
HOUSE BILL 2257

State of Washington

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By Representatives Goehner and Peterson

1 AN ACT Relating to supporting back country search and rescue
2 organizations and volunteers through the creation of the back country
3 search and rescue grant program; amending RCW 38.52.010 and
4 38.52.020; and adding a new section to chapter 38.52 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 38.52.010 and 2022 c 203 s 2 are each amended to
7 read as follows:

8 As used in this chapter:

9 (1) "911 emergency communications system" means a public 911
10 communications system consisting of a network, database, and on-
11 premises equipment that is accessed by dialing or accessing 911 and
12 that enables reporting police, fire, medical, or other emergency
13 situations to a public safety answering point. The system includes
14 the capability to selectively route incoming 911 voice and data to
15 the appropriate public safety answering point that operates in a
16 defined 911 service area and the capability to automatically display
17 the name, location, and telephone number of incoming 911 voice and
18 data at the appropriate public safety answering point.

19 (2) "Automatic location identification" means information about a
20 caller's location that is part of or associated with an enhanced or
21 next generation 911 emergency communications system as defined in

1 this section and RCW 82.14B.020 and intended for the purpose of
2 display at a public safety answering point with incoming 911 voice or
3 data, or both.

4 (3) "Automatic number identification" means a method for uniquely
5 associating a communication device that has accessed 911 with the
6 incoming 911 voice or data, or both, and intended for the purpose of
7 display at a public safety answering point.

8 (4) "Back country search and rescue" is a subset of search and
9 rescue and includes locating lost, injured, or deceased persons in
10 remote areas. Back country search and rescue requires specialized
11 training and equipment to assess and mitigate hazardous terrain or
12 conditions; access injured, stuck, stranded, entrapped, or deceased
13 persons; provide emergency medical and psychological care; and
14 evacuate or transport the rescued persons.

15 (5) "Baseline level of 911 service" means access to 911 dialing
16 from all communication devices with service from a telecommunications
17 provider within a county's jurisdiction so that incoming 911 voice
18 and data communication is answered, received, and displayed on 911
19 equipment at a public safety answering point designated by the
20 county.

21 ~~((+5))~~ (6) "Broadcaster" means a person or entity that holds a
22 license issued by the federal communications commission under 47
23 C.F.R. Part 73, 74, 76, or 78.

24 ~~((+6))~~ (7)(a) "Catastrophic incident" means any natural or
25 human-caused incident, including terrorism and enemy attack, that
26 results in extraordinary levels of mass casualties, damage, or
27 disruption severely affecting the population, infrastructure,
28 environment, economy, or government functions.

29 (b) "Catastrophic incident" does not include an event resulting
30 from individuals exercising their rights, under the first amendment,
31 of freedom of speech, and of the people to peaceably assemble.

32 ~~((+7))~~ (8) "Communication plan," as used in RCW 38.52.070, means
33 a section in a local comprehensive emergency management plan that
34 addresses emergency notification of life safety information.

35 ~~((+8))~~ (9) "Continuity of government planning" means the
36 internal effort of all levels and branches of government to provide
37 that the capability exists to continue essential functions and
38 services following a catastrophic incident. These efforts include,
39 but are not limited to, providing for: (a) Orderly succession and
40 appropriate changes of leadership whether appointed or elected; (b)

1 filling vacancies; (c) interoperability communications; and (d)
2 processes and procedures to reconvene government following periods of
3 disruption that may be caused by a catastrophic incident. Continuity
4 of government planning is intended to preserve the constitutional and
5 statutory authority of elected officials at the state and local level
6 and provide for the continued performance of essential functions and
7 services by each level and branch of government.

8 ~~((9))~~ (10) "Continuity of operations planning" means the
9 internal effort of an organization to provide that the capability
10 exists to continue essential functions and services in response to a
11 comprehensive array of potential emergencies or disasters.

12 ~~((10))~~ (11) "Department" means the state military department.

13 ~~((11))~~ (12) "Director" means the adjutant general.

14 ~~((12))~~ (13) "Emergency management" or "comprehensive emergency
15 management" means the preparation for and the carrying out of all
16 emergency functions, other than functions for which the military
17 forces are primarily responsible, to mitigate, prepare for, respond
18 to, and recover from emergencies and disasters, and to aid victims
19 suffering from injury or damage, resulting from disasters caused by
20 all hazards, whether natural, technological, or human caused, and to
21 provide support for search and rescue operations for persons and
22 property in distress. However, "emergency management" or
23 "comprehensive emergency management" does not mean preparation for
24 emergency evacuation or relocation of residents in anticipation of
25 nuclear attack.

