## Survey of Disaster Laws in Southern and Mid-Atlantic States

This overview compiles publicly available information on disaster laws in the southern and mid-Atlantic United States, focusing on both state and local authorities.

## Federal Framework (Applies to All States)

* Stafford Act: Establishes federal disaster relief and the presidential disaster declaration process.
* Disaster Mitigation Act of 2000: Requires hazard mitigation plans for certain federal disaster assistance.
* Disaster Recovery Reform Act (2018): Expands mitigation and changes federal disaster declaration processes.

(CSV File of Mid-Atlantic in Drive folder, can we set them all up to search by state)

## Key Features and Variations

* Evacuation Orders: All southern coastal states grant government officials the authority to order evacuations. In some (e.g., Florida, Georgia, South Carolina), only the governor can issue such orders, while in others (e.g., Texas, Louisiana, North Carolina), local officials also have this power.
* Local Emergency Management: Most states require or authorize local emergency management organizations in each county or municipality, often coordinated under state plans.
* Types of Emergencies: States recognize various types of emergencies, including general disasters, public health emergencies, and specialized emergencies (e.g., energy, environmental).
* Community Outreach: Only some states have explicit legal requirements for outreach to diverse populations and persons with disabilities during disasters

## Example: Maryland Local Disaster Law Structure

* Maryland Emergency Management Agency Act (Title 14): Establishes state and local emergency management, governor’s emergency powers, health emergency powers, and mutual aid compacts. Each county and Baltimore City must have a local emergency management organization, led by a director appointed by the governor and subject to local government oversight.

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## Differences in Local Disaster Laws: Southern vs. Mid-Atlantic Regions

## Southern States

* Evacuation Authority: In the southern coastal states (Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Texas), all have laws granting government officials the authority to order large-scale evacuations during disasters.
  + In some states (e.g., Florida, Georgia, South Carolina), only the governor can issue evacuation orders.
  + In others (e.g., Texas), local jurisdictions (counties, cities) have the authority to issue evacuation orders.
* Community Outreach: Only half of these southern states have laws requiring that evacuation information be communicated to racially and ethnically diverse populations and persons with disabilities or functional needs
* Local Emergency Declarations: Local officials in most southern states can declare a local state of emergency, activating local disaster response plans and unlocking resources, but the scope of their authority varies by state.

## Mid-Atlantic States

* Local Emergency Management Structure: States like Maryland require each county and Baltimore City to have a local emergency management organization, with a director responsible for local planning and response.
  + Local officials (mayors, county executives) can declare a local state of emergency, which activates local emergency plans and allows for resource mobilization.
  + These local declarations generally cannot be continued for more than thirty days without further approval.
* Coordination and Oversight: Local emergency management directors in the Mid-Atlantic are subject to both local government oversight and the general authority of the governor, ensuring alignment with state and federal plans.
* Insurance and Mitigation Laws: Mid-Atlantic states (e.g., North Carolina, Virginia, West Virginia) have additional laws related to disaster insurance and mitigation, such as special provisions for high-risk properties, mandatory coverage for certain disasters, and incentives for mitigation.

## Legal Protections for Vulnerable Populations in Disaster Laws

## Federal Baseline Protections (Both Regions)

* Stafford Act: Prohibits discrimination in disaster assistance based on race, color, nationality (including limited English proficiency), sex, religion, age, disability, or economic status. Applies to all federally supported disaster relief functions.
* Civil Rights Act (Title VI): Prohibits discrimination based on race, color, and national origin in federally funded programs.
* Rehabilitation Act (Section 504): Requires nondiscrimination and accessibility for people with disabilities in federally funded programs.
* Post-Katrina Emergency Management Reform Act: Requires a federal disability coordinator to ensure the needs of people with disabilities are addressed in disaster response.

## Southern States: Key Legal Protections

* Evacuation and Shelter Laws: All eight southern coastal states grant officials authority to order evacuations and require plans for transportation and sheltering, but significant gaps exist in protections for vulnerable groups.
  + Limited Language Access: None of the states require alternative language communication for limited-English proficient populations during evacuations.
  + Disability and Functional Needs: Only Florida, Louisiana, and Texas require emergency plans to address the needs of persons with disabilities or access and functional needs.
  + Special Registries: Only Florida authorizes a registry for persons with access and functional needs to facilitate evacuation and sheltering.
* Recent Reforms (Texas Example): Texas law (H.B. 2858) now requires local emergency plans to:
  + Identify and address the needs of persons with disabilities, the homeless, and low-income households.
  + Ensure shelters are accessible and provide care for individuals with disabilities.
  + Provide wellness checks, accessible notification systems, and minimum health standards for shelters.
  + Integrate preparedness and response plans for facilities serving people with disabilities.

