

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 2872

By Delegates Kelly, Hott, Worrell, Kimble, Jeffries,
Honaker, Shamblin, and Phillips

[By The Request Of The Department Of Homeland
Security]

[Introduced January 20, 2023; Referred
to the Committee on Fire Departments and
Emergency Medical Services then the Judiciary]

1 A BILL to amend and reenact §15-5-9 of the Code of West Virginia, 1931, as amended, relating to
 2 clarifying in instances of non-federally declared emergencies and in instances of non-
 3 states of emergency that mutual aid agreements can be entered into for reciprocal aid in
 4 bordering counties of other states for day-to-day support for fire and emergency medical
 5 service calls without the need for approval by the Governor.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 5. DIVISION OF HOMELAND SECURITY AND EMERGENCY
 MANAGEMENT.**

§15-5-9. Mutual aid agreements.

1 The director of each local organization for emergency services may, in collaborating with
 2 other public and private agencies within this state, develop or cause to be developed mutual aid
 3 agreements for reciprocal aid and assistance in case of disaster too great to be dealt with
 4 unassisted. Such agreements shall be made in conformity with the state plan and program for
 5 emergency services and, in time of emergency, it shall be the duty of each local organization to
 6 render assistance in accordance therewith.

7 The director of each local organization may, ~~subject to the approval of the Governor in~~
 8 instances of non-federally declared emergencies and in instances of non-states of emergency,
 9 enter into mutual aid agreements with emergency service and civil defense agencies or
 10 organizations in other states for reciprocal aid and assistance in case of disaster too great to be
 11 dealt with unassisted specifically in bordering counties of other states for day-to-day mutual aid
 12 support for fire and emergency medical services calls.

NOTE: The purpose of this bill is to clarify that in instances of non-federally declared emergencies and in instances of non-states of emergency that mutual aid agreements can be entered into for reciprocal aid in bordering counties of other states for day-to-day support for fire and emergency medical service calls without the need for approval by the Governor.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.