



State of Tennessee

PUBLIC CHAPTER NO. 365

HOUSE BILL NO. 544

By Representatives Halford, Hardaway, Evans, Sanderson

Substituted for: Senate Bill No. 1476

By Senator Finney

AN ACT to amend Tennessee Code Annotated, Title 58, relative to local emergency management agency directors.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 58-2-110(1)(B), is amended by deleting the second sentence in its entirety and substituting instead the following language:

The director must meet the minimum training and education qualifications established in a job description developed by the CLEO and that meets the requirements of Section 2 of this act. The job description for a directorship must be approved by the governing body of the county.

SECTION 2. Tennessee Code Annotated, Title 58, Chapter 2, Part 1, is amended by adding the following as a new section:

58-2-1__.

(a) As a prerequisite to receiving an offer of employment as the director of a local emergency management agency, the candidate shall provide evidence satisfactory to the CLEO that the applicant:

- (1) Is at least eighteen (18) years of age;
- (2) Is a citizen of the United States and of this state;
- (3) Is a high school graduate or possesses equivalency;
- (4) Has not been convicted or pled guilty to or entered a plea of nolo contendere to any felony charge;
- (5) Has a valid Tennessee driver license; and
- (6)
 - (A) Has graduated and received a baccalaureate degree;
 - (B) Has graduated and received an associates degree and possesses at least two (2) years experience in an emergency management or related field;
 - (C) Possesses at least four (4) years experience in an emergency management or related field; or
 - (D) Is serving as director of a local emergency management agency on July 1, 2011.

(b) In addition to the requirements of subsection (a), any director of a local emergency management agency shall possess knowledge of the following subjects:

- (1) The principles and practices of emergency management;
- (2) Emergency management planning concepts;
- (3) Disaster response and the functions of government and private organizations;
- (4) Laws and regulations related to emergency operations; and
- (5) Working knowledge of computer operations and the operation of other basic office equipment.

(c) In addition to the requirements of subsections (a) and (b), any director of a local emergency management agency shall possess the skill and ability to perform tasks as defined by the county mayor, including, but not limited to, the following tasks:

- (1) Plan, organize, assign, inspect, and direct the work of others;
- (2) Evaluate situations and make coherent decisions;
- (3) Express ideas clearly, concisely, and convincingly, both orally and in writing. This requirement includes the ability to communicate effectively under stressful conditions during emergency situations;
- (4) Establish and maintain an effective working relationship with the public, businesses, industries, volunteers, and employees;
- (5) Operate an emergency management response vehicle and communications equipment;
- (6) Work from a mobile unit and outdoors in all types of weather conditions during emergency and simulated situations; and
- (7) Direct the activities of a twenty-four-hour, seven-day a week operation.

(d) A local emergency management agency director is under executive direction.

(e) A local emergency management agency director's responsibilities include, but are not limited to, the following:

- (1) Coordinate and assist in the revision and update of the local emergency operations plan and field operating guides in conjunction with elected and appointed local government officials and private, volunteer, and civic organizations;
- (2) Develop and manage the local agency's annual budget in accordance with local guidelines;
- (3) Collect initial disaster intelligence information, extract essential elements of information, and prioritize use of critical resources;
- (4) Prepare and transmit situation reports to TEMA as directed by state procedures;
- (5) Assess the impact of major emergencies and initiate requests for declaration of emergency for the CLEO's signature;
- (6) Serve as the focal point for damage assessment information and coordinate all relief activities through the CLEO and the regional and state emergency operations center;

(7) Promote and supervise the development of various emergency management related public education and information services, such as training programs, brochures, speaking opportunities, and media programs;

(8) Develop and maintain an emergency operations center to ensure direction, control, and continuity of local government during emergencies and disasters;

(9) Conduct hazardous analysis, capability assessment and vulnerability analysis, and make periodic updates to same. The director is "on call" for response to any type of disaster or major emergency; natural, manmade, or technological;

(10) Provide assistance to private sector organizations on issues pertaining to emergency management and homeland security;

(11) Provide resource coordination and technical assistance during major emergencies and disasters;

(12) Prepare after-action reports as required;

(13) Development and implementation of all activities relative to emergency management within the territorial limits of the emergency management area for which the director serves as director;

(14) Establish emergency management standards within the territorial limits of the emergency management area for which the director serves as director. This responsibility includes the development and implementation of activities which support the National Incident Management System (NIMS) to mitigate, prepare for, respond to, and recover from major emergencies, terrorist events, and disasters; and

(15) Perform other duties as directed by the CLEO.

(f) In addition to the duties and responsibilities enumerated in subsection (e), a local emergency management agency director shall:

(1) Complete FEMA Independent Study (IS) courses in a timely manner as required by TEMA and local guidelines;

(2) Within the first twenty-four (24) months of employment, or, in the case of a person who is serving as director of a local emergency management agency on July 1, 2011, by June 30, 2013, complete the TEMA hazardous materials operations level, damage assessment workshop, and any NIMS courses that are offered during that twenty-four - month period. If the TEMA hazardous materials operations level or damage assessment workshop is not offered during the first twenty-four (24) months of a director's term of employment, or, in the case of a person who is serving as director of a local emergency management agency on July 1, 2011, during the period of July 1, 2011, through June 30, 2013, the director shall take those courses at the earliest opportunity after the expiration of such time period. A director shall attend additional courses that are offered by TEMA as the director's time and schedule permit;

(3) Apply for emergency management professional certifications in a timely manner; and

(4) Independently maintain current knowledge of new technologies related to emergency management.

SECTION 3. This act shall take effect July 1, 2011, the public welfare requiring it.

HOUSE BILL NO. 544

PASSED: May 18, 2011



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 30TH day of MAY 2011



BILL HASLAM, GOVERNOR