



July 22, 2024

Emergency Management (Civil Defense)

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Table of Contents

Emergency Management (Civil Defense) 3

Emergency Management (Civil Defense)

Reference Number: CTAS-186

The Tennessee Emergency Management Agency (TEMA) under the direction of the governor is in charge of managing disasters occurring in this state. T.C.A. § 58-2-101 *et seq.* Counties must establish a county emergency management agency alone or in conjunction with other local governments. Each county organization must have a director appointed by the county mayor subject to confirmation by the county legislative body. The emergency management director is subject to the direction and control of the county mayor and not the county legislative body. Each county must have an emergency management plan and program that is coordinated with TEMA. Each county emergency management agency has jurisdiction over the entire county unless there exists an interjurisdictional emergency management agreement that has been recognized by the governor by executive order or rule. Under this law, counties have extensive power to provide funds, make contracts, employ personnel, assign and make available county personnel and resources to perform emergency management functions, and to establish, as necessary, a primary and one or more secondary emergency operating centers. In the event of an emergency, the county may waive the procedures and formalities otherwise required by law. Two or more counties may join together to provide emergency management services if approved by the governor. This may occur by request of the counties or upon a finding by the governor that the conditions of the counties require such pooling of resources. T.C.A. § 58-2-110.

The act grants to the governor extraordinary powers in a state of emergency, including direction (orders) to local law enforcement officers and agencies as may be reasonable and necessary, and may delegate emergency powers and responsibilities to county officers and agencies. T.C.A. § 58-2-107.

In 2007, the General Assembly amended T.C.A. § 58-2-107 to prohibit the state, any political subdivision, or any public official from prohibiting or imposing additional restrictions on the lawful possession, transfer, sale, transport, carrying, storage, display, or use of firearms and ammunition or firearm and ammunition components during any state of emergency, major disaster or natural disaster.

For more information on the ability of counties to respond to disaster situations, see Mutual Assistance and Mutual Aid Agreements under Forms of Government.

Source URL: <https://www.ctas.tennessee.edu/eli/emergency-management-civil-defense>