(CSV File of Mid-Atlantic in Drive folder, can we set them all up to search by state)

## Mid-Atlantic States: Key Legal Protections

* Maryland:
  + Requires each county and Baltimore City to have a local emergency management organization.
  + State and local plans must coordinate with federal requirements, but specific legal mandates for outreach to vulnerable populations are less explicit in statute compared to some southern states.
  + Stafford Act protections apply, ensuring nondiscrimination and access to federal aid.
* Virginia:
  + State law mandates the Department of Emergency Management to maintain an Emergency Management Equity Working Group.
  + This group ensures emergency plans support at-risk and disproportionately impacted populations, with input from diversity, equity, and inclusion experts.
  + Emergency management plans must specifically address preparedness and response for at-risk individuals and populations.

## Impact of Eliminating FEMA on Southern and Mid-Atlantic Regions and Legal Protections for Vulnerable Communities

## Overview of the Federal Decision

President Trump has announced plans to phase out the Federal Emergency Management Agency (FEMA) after the 2025 hurricane season, shifting primary responsibility for disaster response and recovery to state governments. This move would drastically reduce or eliminate federal disaster assistance, including funding, coordination, and specialized programs that support states and vulnerable populations.

## Direct Impacts on Southern and Mid-Atlantic States

1. Financial and Logistical Burden

* States like Florida, Texas, and Louisiana, which have historically received billions in FEMA aid and support for hundreds of thousands of households annually, will face enormous new costs and logistical challenges.
* Many states lack the financial reserves, staff, and technical expertise to replace FEMA’s services, especially for large-scale disasters.
* The loss of FEMA’s Individuals and Households Program (IHP), which provides direct cash aid, temporary housing, and other critical support, will leave a significant gap in recovery resources

2. Disproportionate Impact on Vulnerable Populations

* FEMA has played a central role in ensuring at least minimal compliance with federal civil rights and equity standards in disaster response, including:
  + Nondiscrimination in aid distribution (race, language, disability, income)
  + Outreach and assistance to underserved communities
  + Targeted programs for people with disabilities, the elderly, and low-income families
* Many recent FEMA reforms aimed at simplifying aid applications, expanding eligibility, and providing immediate cash for essentials were designed to address chronic inequities in disaster recovery.
* The Trump administration has already canceled or rolled back several equity-focused programs, including disaster preparedness grants for rural and tribal communities, technical assistance for grant applications, and diversity/equity initiatives

3. State and Local Gaps in Legal Protections

* Most southern and mid-Atlantic states do not have comprehensive legal mandates or resources to replace FEMA’s equity and accessibility requirements.
* Only a few states (such as Texas and Virginia) have begun to implement equity-focused disaster planning at the state level, and even these efforts are limited compared to federal programs.
* Without FEMA, states will need to create their own systems for:
  + Language access and outreach to non-English speakers
  + Accessible shelters and transportation for people with disabilities
  + Targeted aid for low-income, elderly, and medically vulnerable populations
  + Data collection and case management for disaster survivors

4. Hazard Mitigation and Resilience

* FEMA’s elimination of major hazard mitigation programs (e.g., BRIC, Flood Mitigation Assistance) means states lose billions in federal funding for projects that reduce future disaster risk, disproportionately affecting communities with fewer resources to invest in resilience.
* Southern and mid-Atlantic states, which are among the most disaster-prone, will be forced to divert funds from other services or risk greater losses in future events

(Csv in folder, search by state)

What legal protections might weaken for at-risk groups without FEMA support

## 1. Civil Rights and Nondiscrimination Enforcement

* Federal civil rights laws (e.g., Stafford Act, Section 504 of the Rehabilitation Act, Title VI of the Civil Rights Act) require FEMA and its partners to ensure nondiscrimination in disaster aid, including equal access regardless of race, color, national origin, sex, disability, English proficiency, or economic status.
* FEMA’s Office of Civil Rights actively enforces these requirements, investigates complaints, provides technical assistance, and ensures that federal disaster programs are accessible and equitable.
* Without FEMA: State and local agencies may lack the capacity, expertise, or mandate to enforce these protections at the same level, leading to increased risk of discrimination or barriers for protected groups.

## 2. Language Access and Communication

* FEMA is required to provide information and services in multiple languages and accessible formats for people with limited English proficiency and disabilities.
* FEMA provides language access services, accessible websites, and ensures that disaster communications reach all communities.
* Without FEMA: Many states do not have comparable language access laws or resources, so non-English speakers and people with disabilities may be left out of critical communications and unable to access aid.