26 ~~((13))~~ (14) (a) "Emergency or disaster" as used in all sections
27 of this chapter except RCW 38.52.430 means an event or set of
28 circumstances which: (i) Demands immediate action to preserve public
29 health, protect life, protect public property, or to provide relief
30 to any stricken community overtaken by such occurrences; or (ii)
31 reaches such a dimension or degree of destructiveness as to warrant
32 the governor proclaiming a state of emergency pursuant to RCW
33 43.06.010.

34 (b) "Emergency" as used in RCW 38.52.430 means an incident that
35 requires a normal police, coroner, fire, rescue, emergency medical
36 services, or utility response as a result of a violation of one of
37 the statutes enumerated in RCW 38.52.430.

38 ~~((14))~~ (15) "Emergency response" as used in RCW 38.52.430 means
39 a public agency's use of emergency services during an emergency or
40 disaster as defined in subsection ~~((13))~~ (14) (b) of this section.

1 (~~(15)~~) (16) "Emergency services communication system" means a
2 multicounty or countywide communications network, including an
3 enhanced or next generation 911 emergency communications system,
4 which provides rapid public access for coordinated dispatching of
5 services, personnel, equipment, and facilities for police, fire,
6 medical, or other emergency services.

7 (~~(16)~~) (17) "Emergency services communications system data"
8 includes voice or audio; multimedia, including pictures and video;
9 text messages; telematics or telemetrics; or other information that
10 is received or displayed, or both, at a public safety answering point
11 in association with a 911 access.

12 (~~(17)~~) (18) "Emergency worker" means any person who is
13 registered with a local emergency management organization or the
14 department and holds an identification card issued by the local
15 emergency management director or the department for the purpose of
16 engaging in authorized emergency management activities or is an
17 employee of the state of Washington or any political subdivision
18 thereof who is called upon to perform emergency management
19 activities.

20 (~~(18)~~) (19) "Executive head" and "executive heads" means the
21 county executive in those charter counties with an elective office of
22 county executive, however designated, and, in the case of other
23 counties, the county legislative authority. In the case of cities and
24 towns, it means the mayor in those cities and towns with mayor-
25 council or commission forms of government, where the mayor is
26 directly elected, and it means the city manager in those cities and
27 towns with council manager forms of government. Cities and towns may
28 also designate an executive head for the purposes of this chapter by
29 ordinance.

30 (~~(19)~~) (20) "Expense of an emergency response" as used in RCW
31 38.52.430 means reasonable costs incurred by a public agency in
32 reasonably making an appropriate emergency response to the incident,
33 but shall only include those costs directly arising from the response
34 to the particular incident. Reasonable costs shall include the costs
35 of providing police, coroner, firefighting, rescue, emergency medical
36 services, or utility response at the scene of the incident, as well
37 as the salaries of the personnel responding to the incident.

38 (~~(20)~~) (21) "First informer broadcaster" means an individual
39 who:

1 (a) Is employed by, or acting pursuant to a contract under the
2 direction of, a broadcaster; and

3 (b) (i) Maintains, including repairing or resupplying,
4 transmitters, generators, or other essential equipment at a broadcast
5 station or facility; or (ii) provides technical support services to
6 broadcasters needed during a period of proclaimed emergency.

7 (~~(21)~~) (22) "Incident command system" means: (a) An all-
8 hazards, on-scene functional management system that establishes
9 common standards in organization, terminology, and procedures;
10 provides a means (unified command) for the establishment of a common
11 set of incident objectives and strategies during multiagency/
12 multijurisdiction operations while maintaining individual agency/
13 jurisdiction authority, responsibility, and accountability; and is a
14 component of the national interagency incident management system; or

15 (b) an equivalent and compatible all-hazards, on-scene functional
16 management system.

17 (~~(22)~~) (23) "Injury" as used in this chapter shall mean and
18 include accidental injuries and/or occupational diseases arising out
19 of emergency management activities.

20 (~~(23)~~) (24) "Interconnected voice over internet protocol
21 service provider" means a provider of interconnected voice over
22 internet protocol service as defined by the federal communications
23 commission in 47 C.F.R. Sec. 9.3 on January 1, 2009, or a subsequent
24 date determined by the department.

