

Senate Bill No. 1350

CHAPTER 612

An act to add Sections 8588.10 and 8588.11 to the Government Code, to add Sections 1797.116 and 13159.1 to the Health and Safety Code, and to add Section 13519.12 to the Penal Code, relating to emergency services, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 16, 2002. Filed with Secretary of State September 17, 2002.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1350, McPherson. Emergency services: terrorism.

(1) Existing law creates the Office of Emergency Services in the office of the Governor, with specified powers and duties relative to coordinating emergency services. Existing law establishes the Emergency Medical Services Authority to assess emergency medical services areas and to perform other activities relating to planning, implementing, and assisting local and regional emergency medical services. The State Fire Marshal is authorized to develop firefighter training and education standards.

This bill would establish the Emergency Response Training Advisory Committee, with specified membership, to recommend specified training criteria relative to terrorism awareness. The bill would require the authority and the State Fire Marshal, separately, to establish additional training standards that include the criteria for the curriculum content recommended by the committee, involving the responsibilities of first responders to terrorism incidents. It would require the Office of Emergency Services to contract with the California Fire Fighter Joint Apprenticeship Program to develop a fire service specific course of instruction regarding first responder to terrorism incidents. The bill would also require the Commission on Peace Officer Standards and Training to establish training standards and develop a specified course of instruction on the responsibilities of first responders to terrorism incidents and would require specified local agency and other peace officers to complete the training.

The bill would provide that it is to be implemented only when federal funds are received for the purposes of the bill.

(2) The bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. This act shall be known and may be cited as the Responders Emergency Act to Combat Terrorism (REACT).

SEC. 2. The Legislature finds and declares the following:

(a) In light of recent events, California is among the best prepared states in the United States with regard to potential acts of terrorism. However, additional training is appropriate and necessary to ensure that all potential first responders to a terrorist event and a terrorist attack will be prepared.

(b) There are approximately 66,000 sworn and reserve state and local law enforcement officers, 65,000 volunteer and paid state and local firefighters, and 70,500 local emergency medical technicians and paramedics who could benefit from additional first responder training regarding terrorism. Additional public works employees may also be anticipated to benefit from training.

(c) The best way to fight terrorism and the damage caused by those acts is to prevent it, while also ensuring that local emergency response personnel, also known as emergency responders, who are often the first persons dispatched during emergency situations, are appropriately trained to deal with the unique aspects of terrorist acts and are able to uphold the highest standards of public safety.

(d) Local law enforcement, firefighters, and other local emergency personnel have become extremely adept at doing their jobs in dealing with traditional crime and emergency events, but the emerging threats of terrorism and bioterrorism have created new challenges that must be met to ensure the safety of those personnel and all of the citizens of our state.

(e) It is the intent of the Legislature that the training be developed and made available to first responders as quickly as possible.

SEC. 3. Section 8588.10 is added to the Government Code, to read:

8588.10. (a) The Emergency Response Training Advisory Committee shall be established pursuant to subdivision (d). The committee shall recommend the criteria for terrorism awareness curriculum content to meet the training needs of state and local emergency response personnel and volunteers. In addition, the committee shall identify any additional training that would be useful and appropriate but that may not be generally available in California, and shall make recommendations pertaining to any need for training oversight agencies for first responder disciplines to expedite their curriculum approval processes.

(b) Basic terrorism awareness training shall include, but not be limited to, the following:



(1) An overview of conventional, chemical, biological, radiological, and nuclear threats.

(2) Threat and hazard recognition, with an emphasis on ability to determine local vulnerabilities.

(3) Understanding the structure and function of an incident command system.

(4) Initial response actions, including preliminary assessment, notifications, resource needs, and safety considerations.

(5) Coordination with other emergency service first responders.

(6) Gathering, verifying, assessing, and communicating incident information.

(7) Understanding mass casualty implications and decontamination requirements.

(8) Balancing lifesaving activities with evidence preservation.

(9) General awareness and additional training for each of the first responder categories specific to each discipline.

(c) (1) The Legislature finds and declares that training on terrorism awareness for first responders is of critical importance to the people of California.

(2) Every agency responsible for development of terrorism awareness training and every agency that employs or uses first responders shall give a high priority to the completion of that training.

(d) The Emergency Response Training Advisory Committee is hereby created, which shall be chaired by the Governor's security advisor and shall consist of the following members, or their representatives:

(1) The Governor's security advisor.

(2) The Commissioner of the California Highway Patrol.

(3) The Executive Director of the Commission on Peace Officer Standards and Training.

(4) The State Fire Marshal.

(5) The Director of Health Services.

(6) The Director of Emergency Services.

(7) The Director of the Emergency Medical Services Authority.

(8) The Chairperson of the California Fire Fighter Joint Apprenticeship Committee.

(9) The Attorney General.

(10) Nine representatives, appointed by the Governor, comprised of all of the following:

(A) One police chief from the California Police Chiefs Association.

(B) One county sheriff from the California State Sheriffs' Association.