## 3. Accessible Shelters and Reasonable Accommodations

* FEMA enforces physical and programmatic accessibility for disaster shelters, temporary housing, and recovery centers, including reasonable modifications for people with disabilities.
* Without FEMA: States may not consistently provide accessible shelters or accommodations, increasing hardship for people with disabilities and older adults.

## 4. Targeted Outreach and Equity Initiatives

* FEMA has integrated equity into its core mission, conducting outreach to underserved and marginalized communities, consulting with civil rights organizations, and directing resources to address disparities.
* FEMA’s recent reforms include simplified application processes, broader documentation acceptance, and targeted assistance for renters, low-income, and undocumented survivors.
* Without FEMA: State and local agencies may not have the mandate or resources to continue equity-focused outreach, risking that at-risk groups are overlooked or underserved

## 5. Direct Individual Assistance and Housing Support

* FEMA’s Individual Assistance program provides direct cash aid, temporary housing, and repair funds to survivors who often have no other safety net.
* FEMA and HUD coordinate to prioritize low-income and vulnerable households for disaster recovery funds and housing.
* Without FEMA: Many at-risk groups may lose access to immediate cash assistance, temporary housing, and comprehensive recovery support, increasing the risk of homelessness and prolonged hardship after disasters

## 6. Inclusive Planning and Whole-Community Engagement

* FEMA’s National Protection Framework and equity initiatives require inclusive planning, ensuring that the needs of children, older adults, people with disabilities, and those with access and functional needs are considered in all phases of disaster management.
* Without FEMA: State and local planning may not systematically include or prioritize these groups, especially in under-resourced jurisdictions

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Midwest Disaster Laws

## Michigan

* State Law: The governor can declare a state of disaster or emergency, which lasts up to 28 days unless extended by the legislature. The declaration must specify the nature and area of the disaster and is terminated when conditions improve or after the time limit unless extended.
* Local Authority: Counties and municipalities with an emergency management coordinator can declare a local state of emergency, issue travel restrictions, appropriate funds for disaster response, provide emergency assistance, and coordinate multi-agency responses. Local declarations last up to 7 days unless extended by the local governing body.

## Illinois

* State Law: The Illinois Emergency Management Act gives the governor and local officials powers to declare emergencies, coordinate response, and provide relief. It emphasizes coordination with federal, state, and local agencies and includes provisions for mitigation, emergency relief, and planning for vulnerable areas.
* Local Authority: Political subdivisions must have emergency operations plans and can render mutual aid, erect temporary works to mitigate disaster risks, and organize personnel for disaster response

## Other Midwest States

* Iowa, Minnesota, Wisconsin, North Dakota, South Dakota, Ohio, Nebraska, Missouri, Indiana, Kansas: All have similar frameworks, empowering governors and local officials to declare emergencies, coordinate relief, and undertake mitigation efforts. Many require or encourage local emergency management agencies and mutual aid agreements.

## Key Similarities with Southern and Mid-Atlantic Disaster Laws

* Emergency Declarations: Both regions allow for state and local declarations of emergency or disaster, activating special powers and access to resources.
* Local Powers: Midwest local governments can impose travel restrictions, direct resources, and coordinate response, much like their southern and mid-Atlantic counterparts.
* Mitigation and Planning: States are required to have disaster mitigation plans and, in some cases, enhanced plans that increase eligibility for federal funds (when available).
* Mutual Aid: Laws facilitate mutual aid within and between states for disaster response.

## Notable Differences

* Hazard Focus: Midwest laws may place more emphasis on hazards like floods, tornadoes, and severe winter storms, while southern states focus more on hurricanes and coastal flooding.
* Duration and Extension of Declarations: The specific time limits for emergency declarations and the process for extensions differ (e.g., Michigan’s 28-day limit for state disasters, 7 days for local emergencies).
* Vulnerable Populations: Like in other regions, explicit legal protections for at-risk groups (e.g., language access, disability accommodations) are often less detailed at the state level and rely heavily on federal standards and funding

(CSV in folder, search by state)

Midwest disaster laws and emergency preparedness frameworks increasingly recognize the need to address health disparities, but the extent and specifics of legal mandates and implementation vary by state and locality.

