

House Bill 251

By: Representatives Ealum of the 153rd, Powell of the 171st, Houston of the 170th, Carter of the 175th, Rynders of the 152nd, and others

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to emergency management organization and administration, so as to authorize emergency personnel to go upon private property as necessary in the performance of their duties during a state of emergency or state of disaster; to prohibit the interference with emergency personnel performing their duties; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to emergency management organization and administration, is amended by adding a new Code section to read as follows:

"38-3-38.

(a) As used in this Code section, the term 'emergency responder' means any person who is deployed to respond to a state of emergency or state of disaster under the direction and control of any federal, state, or local government entity authorized to deploy such person.

(b) During any state of emergency or state of disaster declared by the Governor pursuant to Code Section 38-3-51, all emergency responders shall be authorized to enter upon private property to the extent necessary to conduct their duties with regard to such emergency or disaster, including but not limited to search, rescue, property protection, debris removal, restoration of services, and infrastructure repair and relocation.

(c) No person shall interfere with or obstruct any emergency responder in the performance of his or her duties."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.