
SENATE BILL 5631

State of Washington

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By Senators Goehner, Wagoner, Dozier, and Hasegawa

Read first time 02/03/25. Referred to Committee on State Government, Tribal Affairs & Elections.

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 38.52.020; reenacting
4 and amending RCW 38.52.010; and adding a new section to chapter 38.52
5 RCW.

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

7 **Sec. 1.** RCW 38.52.010 and 2024 c 205 s 1 and 2024 c 60 s 2 are
8 each reenacted and amended to read as follows:

9 As used in this chapter:

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

20 (2) "Automatic location identification" means information about a
21 caller's location that is part of or associated with an enhanced or

1 next generation 911 emergency communications system as defined in
2 this section and RCW 82.14B.020 and intended for the purpose of
3 display at a public safety answering point with incoming 911 voice or
4 data, or both.

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

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

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

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

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

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

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

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

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

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

13 ~~((10))~~ (11) "Department" means the state military department.

14 ~~((11))~~ (12) "Director" means the adjutant general.

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

27 ~~((13))~~ (14) (a) "Emergency or disaster" as used in all sections
28 of this chapter except RCW 38.52.430 means an event or set of
29 circumstances which: (i) Demands immediate action to preserve public
30 health, protect life, protect public property, or to provide relief
31 to any stricken community overtaken by such occurrences; or (ii)
32 reaches such a dimension or degree of destructiveness as to warrant
33 the governor proclaiming a state of emergency pursuant to RCW
34 43.06.010.

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

1 (~~(14)~~) (15) "Emergency response" as used in RCW 38.52.430 means
2 a public agency's use of emergency services during an emergency or
3 disaster as defined in subsection (~~(13)~~) (14)(b) of this section.

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

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

15 (~~(17)~~) (18) "Emergency worker" means any person who is
16 registered with a local emergency management organization, any
17 federally recognized Indian tribe as defined in RCW 43.376.010
18 provided the department is in receipt of a tribal government
19 resolution declaring its intention to be a participant in the
20 emergency worker program under this chapter, or the department and
21 holds an identification card issued by the local emergency management
22 director, tribal government, or the department for the purpose of
23 engaging in authorized emergency management activities or is an
24 employee of the state of Washington or any political subdivision
25 thereof who is called upon to perform emergency management
26 activities.

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

37 (~~(19)~~) (20) "Expense of an emergency response" as used in RCW
38 38.52.430 means reasonable costs incurred by a public agency in
39 reasonably making an appropriate emergency response to the incident,
40 but shall only include those costs directly arising from the response

1 to the particular incident. Reasonable costs shall include the costs
2 of providing police, coroner, firefighting, rescue, emergency medical
3 services, or utility response at the scene of the incident, as well
4 as the salaries of the personnel responding to the incident.

5 ~~((20))~~ (21) "First informer broadcaster" means an individual
6 who:

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

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

13 ~~((21))~~ (22) "Incident command system" means: (a) An all-
14 hazards, on-scene functional management system that establishes
15 common standards in organization, terminology, and procedures;
16 provides a means (unified command) for the establishment of a common
17 set of incident objectives and strategies during multiagency/
18 multijurisdiction operations while maintaining individual agency/
19 jurisdiction authority, responsibility, and accountability; and is a
20 component of the national interagency incident management system; or
21 (b) an equivalent and compatible all-hazards, on-scene functional
22 management system.

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

26 ~~((23))~~ (24) "Interconnected voice over internet protocol
27 service provider" means a provider of interconnected voice over
28 internet protocol service as defined by the federal communications
29 commission in 47 C.F.R. Sec. 9.3 on January 1, 2009, or a subsequent
30 date determined by the department.

31 ~~((24))~~ (25) "Life safety information" means information
32 provided to people during a response to a life-threatening emergency
33 or disaster informing them of actions they can take to preserve their
34 safety. Such information may include, but is not limited to,
35 information regarding evacuation, sheltering, sheltering-in-place,
36 facility lockdown, and where to obtain food and water.

37 ~~((25))~~ (26) "Local director" means the director of a local
38 organization of emergency management or emergency services.

39 ~~((26))~~ (27) "Local organization for emergency services or
40 management" means an organization created in accordance with the

1 provisions of this chapter by state or local authority to perform
2 local emergency management functions.

3 ~~((27))~~ (28) "Next generation 911" means an internet protocol-
4 based system comprised of managed emergency services internet
5 protocol networks, functional elements (applications), and databases
6 that replicate enhanced 911 features and functions as defined in RCW
7 82.14B.020(4) that provide additional capabilities designed to
8 provide access to emergency services from all connected
9 communications sources and provide multimedia data capabilities for
10 public safety answering points.

11 ~~((28))~~ (29) "Next generation 911 demarcation point" means the
12 location and equipment that separates the next generation 911 network
13 from:

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

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

18 ~~((29))~~ (30) "Next generation 911 emergency communications
19 system" means a public communications system consisting of networks,
20 databases, and public safety answering point 911 hardware, software,
21 and technology that is accessed by the public in the state through
22 911. The system includes the capability to: Route incoming 911 voice
23 and data to the appropriate public safety answering point that
24 operates in a defined 911 service area; answer incoming 911 voice and
25 data; and receive and display incoming 911 voice and data, including
26 automatic location identification and automatic number
27 identification, at a public safety answering point. "Next generation
28 911 emergency communications system" includes future modernizations
29 to the 911 system.

30 ~~((30))~~ (31) "Next generation 911 emergency services internet
31 protocol network" means a managed internet protocol network used for
32 911 emergency services communications that is managed and maintained,
33 including security and credentialing functions, by the state 911
34 coordination office to provide next generation 911 emergency
35 communications from the ingress next generation 911 demarcation point
36 to the egress next generation 911 demarcation point. It provides the
37 internet protocol transport infrastructure upon which application
38 platforms and core services are necessary for providing next
39 generation 911 services. Next generation 911 emergency services
40 internet protocol networks may be constructed from a mix of dedicated

1 and shared facilities and may be interconnected at local, regional,
2 state, federal, national, and international levels to form an
3 internet protocol-based inter-network (network of networks).

4 ~~((31))~~ (32) "Next generation 911 service" means public access
5 to the next generation 911 emergency communications system and its
6 capabilities by accessing 911 from communication devices to report
7 police, fire, medical, or other emergency situations to a public
8 safety answering point.

9 ~~((32))~~ (33) "Political subdivision" means any county, city or
10 town.

11 ~~((33))~~ (34) "Public agency" means the state, and a city,
12 county, municipal corporation, district, town, or public authority
13 located, in whole or in part, within this state which provides or may
14 provide firefighting, police, ambulance, medical, or other emergency
15 services.

16 ~~((34))~~ (35) "Public infrastructure assistance" means
17 supplementary state assistance provided to county governments and
18 federally recognized tribal governments, when authorized under
19 governor emergency proclamation for the cost of disaster-related
20 public property debris removal, emergency protective measures to
21 protect life and property, and permanent repair work to damaged or
22 destroyed public infrastructure.

23 ~~((35))~~ (36) "Public safety answering point" means the public
24 safety location that receives and answers 911 voice and data
25 originating in a given area as designated by the county. Public
26 safety answering points must be equipped with 911 hardware, software,
27 and technology that is accessed through 911 and is capable of
28 answering incoming 911 calls and receiving and displaying incoming
29 911 data.

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

34 (b) "Secondary public safety answering point" means a public
35 safety answering point, as designated by the county, that only
36 receives 911 voice and data that has been transferred by other public
37 safety answering points.

38 ~~((36))~~ (37) "Radio communications service company" means every
39 corporation, company, association, joint stock, partnership, and
40 person, their lessees, trustees, or receivers appointed by any court,

1 and every city or town making available facilities to provide
2 commercial mobile radio services, as defined by 47 U.S.C. Sec.
3 332(d)(1), or cellular communications services for hire, sale, and
4 both facilities-based and nonfacilities-based resellers, and does not
5 include radio paging providers.

6 ~~((37))~~ (38) "Search and rescue" means the acts of searching
7 for, rescuing, or recovering by means of ground, marine, or air
8 activity any person who becomes lost, injured, or is killed while
9 outdoors or as a result of a natural, technological, or human-caused
10 disaster, including instances involving searches for downed aircraft
11 when ground personnel are used. Nothing in this section shall affect
12 appropriate activity by the department of transportation under
13 chapter 47.68 RCW.

14 ~~((38))~~ (39) "Search and rescue organization" means a Washington
15 domestic nonprofit corporation organized under chapter 24.03A RCW and
16 registered with the Washington secretary of state or a group of
17 emergency workers recognized by and working with the local director,
18 whose primary purpose is search and rescue, has its principal place
19 of business established in a political subdivision of the state of
20 Washington, and is formally recognized by the local emergency
21 management organization of that political subdivision as being
22 available for participation in search and rescue activities
23 consistent with RCW 38.52.400.

24 (40) "Telecommunications provider" means a telecommunications
25 company as defined in RCW 80.04.010, a radio communications service
26 company as defined in this section, a commercial mobile radio service
27 provider as defined in 47 C.F.R. Sec. 20.3, providers of
28 interconnected voice over internet protocol service as defined in
29 this section, and providers of data services.

30 ~~((39))~~ (41) "Washington state patrol public safety answering
31 points" means those designated as primary or secondary public safety
32 answering points by the counties in which they provide service.

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

35 (1) Because of the existing and increasing possibility of the
36 occurrence of disasters of unprecedented size and destructiveness as
37 defined in RCW 38.52.010 ~~((5))~~ (14), and in order to insure that
38 preparations of this state will be adequate to deal with such
39 disasters, to insure the administration of state and federal programs

1 providing disaster relief to individuals, and further to insure
2 adequate support for search and rescue operations, and generally to
3 protect the public peace, health, and safety, and to preserve the
4 lives and property of the people of the state, it is hereby found and
5 declared to be necessary:

6 (a) To provide for emergency management by the state, and to
7 authorize the creation of local organizations for emergency
8 management in the political subdivisions of the state;

9 (b) To confer upon the governor and upon the executive heads of
10 the political subdivisions of the state the emergency powers provided
11 herein;

12 (c) To provide for the rendering of mutual aid among the
13 political subdivisions of the state and with other states and to
14 cooperate with the federal government with respect to the carrying
15 out of emergency management functions;

16 (d) To provide a means of compensating emergency (~~management~~)
17 workers who may suffer any injury, as herein defined, or death; who
18 suffer economic harm including personal property damage or loss; or
19 who incur expenses for transportation, telephone or other methods of
20 communication, and the use of personal supplies as a result of
21 participation in emergency management or back country search and
22 rescue activities;

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

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

27 (2) It is further declared to be the purpose of this chapter and
28 the policy of the state that all emergency management functions of
29 this state and its political subdivisions be coordinated to the
30 maximum extent with the comparable functions of the federal
31 government including its various departments and agencies of other
32 states and localities, and of private agencies of every type, to the
33 end that the most effective preparation and use may be made of the
34 nation's manpower, resources, and facilities for dealing with any
35 disaster that may occur.

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

38 (1) Subject to the availability of amounts appropriated for this
39 specific purpose, the back country search and rescue grant program is

1 established. The department shall administer the program. The
2 department may adopt rules, in consultation with the emergency
3 management council, to administer the program.

4 (2) The back country search and rescue account is created in the
5 state treasury. All receipts from legislative appropriations,
6 donations, gifts, grants, or funds directed to the account from other
7 public or private sources must be deposited into the account. Moneys
8 in the account may be spent only after appropriation. Expenditures
9 from the account may only be used by the department to provide grants
10 to:

11 (a) Search and rescue organizations for anticipated and incurred
12 back country search and rescue costs by search and rescue volunteers,
13 including planning, equipment, training, exercise, and operations;
14 and

15 (b) Political subdivisions which incur or budget for costs
16 related to back country search and rescue operations that are not
17 available for reimbursement through another mechanism.

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