(C) One representative of port security agencies.



(D) Two fire chiefs, one from the California Fire Chiefs Association and one from the California Metropolitan Fire Chiefs Association.

(E) Two firefighters, one from a statewide organization that represents career firefighters and one from a statewide organization that represents both career and volunteer firefighters.

(F) Two law enforcement labor representatives, one from a state organization and one from a local organization.

SEC. 4. Section 8588.11 is added to the Government Code, to read:

8588.11. (a) The Office of Emergency Services shall contract with the California Fire Fighter Joint Apprenticeship Program to develop a fire service specific course of instruction on the responsibilities of first responders to terrorism incidents. The course shall include the criteria for the curriculum content recommended by the Emergency Response Training Advisory Committee established pursuant to Section 8588.10 to address the training needs of both of the following:

(1) Firefighters in conformance with the standards established by the State Fire Marshal.

(2) Paramedics and other emergency medical services fire personnel in conformance with the standards established by the State Emergency Medical Services Authority.

(b) The course of instruction shall be developed in consultation with individuals knowledgeable about consequence management that addresses the topics of containing and mitigating the impact of a terrorist incident, including, but not limited to, a terrorist act using hazardous materials, as well as weapons of mass destruction, including any chemical warfare agent, weaponized biological agent, or nuclear or radiological agent, as those terms are defined in Section 11417 of the Penal Code, by techniques including, but not limited to, rescue, firefighting, casualty treatment, and hazardous materials response and recovery.

(c) The contract shall provide for the delivery of training by the California Fire Fighter Joint Apprenticeship Program through reimbursement contracts with the state, local, and regional fire agencies who may, in turn, contract with educational institutions.

(d) To maximize the availability and delivery of training, the California Fire Fighter Joint Apprenticeship Program shall develop a course of instruction to train the trainers in the presentation of the first responder training of consequence management for fire service personnel.

SEC. 5. Section 1797.116 is added to the Health and Safety Code, to read:

1797.116. (a) The authority shall establish additional training standards that include the criteria for the curriculum content



recommended by the Emergency Response Training Advisory Committee established pursuant to Section 8588.10 of the Government Code, involving the responsibilities of first responders to terrorism incidents and to address the training needs of those identified as first responders.

(b) Every EMT I, EMT II, and EMT-P, as defined in Sections 1797.80, 1797.82, and 1797.84, may receive the appropriate training described in this section. Pertinent training previously completed by any jurisdiction's EMT I, EMT II, or EMT-P personnel and meeting the training requirements of this section may be submitted to the training program approving authority to assess its content and determine whether it meets the training standards prescribed by the authority.

SEC. 6. Section 13159.1 is added to the Health and Safety Code, to read:

13159.1. (a) The State Fire Marshal shall establish additional training standards that include the criteria for curriculum content recommended by the Emergency Response Training Advisory Committee established pursuant to Section 8588.10 of the Government Code, involving the responsibilities of first responders to terrorism incidents and to address the training needs of those identified as first responders.

(b) Every paid and volunteer firefighter assigned to field duties in a state or local fire department or fire protection or firefighting agency may receive the appropriate training described in this section. Pertinent training previously completed by any jurisdiction's firefighters and meeting the training standards of this section may be submitted to the State Fire Marshal to assess its content and determine whether it meets the training requirements prescribed by the State Fire Marshal.

SEC. 7. Section 13519.12 is added to the Penal Code, to read:

13519.12. (a) Pursuant to Section 13510, the Commission on Peace Officer Standards and Training shall establish training standards and develop a course of instruction that includes the criteria for the curriculum content recommended by the Emergency Response Training Advisory Committee established pursuant to Section 8588.10 of the Government Code, involving the responsibilities of first responders to terrorism incidents. The course of instruction shall address the training needs of peace officers at a managerial or supervisory level and below who are assigned to field duties. The training shall be developed in consultation with the Department of Justice and other individuals knowledgeable about terrorism and address current theory, terminology, historical issues, and procedures necessary to appropriately respond to and effectively mitigate the effects of a terrorist incident.



(b) The commission shall expedite the delivery of this training to law enforcement through maximum use of its local and regional delivery systems.

(c) To maximize the availability and delivery of training, the commission shall develop a course of instruction to train trainers and first responders dealing with terrorism incidents using a variety of formats.

(d) Every police chief and sheriff, the Commissioner of the Highway Patrol, and other general law enforcement agency executives may determine the members of their agency to receive the emergency response to terrorism incidents training developed by the commission under this section. The persons to be trained may include, but are not limited to, peace officers that perform general law enforcement duties at a managerial or supervisory level or below and are assigned to field duties.

SEC. 8. Sections 3 to 7, inclusive, of this act shall be implemented only when federal funds are received for the purposes of this act.

SEC. 9. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure adequate funding for essential law enforcement training and emergency personnel to further improve responses to potential and actual acts of terrorism, it is necessary that this act take effect immediately.

