

TITLE 10. STATE POLICE, CIVIL DEFENSE AND MILITARY AFFAIRS

ARTICLE 4. EMERGENCY MANAGEMENT

CHAPTER 1. EMERGENCY MANAGEMENT AND DISASTER LAW

Ind. Code § 10-4-1-5.5(2002)

§ 10-4-1-5.5. Mutual aid agreement

(a) As used in this section, "agreement" refers to the mutual aid agreement created under section 5(g) [IC 10-4-1-5(g)] of this chapter.

(b) As used in this section, "party" means a unit or state agency that has entered the agreement.

(c) As used in this section, "unit" has the meaning set forth in IC 36-1-2-23.

(d) The agreement must be a contract that provides for the following:

(1) The procedures for the provision of mutual aid.

(2) The term of the agreement and the method by which the agreement may be rescinded or terminated by a party before the termination date.

(3) The terms and conditions governing reimbursement for any assistance provided.

(4) The terms and conditions governing insurance.

(5) The terms and conditions governing the assignment of liability. A party to the agreement is not liable for a claim made against or arising out of conduct of any other party to the agreement or the personnel of another party.

(6) The role of the department.

(7) Other terms and conditions needed to implement a statewide mutual aid program.

(e) Whenever an employee of a party is rendering outside aid under the authority of an agreement, the employee has the same powers, duties, rights, privileges, and immunities as if the employee were performing the duties within the employee's normal jurisdiction.

(f) A mutual aid arrangement or agreement entered by a unit under IC 36-1-7 before July 1, 2002, remains valid after July 1, 2002.

HISTORY: P.L.123-2002, § 22.

NOTES:

EFFECTIVE DATES. P.L.123-2002, § 63, declared an emergency and § 22 provided that this section take effect July 1, 2002.