

Local Emergency Management as Critical Government Infrastructure In Support of Public Safety and Continuity of Government

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*Stronger Local Government.
Safer Communities.
A More Resilient Tennessee.*

LOCAL EMERGENCY MANAGEMENT AS CRITICAL GOVERNMENT INFRASTRUCTURE

The Foundation of Public Safety, Continuity of Government, and Community Resilience

Executive Summary

Local emergency management agencies constitute one of the most important components of America's public-safety and governmental continuity infrastructure. Although federal agencies such as the Federal Emergency Management Agency (FEMA) provide substantial resources, technical assistance, coordination, and financial support, the national emergency-management system ultimately depends upon capable State and local governments.

In Tennessee, this local responsibility is not merely a matter of policy preference. The General Assembly has established a statutory emergency-management framework under **Tennessee Code Annotated, Title 58, