

House Bill 1426

By: Representatives Flournoy of the 74<sup>th</sup>, Kendrick of the 95<sup>th</sup>, Beckles of the 96<sup>th</sup>, and Ali of the 106<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 8 of Title 35 of the Official Code of Georgia Annotated, relating to  
2 employment and training of peace officers, so as to provide for training in the evacuation of  
3 persons with disabilities during an emergency; to amend Chapter 3 of Title 38 of the Official  
4 Code of Georgia Annotated, relating to emergency management, so as to provide for  
5 emergency evacuation procedures for persons with disabilities, subject to appropriations; to  
6 provide for a voluntary and confidential registry of persons with disabilities; to provide for  
7 accessible emergency shelters; to provide guidelines for emergency transportation providers;  
8 to provide for emergency evacuation coordination between state agencies; to provide for  
9 immunity; to provide for rules and regulations; to provide for definitions; to provide for  
10 legislative findings and declarations; to provide for related matters; to repeal conflicting  
11 laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 **SECTION 1.**

14 The General Assembly finds and declares that:

H. B. 1426

- 15 (1) Individuals with disabilities often face unique challenges during emergency  
16 evacuations, including, but not limited to, accessibility barriers, communication difficulties,  
17 and reliance on specialized equipment and assistance;
- 18 (2) Existing emergency preparedness plans may not adequately address the specific needs  
19 of this vulnerable population, leading to disproportionate risks and potential harm; and
- 20 (3) It is the intent of the General Assembly to establish a comprehensive framework that  
21 ensures the safety and well-being of individuals with disabilities during emergencies and  
22 balances proactive measures with efficient resource allocation and individual liberty.

## 23 SECTION 2.

24 Chapter 8 of Title 35 of the Official Code of Georgia Annotated, relating to employment and  
25 training of peace officers, is amended by adding a new Code section to read as follows:

26 "35-8-28.

27 (a) On and after January 1, 2027, all peace officers shall be required to successfully  
28 complete training in emergency evacuations of persons with disabilities as set forth in  
29 Article 13 of Chapter 3 of Title 38.

30 (b) Such training shall include:

31 (1) Instruction on the different types of disabilities and the impact of such disabilities  
32 during an emergency;

33 (2) Techniques for effective communication with persons with disabilities;

34 (3) Safe evacuation methods for persons with disabilities;

35 (4) Equipment needs during evacuations of persons with disabilities;

36 (5) Rights and protections of service animals; and

37 (6) Cultural competency in assisting persons with disabilities.

38 (c) The council shall develop and implement or approve a training program under this  
39 Code section in collaboration with the Georgia Emergency Management and Homeland  
40 Security Agency and nonprofit organizations with proven expertise in disabilities."

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**SECTION 3.**

Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to emergency management, is amended by creating a new article to read as follows:

"ARTICLE 13

38-3-200.

As used in this article, the term:

(1) 'Accessible shelter' means an emergency shelter that complies with the accessibility guidelines set forth in the federal Americans with Disabilities Act of 1990, as amended by the federal ADA Amendments Act of 2008, 42 U.S.C. Section 12102, and is equipped to meet the functional needs of persons with disabilities.

(2) 'Disability' shall have the same meaning as provided for in the federal Americans with Disabilities Act of 1990, as amended by the federal ADA Amendments Act of 2008, 42 U.S.C. Section 12102.

(3) 'Emergency' means an event or condition that is deemed a state of emergency or disaster under Code Section 38-3-51, a public health emergency under Code Section 31-12-1.1, a local emergency under Code Section 36-69-2, or an emergency declared by a state entity or official or by a federal entity or official, if such emergency includes this state, under any other provision of state or federal law.

(4) 'Emergency transportation provider' means a transportation service or vehicle used to transport a person with disabilities during an emergency.

(5) 'First responder' means a firefighter as defined in Code Section 25-4-2, a peace officer as defined in Code Section 35-8-2, or an emergency medical technician as defined in Code Section 16-10-24.2.

(6) 'Registry' means the emergency disability registry established under this article.

65 (7) 'Service animal' means an animal that is specially trained to assist a person with  
66 disabilities in performing daily tasks. Such term shall include guide dogs.

67  
68 38-3-201.

69 (a) An emergency disability registry shall be created and maintained by the Georgia  
70 Emergency Management and Homeland Security Agency to provide for a state-wide  
71 registry of persons with disabilities who may require assistance during an emergency.

72 (b) At the request of a person with a disability, the Georgia Emergency Management and  
73 Homeland Security Agency shall add such person to the registry and coordinate with such  
74 person's local first responder entities to establish an individualized emergency evacuation  
75 and transportation plan.

76 (c) Participation in the registry is voluntary, and a person with a disability may request to  
77 be added to the registry or removed from the registry at any time.

78 (d) The registry shall include the following information regarding the person with a  
79 disability:

80 (1) Such person's name, address, and phone number;

81 (2) Name, address, and phone number of such person's emergency contact;

82 (3) Nature of such person's disability and specific functional needs, including, but not  
83 limited to, any medical needs that are relevant to an emergency response;

84 (4) A notation as to whether such person has a service animal; and

85 (5) Such person's individualized evacuation and transportation plan under subsection (b)  
86 of this Code section.

87 (e) All information contained in the registry shall be confidential and accessible only to  
88 first responders.

89 (f) The Georgia Emergency Management and Homeland Security Agency is authorized  
90 to promulgate rules and regulations necessary to implement and carry out the provisions  
91 of this article.

92 (g) The Georgia Emergency Management and Homeland Security Agency shall implement  
93 a public awareness campaign about the registry.

94 (h) The implementation of this article is subject to appropriations from the General  
95 Assembly.

96 38-3-202.

97 (a) The Department of Human Services shall coordinate with the Georgia Emergency  
98 Management and Homeland Security Agency to identify and designate accessible shelters  
99 throughout the state that are appropriate for housing persons with disabilities during an  
100 emergency.

101 (b) Accessible shelters designated under subsection (a) of this Code section shall include:

102 (1) Restrooms and bathing facilities that are accessible to persons with disabilities;

103 (2) Power outlets for essential medical devices;

104 (3) Communication aids and interpreters as practicable;

105 (4) Personnel trained to assist with evacuated persons with disabilities;

106 (5) Transportation that is accessible to persons with disabilities; and

107 (6) Animal-friendly accommodations for service animals, which shall remain with their  
108 handlers at all times.

109 (c) No person who is blind or visually impaired shall be separated from his or her service  
110 animal during transport to and from an accessible shelter or during the time spent in any  
111 such shelter.

112 38-3-203.

113 Emergency transportation providers shall establish procedures to:

114 (1) Safely transport persons with disabilities from their residences or other designated  
115 pickup locations to an appropriate accessible shelter;

116 (2) Ensure the use of vehicles that are accessible to persons with disabilities and  
117 personnel who are trained to operate such vehicles and to assist persons with disabilities  
118 during an emergency; and  
119 (3) Maintain records to ensure that persons with disabilities who are evacuated to an  
120 accessible shelter are returned to their residence or other designated location once the  
121 emergency ends.

122 38-3-204.

123 (a) The Georgia Emergency Management and Homeland Security Agency shall lead all  
124 coordination efforts related to emergency evacuations of persons with disabilities.

125 (b) A task force shall be created by the Georgia Emergency Management and Homeland  
126 Security Agency to assist with such coordination of efforts. Such task force shall include  
127 a representative from the Georgia Emergency Management and Homeland Security  
128 Agency, the Department of Human Services, the Department of Transportation, the  
129 Department of Public Health, and a local first responder entity.

130 (c) The task force shall consult with disability nonprofit organizations with proven  
131 expertise in disabilities for guidance in evacuation planning.

132 38-3-205.

133 No person or entity shall be liable for any actions taken in good faith under this article."

134 **SECTION 4.**

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