

Intrastate Mutual Aid Compact

This Act creates a system of intrastate mutual aid between participating political subdivisions in the state. Each participant of this system recognizes that emergencies transcend political jurisdictional boundaries and that intergovernmental coordination is essential for the protection of lives and property and for best use of available assets. The system shall provide for mutual assistance among the participating political subdivisions in the prevention of, response to, and recovery from, any disaster that results in a declaration of a local civil preparedness emergency in a participating political subdivision, subject to that participating political subdivision's criteria for declaration. The system shall provide for mutual cooperation among the participating subdivisions in conducting disaster-related exercises, testing or training activities.

Submitted as:

Connecticut

[Public Act No. 07-56](#)

Status: Enacted into law in 2007.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Short Title.*] This Act shall be cited as “The Intrastate Mutual Aid Compact
2 Act.”

Article I.

Purposes

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7 This compact shall be known as the Intrastate Mutual Aid Compact and is made and
8 entered into by and between the participating political subdivisions of this state. The purpose of
9 this compact is to create a system of intrastate mutual aid between participating political
10 subdivisions in the state. Each participant of this system recognizes that emergencies transcend
11 political jurisdictional boundaries and that intergovernmental coordination is essential for the
12 protection of lives and property and for best use of available assets. The system shall provide for
13 mutual assistance among the participating political subdivisions in the prevention of, response to,
14 and recovery from, any disaster that results in a declaration of a local civil preparedness
15 emergency in a participating political subdivision, subject to that participating political
16 subdivision's criteria for declaration. The system shall provide for mutual cooperation among the
17 participating subdivisions in conducting disaster-related exercises, testing or training activities.

Article II.

General Provisions

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22 (1) For purposes of this compact:

23 (A) “Participating political subdivision” means each political subdivision of the
24 state whose legislative body has not adopted a resolution withdrawing from this compact in
25 accordance with the provisions of this article; and

26 (B) “Chief executive officer” means the elected or appointed officer granted the
27 authority to declare a local civil preparedness emergency by the charter or ordinance of his or her
28 political subdivision.

29 (2) On and after the effective date of this Act, each political subdivision within the state
30 shall automatically be a participating member of this compact. A participating political
31 subdivision may withdraw from this compact by adopting a resolution indicating its intent to do
32 so. The political subdivision shall automatically be deemed to have withdrawn from this compact
33 upon adoption of such a resolution. The chief executive officer of such political subdivision shall
34 submit a copy of such resolution to the [Commissioner of Emergency Management and Homeland
35 Security] not later than ten days after the adoption of the resolution. Nothing in this article shall
36 preclude a participating political subdivision from entering into a supplementary mutual aid
37 agreement with another political subdivision or affect any other inter-local municipal agreement,
38 including any other mutual aid agreement, to which a political subdivision may be a party or
39 become a party.

40 (3) In the event of a serious disaster affecting any political subdivision of the state, the
41 chief executive officer of that political subdivision may declare a local civil preparedness
42 emergency. The chief executive officer of such political subdivision shall notify the
43 [Commissioner of Emergency Management and Homeland Security] of such declaration not later
44 than twenty-four hours after such declaration. Such a declaration shall activate the emergency plan
45 of operations of that political subdivision, as established under [insert citation], and authorize the
46 request or furnishing of aid and assistance, including any aid and assistance provided under the
47 intrastate mutual aid system described in this section. No immunity, rights or privileges shall be
48 provided for any individual who self-dispatches in response to a declaration, without authorization
49 by such individual’s participating political subdivision.

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51 Article III.

52 Responsibilities of the Local and Joint Organizations of Participating Political Subdivisions

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54 The participating political subdivisions shall ensure that the duties of their local or joint
55 organizations, as described in [insert citation], include the following:

56 (1) Identifying potential hazards that could affect the participating political subdivisions
57 using an identification system common to all participating jurisdictions;

58 (2) Conducting of joint planning, intelligence sharing and threat assessment development
59 with contiguous participating political subdivisions, and conduct joint training at least biennially;

60 (3) Identifying and inventorying the current services, equipment, supplies, personnel and
61 other resources related to planning, prevention, mitigation, response and recovery activities of the
62 participating political subdivisions; and

63 (4) Adopting and implementing the standardized incident management system approved by
64 the [Department of Emergency Management and Homeland Security].