## 1. Legal Frameworks and Federal Mandates

* Federal civil rights and anti-discrimination laws—including the Civil Rights Act, Rehabilitation Act, and Americans with Disabilities Act—apply in all states, including the Midwest, and require nondiscrimination and the inclusion of protected classes in emergency planning and response.
* These laws set a baseline: state and local emergency plans must consider the needs of at-risk groups (e.g., by race, disability, language, income), and agencies can face legal consequences if they fail to do so (as in the *CALIF v. City of Los Angeles* case).

## 2. State and Local Approaches in the Midwest

* Health Equity Integration: States like Minnesota have explicitly worked to embed health equity into emergency preparedness. The Minnesota Department of Health, for example, contracted with external experts to help Health Care Coalitions (HCCs) across the state identify and address disparities in emergency response.
  + Minnesota’s toolkit for HCCs includes practical steps for considering social determinants of health (SDOH), fostering collaboration among health care and emergency response partners, and ensuring that health equity is part of governance, planning, and response actions.
  + The toolkit and regional reports highlight best practices and gaps, aiming to ensure that emergency plans and actions protect all Minnesotans, especially those with existing health inequities.
* Data-Driven Planning: Midwest states are encouraged to use population health data and social vulnerability indices to identify communities at higher risk and tailor interventions accordingly.
  + This includes accounting for factors like poverty, housing, disability, language barriers, and chronic health conditions.
* Community Engagement: Effective Midwest emergency planning increasingly involves direct engagement with community partners, including organizations representing vulnerable populations, to inform strategies and ensure real-time, bi-directional communication during crises

**California, Oregon, and Washington**

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 Local Disaster Law Features

* + California:
    - Local governments are the first line for emergency response and evacuation.
    - The state provides funding and coordination if local capacity is exceeded.
    - Local plans must use best practices for evacuating people with disabilities and those with access and functional needs.
    - Mutual aid regions facilitate cross-jurisdictional support.
* Oregon:
  + Local governments have the primary legal responsibility for emergency response and planning.
  + The state coordinates and supports only when local capacity is exceeded or for multi-county events.
  + Emergency plans must be inclusive and ADA-compliant, with a focus on accessible communication and transportation for people with disabilities
* Washington:
  + Local governments (cities, counties) have broad emergency powers, including declaring emergencies, waiving procurement rules, and commanding resources.
  + Local declarations unlock state/federal aid and allow rapid response.
  + State law (RCW 38.52) and local policies require equal access to notification, evacuation, and sheltering for people with disabilities and limited English proficiency.

(Legal protections for vulnerable in CSV in folder)

## Addressing Health Disparities During Emergencies

* California:
  + Civil rights laws protect against discrimination in disaster response, shelter, and recovery, including for low-income, immigrant, and minority communities.
  + State and local plans increasingly emphasize equity, with targeted outreach to underserved populations and inclusion in planning.
  + Disaster policies are being reformed to address inequities exposed by COVID-19 and climate disasters

Oregon:

* Medicaid reform explicitly targets health equity and reducing disparities, using regional health equity coalitions and community health workers.
* Emergency planning must comply with ADA and ensure accessible communication and evacuation for people with disabilities.
* Data-driven approaches are used to identify and address disparities in access and outcomes

Washington:

* State and local emergency management require equal access and support for people with disabilities and those with limited English proficiency.
* Whole community planning and targeted outreach are standard practice, with an emphasis on including at-risk groups in all phases of emergency management.
* Legal obligations under ADA and state law have been reinforced by court cases and policy reforms

**Southwestern states—Texas, Arizona, New Mexico, and Oklahoma**

* Local Disaster Law Features
  + Texas:
    - Both state and local governments have broad emergency powers, including declaring disasters, ordering evacuations, and coordinating response and recovery.
    - Local emergency management plans must identify vulnerable areas and include provisions for at-risk populations (e.g., people with disabilities, low-income, homeless).
    - Recent legislative reforms have strengthened requirements for inclusive planning and outreach, especially after high-profile disasters.
* Arizona:
  + Local governments are the first responders; the state steps in for large-scale or multi-county events.
  + Arizona’s Disaster Behavioral Health Framework ensures behavioral health crisis services are available to all, regardless of insurance, and mandates parity and outreach to at-risk populations.
  + Strong integration with Medicaid and public health agencies for disaster response.
* New Mexico:
  + Local governments must have emergency management plans coordinated with the state; FEMA-approved hazard mitigation plans are required for federal funding.
  + Plans must identify and assess risks to vulnerable populations, but explicit legal requirements for outreach or accommodations are less robust than in Texas or Arizona.
  + Emphasis on mitigation and preparedness to reduce long-term risk.
* Oklahoma:
  + Local and state authorities share responsibility for emergency management; mutual aid and coordination with the US Army Corps of Engineers for flood response.
  + Local emergency management required; plans must consider vulnerable populations, but detailed legal mandates are limited.