25 (~~(24)~~) (25) "Life safety information" means information
26 provided to people during a response to a life-threatening emergency
27 or disaster informing them of actions they can take to preserve their
28 safety. Such information may include, but is not limited to,
29 information regarding evacuation, sheltering, sheltering-in-place,
30 facility lockdown, and where to obtain food and water.

31 (~~(25)~~) (26) "Local director" means the director of a local
32 organization of emergency management or emergency services.

33 (~~(26)~~) (27) "Local organization for emergency services or
34 management" means an organization created in accordance with the
35 provisions of this chapter by state or local authority to perform
36 local emergency management functions.

37 (~~(27)~~) (28) "Next generation 911" means an internet protocol-
38 based system comprised of managed emergency services internet
39 protocol networks, functional elements (applications), and databases
40 that replicate enhanced 911 features and functions as defined in RCW

1 82.14B.020(4) that provide additional capabilities designed to
2 provide access to emergency services from all connected
3 communications sources and provide multimedia data capabilities for
4 public safety answering points.

5 ~~((28))~~ (29) "Next generation 911 demarcation point" means the
6 location and equipment that separates the next generation 911 network
7 from:

8 (a) A telecommunications provider's network, known as the ingress
9 next generation 911 demarcation point; and

10 (b) A public safety answering point, known as the egress next
11 generation 911 demarcation point.

12 ~~((29))~~ (30) "Next generation 911 emergency communications
13 system" means a public communications system consisting of networks,
14 databases, and public safety answering point 911 hardware, software,
15 and technology that is accessed by the public in the state through
16 911. The system includes the capability to: Route incoming 911 voice
17 and data to the appropriate public safety answering point that
18 operates in a defined 911 service area; answer incoming 911 voice and
19 data; and receive and display incoming 911 voice and data, including
20 automatic location identification and automatic number
21 identification, at a public safety answering point. "Next generation
22 911 emergency communications system" includes future modernizations
23 to the 911 system.

24 ~~((30))~~ (31) "Next generation 911 emergency services internet
25 protocol network" means a managed internet protocol network used for
26 911 emergency services communications that is managed and maintained,
27 including security and credentialing functions, by the state 911
28 coordination office to provide next generation 911 emergency
29 communications from the ingress next generation 911 demarcation point
30 to the egress next generation 911 demarcation point. It provides the
31 internet protocol transport infrastructure upon which application
32 platforms and core services are necessary for providing next
33 generation 911 services. Next generation 911 emergency services
34 internet protocol networks may be constructed from a mix of dedicated
35 and shared facilities and may be interconnected at local, regional,
36 state, federal, national, and international levels to form an
37 internet protocol-based inter-network (network of networks).

38 ~~((31))~~ (32) "Next generation 911 service" means public access
39 to the next generation 911 emergency communications system and its
40 capabilities by accessing 911 from communication devices to report

1 police, fire, medical, or other emergency situations to a public
2 safety answering point.

3 ~~((32))~~ (33) "Political subdivision" means any county, city or
4 town.

5 ~~((33))~~ (34) "Public agency" means the state, and a city,
6 county, municipal corporation, district, town, or public authority
7 located, in whole or in part, within this state which provides or may
8 provide firefighting, police, ambulance, medical, or other emergency
9 services.

10 ~~((34))~~ (35) "Public safety answering point" means the public
11 safety location that receives and answers 911 voice and data
12 originating in a given area as designated by the county. Public
13 safety answering points must be equipped with 911 hardware, software,
14 and technology that is accessed through 911 and is capable of
15 answering incoming 911 calls and receiving and displaying incoming
16 911 data.

17 (a) "Primary public safety answering point" means a public safety
18 answering point, as designated by the county, to which 911 calls and
19 data originating in a given area and entering the next generation 911
20 network are initially routed for answering.

21 (b) "Secondary public safety answering point" means a public
22 safety answering point, as designated by the county, that only
23 receives 911 voice and data that has been transferred by other public
24 safety answering points.

25 ~~((35))~~ (36) "Radio communications service company" means every
26 corporation, company, association, joint stock, partnership, and
27 person, their lessees, trustees, or receivers appointed by any court,
28 and every city or town making available facilities to provide
29 commercial mobile radio services, as defined by 47 U.S.C. Sec.
30 332(d)(1), or cellular communications services for hire, sale, and
31 both facilities-based and nonfacilities-based resellers, and does not
32 include radio paging providers.