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66 Article IV.

67 Implementation

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69 Any request for assistance made by the chief executive officer of a participating political
70 subdivision who has declared a local civil preparedness emergency shall be made to the chief
71 executive officers of other participating political subdivisions or their designees. Requests may be
72 oral or in writing, and shall be reported to the [Commissioner of Emergency Management and
73 Homeland Security] not later than twenty-four hours after the request. Oral requests shall be
74 reduced to writing not later than forty-eight hours after the request.

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76 Article V.
77 Conditions
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79 A participating political subdivision's obligation to provide assistance in the case of a
80 declared local civil preparedness emergency is subject to the following conditions:

81 (1) A participating political subdivision shall have declared a local civil preparedness
82 emergency;

83 (2) A responding participating political subdivision may withhold or recall resources to the
84 extent it deems necessary to provide reasonable protection and services for its own jurisdiction;

85 (3) Personnel of a responding participating political subdivision shall continue under the
86 command and control of their responding jurisdiction, including emergency medical treatment
87 protocols, standard operating procedures and other protocols, but shall be under the operational
88 control of the appropriate officials within the incident management system of the participating
89 political subdivision receiving assistance; and

90 (4) Assets and equipment of a responding participating political subdivision shall continue
91 under the control of the responding jurisdiction, but shall be under the operational control of the
92 appropriate officials within the incident management system of the participating political
93 subdivision receiving assistance.
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95 Article VI.
96 Licenses, Certificates and Permits
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98 (1) If a person or entity holds a license, certificate or other permit issued by a participating
99 political subdivision or the state evidencing qualification in a profession, mechanical skill or other
100 skill, and the assistance of that person or entity is requested by a participating political
101 subdivision, such person or entity shall be deemed to be licensed, certified or permitted in the
102 political subdivision requesting assistance for the duration of the declared local civil preparedness
103 emergency, subject to any limitations and conditions as may be prescribed by the chief executive
104 officer of the participating political subdivisions, by executive order or otherwise; or by the person
105 or entity's sponsor hospital.

106 (2) The officers, members and employees of the responding political subdivision,
107 including, but not limited to, public works, firefighting, police or other assigned personnel
108 rendering aid or assistance pursuant to the compact and this section shall have the same duties,
109 rights, privileges and immunities as if they were performing their duties in the responding political
110 subdivision.
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112 Article VII.
113 Reimbursement
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115 (1) Participating political subdivisions shall maintain documentation of all assets provided.
116 In the event of federal reimbursement to a requesting political subdivision, any political
117 subdivision providing assistance under the compact and this section shall receive its appropriate
118 share of said reimbursement.

119 (2) A participating political subdivision may donate assets of any kind to a requesting
120 participating political subdivision. Unless requested in writing, no reimbursement shall be sought
121 by a responding political subdivision from a requesting political subdivision that has declared a
122 local civil preparedness emergency. Any written request for reimbursement must be made not later

123 than thirty calendar days after the response, except that notice of intent to seek reimbursement
124 shall be given at the time the aid is rendered, or as soon as possible thereafter.

125 (3) Any dispute between political subdivisions regarding reimbursement shall be resolved
126 by the parties not later than thirty days after written notice of the dispute by the party asserting
127 noncompliance. If the dispute is not resolved within ninety days of the notice of the claim, either
128 party may request that the dispute be resolved through arbitration. Any such arbitration shall be
129 conducted under the Commercial Arbitration Rules of the American Arbitration Association.

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131 Article VIII.

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132 Liability

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134 For the purposes of liability, all persons from a responding political subdivision under the
135 operational control of the requesting political subdivision are deemed to be employees of the
136 responding political subdivision. Neither the participating political subdivisions nor their
137 employees, except in cases of willful misconduct, gross negligence or bad faith, shall be liable for
138 the death of or injury to persons or for damage to property when complying or attempting to
139 comply with the intrastate mutual aid system.