

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 1649, Page 1, In the Title, Lines 2-3, by
2 deleting the words "immunity from civil liability" and inserting in lieu thereof the words "public
3 safety"; and

4
5 Further amend said bill and page, Section A, Line 2, by inserting after all of said line the following:

6
7 "44.023. 1. The Missouri state emergency management agency shall establish and
8 administer an emergency volunteer program to be activated in the event of a disaster whereby
9 volunteer architects, [and professional] engineers [registered] licensed under chapter 327, building
10 officials and building inspectors employed by local governments, other individuals qualified by
11 training and experience who have been certified by the state emergency management agency and
12 who perform their duties under the direction of an architect or engineer licensed under chapter 327,
13 and construction contractors, equipment dealers, and other owners and operators of construction
14 equipment may volunteer the use of their services and equipment, either manned or unmanned, for
15 up to [three] five consecutive days for in-state deployments as requested and needed by the state
16 emergency management agency. In the event of an emergency, individuals who perform their duties
17 under the direction of an architect or engineer licensed under chapter 327 shall also perform their
18 duties under the direction of an architect or engineer during such emergency.

19 2. In the event of a disaster, the enrolled volunteers shall, where needed, assist local
20 jurisdictions and local building inspectors to provide essential demolition, cleanup or other related
21 services and to determine whether [buildings] structures affected by a disaster:

- 22 (1) Have not sustained serious damage and may be occupied;
- 23 (2) Must be [vacated temporarily] restricted in their use pending repairs; or
- 24 (3) [Must be demolished in order to avoid hazards to occupants or other persons] Are unsafe
25 and shall not be occupied pending repair or demolition.

26 3. Any person when utilized as a volunteer under the emergency volunteer program shall
27 have his or her incidental expenses paid by the local jurisdiction for which the volunteer service is
28 provided. Enrolled volunteers under the emergency volunteer program shall be provided workers
29 compensation insurance by the state emergency management agency during their official duties as
30 authorized by the state emergency management agency.

31 4. Emergency volunteers who are certified by the state emergency management agency shall
32 be considered employees of the state for purposes of the emergency mutual aid compact under
33 section 44.415 and shall be eligible for out-of-state deployments in accordance with such section.

34 5. Architects, [and professional] engineers, building officials and building inspectors, other
35 enrolled volunteers, construction contractors, equipment dealers, and other owners and operators of
36 construction equipment and the companies with which they are employed, working under the

Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____

1 emergency volunteer program, shall not be personally liable either jointly or separately for any act
2 or acts committed in the performance of their official duties as emergency volunteers except in the
3 case of willful misconduct or gross negligence.

4 [5.] 6. Any individuals, employers, partnerships, corporations or proprietorships, that are
5 working under the emergency volunteer program providing demolition, cleanup, removal, or other
6 related services, shall not be liable for any acts committed in the performance of their official duties
7 as emergency volunteers except in the case of willful misconduct or gross negligence."; and

8
9 Further amend said bill by amending the title, enacting clause, and intersectional references
10 accordingly.