

State of Arkansas  
89th General Assembly  
Regular Session, 2013

# A Bill

HOUSE BILL 1247

By: Representative McElroy

## For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING DECLARATION OF  
EMERGENCIES UNDER THE ARKANSAS EMERGENCY SERVICES  
ACT; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

### Subtitle

TO AMEND THE LAW CONCERNING DECLARATION  
OF EMERGENCIES UNDER THE ARKANSAS  
EMERGENCY SERVICES ACT.

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

SECTION 1. Arkansas Code § 12-75-108(b)(1), concerning local disaster emergencies, is amended to read as follows:

(b)(1) The effect of a declaration of a local disaster emergency is to activate the response and recovery aspects of any and all applicable local or interjurisdictional disaster emergency plans ~~and~~, to authorize the furnishing of aid and assistance thereunder, and to initiate emergency management functions under this subchapter.

SECTION 2. Arkansas Code § 12-75-109(d)(4), concerning the personnel of the Arkansas Department of Emergency Management, is amended to read as follows:

(4)(A) Emergency reserve cadre personnel ~~shall~~ may be called to active duty ~~only~~ upon declaration of a disaster emergency as stipulated in this chapter or the Disaster Relief Act of ~~1973~~ 1974, Pub. L. No. 93-288, or both, or by executive order of the Governor upon recommendation by the director for due cause or pending emergency needs or for disaster-related



assistance to the agency as determined by the director and shall remain on active duty no longer than sixty (60) days after a declaration or declarations unless such declaration or declarations are extended by the Governor or the President of the United States, in which case they shall be continued for no more than sixty (60) days after the final declaration issued for that disaster emergency event the maximum allowed by the Office of Personnel Management for part-time employment status.

(B) Based on the size, impact, and magnitude of the disaster event, the director shall determine the minimum number of emergency reserve cadre personnel required to effectively supplement regular state emergency management personnel ~~and report these numbers to the Governor for approval.~~

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that weather in Arkansas in early spring and summer has the potential for volatility; that this bill addresses the roles and responsibilities of those declaring emergencies locally; and that this act is immediately necessary because the state needs to be prepared for natural disasters and other emergencies. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

**APPROVED: 02/26/2013**