33 ~~((36))~~ (37) "Search and rescue" means the acts of searching
34 for, rescuing, or recovering by means of ground, marine, or air
35 activity any person who becomes lost, injured, or is killed while
36 outdoors or as a result of a natural, technological, or human-caused
37 disaster, including instances involving searches for downed aircraft
38 when ground personnel are used. Nothing in this section shall affect
39 appropriate activity by the department of transportation under
40 chapter 47.68 RCW.

1 (~~(37)~~) (38) "Search and rescue organization" means a Washington
2 domestic nonprofit corporation organized under chapter 24.03A RCW and
3 registered with the Washington secretary of state or a group of
4 emergency workers recognized by and working with the local director,
5 whose primary purpose is search and rescue, has its principal place
6 of business established in a political subdivision of the state of
7 Washington, and is formally recognized by the local emergency
8 management organization of that political subdivision as being
9 available for participation in search and rescue activities
10 consistent with RCW 38.52.400.

11 (39) "Telecommunications provider" means a telecommunications
12 company as defined in RCW 80.04.010, a radio communications service
13 company as defined in (~~RCW 38.52.010~~) this section, a commercial
14 mobile radio service provider as defined in 47 C.F.R. Sec. 20.3,
15 providers of interconnected voice over internet protocol service as
16 defined in (~~RCW 38.52.010~~) this section, and providers of data
17 services.

18 (~~(38)~~) (40) "Washington state patrol public safety answering
19 points" means those designated as primary or secondary public safety
20 answering points by the counties in which they provide service.

21 **Sec. 2.** RCW 38.52.020 and 2015 c 61 s 2 are each amended to read
22 as follows:

23 (1) Because of the existing and increasing possibility of the
24 occurrence of disasters of unprecedented size and destructiveness as
25 defined in RCW 38.52.010(~~(5)~~) (14), and in order to insure that
26 preparations of this state will be adequate to deal with such
27 disasters, to insure the administration of state and federal programs
28 providing disaster relief to individuals, and further to insure
29 adequate support for search and rescue operations, and generally to
30 protect the public peace, health, and safety, and to preserve the
31 lives and property of the people of the state, it is hereby found and
32 declared to be necessary:

33 (a) To provide for emergency management by the state, and to
34 authorize the creation of local organizations for emergency
35 management in the political subdivisions of the state;

36 (b) To confer upon the governor and upon the executive heads of
37 the political subdivisions of the state the emergency powers provided
38 herein;

1 (c) To provide for the rendering of mutual aid among the
2 political subdivisions of the state and with other states and to
3 cooperate with the federal government with respect to the carrying
4 out of emergency management functions;

5 (d) To provide a means of compensating emergency (~~management~~)
6 workers who may suffer any injury, as herein defined, or death; who
7 suffer economic harm including personal property damage or loss; or
8 who incur expenses for transportation, telephone or other methods of
9 communication, and the use of personal supplies as a result of
10 participation in emergency management or back country search and
11 rescue activities;

12 (e) To provide programs, with intergovernmental cooperation, to
13 educate and train the public to be prepared for emergencies; and

14 (f) To provide for the prioritization, development, and exercise
15 of continuity of operations plans by the state.

16 (2) It is further declared to be the purpose of this chapter and
17 the policy of the state that all emergency management functions of
18 this state and its political subdivisions be coordinated to the
19 maximum extent with the comparable functions of the federal
20 government including its various departments and agencies of other
21 states and localities, and of private agencies of every type, to the
22 end that the most effective preparation and use may be made of the
23 nation's manpower, resources, and facilities for dealing with any
24 disaster that may occur.

25 NEW SECTION. **Sec. 3.** A new section is added to chapter 38.52
26 RCW to read as follows:

27 (1) Subject to the availability of amounts appropriated for this
28 specific purpose, the back country search and rescue grant program is
29 established. The department shall administer the program. The
30 department may adopt rules, in consultation with the emergency
31 management council, to administer the program.

32 (2) The back country search and rescue account is created in the
33 state treasury. All receipts from legislative appropriations,
34 donations, gifts, grants, or funds directed to the account from other
35 public or private sources must be deposited in the account. Moneys in
36 the account may be spent only after appropriation. Expenditures from
37 the account may only be used by the department to provide grants to:

38 (a) Search and rescue organizations for anticipated and incurred
39 back country search and rescue costs by search and rescue volunteers,

1 including planning, equipment, training, exercise, and operations;
2 and
3 (b) Political subdivisions which incur or budget for costs
4 related to back country search and rescue operations that are not
5 available for reimbursement through another mechanism.

--- **END** ---