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## Addressing Health Disparities During Emergencies

* Texas:
  + Recent reforms require local plans to address the needs of people with disabilities, the homeless, and low-income populations during disasters.
  + Shelters must be accessible, and outreach must be conducted to at-risk groups.
  + However, implementation varies by locality, and gaps remain in language access and outreach for non-English speakers.
* Arizona:
  + Disaster Behavioral Health Framework mandates parity and outreach for behavioral health during emergencies, regardless of insurance status.
  + Medicaid integration ensures that behavioral health crisis services are available to all, including at-risk and rural populations.
  + Emphasis on equity in planning, response, and recovery.
* New Mexico:
  + State Hazard Mitigation Plan requires identification of at-risk populations and prioritizes mitigation in vulnerable communities.
  + Equity is addressed through federal requirements, but state-level mandates are less explicit.
* Oklahoma:
  + Equity and access for vulnerable populations are referenced in state and local plans, but detailed legal protections are limited.
  + Federal civil rights laws provide the baseline for nondiscrimination and access.

**Northeast, Mountain West, Alaska, Hawaii, and U.S. territories,** focusing on the same criteria: state/local disaster law structure, health disparities, and protections for at-risk groups.

(CSV of regions in folder, search by state)

## HEALTH DISPARITIES & VULNERABLE POPULATIONS

* Most states and territories rely heavily on federal civil rights laws (Stafford Act, ADA, Civil Rights Act) for baseline protections.
* Some states (e.g., Connecticut, New York, Arkansas) have explicit mandates for outreach or reporting regarding at-risk groups (children, elders, non-English speakers).
* Local plans are generally required to address the needs of all residents, but explicit legal mandates for language access, disability accommodation, or targeted outreach vary.
* U.S. territories often provide outreach in local languages and coordinate with federal agencies for additional resources.

(vulnerable pops in folder, csv, search by state)

Based on the latest available analysis and data, the most comprehensive legal protections for vulnerable populations during disasters—among the remaining states and territories—are found in the following jurisdictions:

## 1. Utah and New Hampshire

* Utah and New Hampshire are identified as the states with the *most well-protected populations* in the face of natural disasters, according to recent U.S. Census Bureau data and independent analyses.
  + These states have the *lowest percentage* of residents facing high social vulnerability (Utah: 13.19%, New Hampshire: 15.55%), which reflects strong statewide infrastructure, access to healthcare, communication, and emergency planning that specifically addresses at-risk groups.
  + Their disaster frameworks are characterized by:
* Their disaster frameworks are characterized by:
  + Comprehensive emergency planning at the state and local levels
  + Strong access to healthcare and communication resources
  + Broadband and information access for all communities
  + Lower rates of poverty and language isolation compared to national averages

## 2. New York

* New York has robust legal frameworks for disaster response, requiring local governments to develop comprehensive emergency management plans that address the needs of all residents, including vulnerable populations.
  + New York’s high urbanization and frequent disaster exposure have driven investment in:
    - Specialized outreach to non-English speakers and people with disabilities
    - Integration of social services and public health in emergency plannin
  + Civil rights protections and reporting requirements for at-risk groups
* However, despite these protections, New York still has a high percentage of residents facing social vulnerability (25.47%), highlighting persistent challenges in addressing disparities at scale.

## 3. Connecticut

* Connecticut stands out for:
  + Mandated local EMS and emergency management programs
  + Mandatory reporting for child and elder abuse during emergencies
  + Explicit requirements for local emergency plans to address vulnerable populations, including people with disabilities and those needing language access

## 4. U.S. Territories (Puerto Rico, Guam, U.S. Virgin Islands, American Samoa, Northern Mariana Islands)

* These territories generally require local emergency plans that address all residents and coordinate closely with federal agencies for disaster response.
  + Language access and outreach in local languages are standard, given the linguistic diversity.
  + However, the comprehensiveness of protections can be limited by resource constraints and reliance on federal support

## 5. Federal Protections (Stafford Act)

* The Stafford Act’s nondiscrimination provision is among the most inclusive and comprehensive in U.S. law, requiring equitable and impartial disaster relief without discrimination based on race, color, nationality, religion, English proficiency, sex, age, disability, or economic status.
  + States and territories that closely adhere to and implement these federal standards—often through explicit references in their statutes and emergency plans—offer the strongest legal protections for vulnerable groups.