OR ANY OF ITS  
18 EMPLOYEES OR AGENTS.

19 SECTION 2. TITLE 35 IS AMENDED BY ADDING A SECTION TO READ:  
20 § 7605. CONSTRUCTION.

21 FOR PURPOSES OF ARTICLE VI OF THE COMPACT, THE TERM "OFFICERS  
22 OR EMPLOYEES OF A PARTY STATE" SHALL BE CONSTRUED TO INCLUDE  
23 URBAN SEARCH AND RESCUE RESPONSE TEAMS AS DEFINED IN SECTION  
24 7202 (RELATING TO DEFINITIONS) THAT ARE ASSETS OF THE FEDERAL  
25 EMERGENCY MANAGEMENT AGENCY OR PENNSYLVANIA EMERGENCY MANAGEMENT  
26 AGENCY AND THE COMPONENTS, SUBGROUPS AND REGIONAL ELEMENTS OF  
27 THE TASK FORCES BASED IN THIS COMMONWEALTH.

28 SECTION 3. REPEALS ARE AS FOLLOWS:

29 (1) THE GENERAL ASSEMBLY FINDS THAT THE REPEALS UNDER  
30 PARAGRAPHS (2) AND (3) ARE NECESSARY TO EFFECTUATE THE

1 ADDITION OF 35 PA.C.S. CH. 72.

2 (2) THE DEFINITIONS, EXCLUDING THE DEFINITIONS OF  
3 "DEPARTMENT" AND "LOCAL HEALTH DEPARTMENT," IN SECTION 102 OF  
4 THE ACT OF DECEMBER 16, 2002 (P.L.1967, NO.227), KNOWN AS THE  
5 COUNTERTERRORISM PLANNING, PREPAREDNESS AND RESPONSE ACT, ARE  
6 REPEALED.

7 (3) CHAPTER 2 OF THE COUNTERTERRORISM PLANNING,  
8 PREPAREDNESS AND RESPONSE ACT, IS REPEALED.

9 SECTION 4. THE ADDITION OF 35 PA.C.S. CH. 72 IS A  
10 CONTINUATION OF CHAPTER 2 OF THE ACT OF DECEMBER 16, 2002  
11 (P.L.1967, NO.227), KNOWN AS THE COUNTERTERRORISM PLANNING,  
12 PREPAREDNESS AND RESPONSE ACT. THE FOLLOWING APPLY:

13 (1) EXCEPT AS OTHERWISE PROVIDED IN 35 PA.C.S. CH. 72,  
14 ALL ACTIVITIES INITIATED UNDER CHAPTER 2 OF THE  
15 COUNTERTERRORISM PLANNING, PREPAREDNESS AND RESPONSE ACT,  
16 SHALL CONTINUE AND REMAIN IN FULL FORCE AND EFFECT AND MAY BE  
17 COMPLETED UNDER 35 PA.C.S. CH. 72. ORDERS, REGULATIONS, RULES  
18 AND DECISIONS WHICH WERE MADE UNDER CHAPTER 2 OF THE  
19 COUNTERTERRORISM PLANNING, PREPAREDNESS AND RESPONSE ACT AND  
20 WHICH ARE IN EFFECT ON THE EFFECTIVE DATE OF THIS SECTION  
21 SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL REVOKED, VACATED  
22 OR MODIFIED UNDER 35 PA.C.S. CH. 72. CONTRACTS, OBLIGATIONS  
23 AND COLLECTIVE BARGAINING AGREEMENTS ENTERED INTO UNDER  
24 CHAPTER 2 OF THE COUNTERTERRORISM PLANNING, PREPAREDNESS AND  
25 RESPONSE ACT ARE NOT AFFECTED NOR IMPAIRED BY THE REPEAL OF  
26 CHAPTER 2 OF THE COUNTERTERRORISM PLANNING, PREPAREDNESS AND  
27 RESPONSE ACT.

28 (2) EXCEPT AS SPECIFIED IN PARAGRAPH (3), ANY DIFFERENCE  
29 IN LANGUAGE BETWEEN 35 PA.C.S. CH. 72 AND CHAPTER 2 OF THE  
30 COUNTERTERRORISM PLANNING, PREPAREDNESS AND RESPONSE ACT IS

1 INTENDED ONLY TO CONFORM TO THE STYLE OF THE PENNSYLVANIA  
2 CONSOLIDATED STATUTES AND IS NOT INTENDED TO CHANGE OR AFFECT  
3 THE LEGISLATIVE INTENT, JUDICIAL CONSTRUCTION OR  
4 ADMINISTRATION AND IMPLEMENTATION OF CHAPTER 2 OF THE  
5 COUNTERTERRORISM PLANNING, PREPAREDNESS AND RESPONSE ACT.

6 (3) PARAGRAPH (2) DOES NOT APPLY TO THE ADDITION OF THE  
7 FOLLOWING PROVISIONS:

8 (I) THE DEFINITIONS OF "COMMISSION," "DISASTER  
9 MORTUARY RESPONSE TEAM," "LETTER OF AGREEMENT," "MUTUAL  
10 AID AGREEMENT," "NIMS," "PEMA," "SPECIALIZED REGIONAL  
11 COUNTERTERRORISM RESPONSE TEAM," "SPONSORING AGENCY" AND  
12 "URBAN SEARCH AND RESCUE RESPONSE TEAM" IN 35 PA.C.S. §  
13 7202.

14 (II) 35 PA.C.S. § 7203.

15 (III) 35 PA.C.S. § 7212(B).

16 (IV) 35 PA.C.S. § 7213(C).

17 (V) 35 PA.C.S. § 7214(A), (B), (D), (E) AND (G).

18 (VI) 35 PA.C.S. § 7215(A) AND (C).

19 SECTION 5. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.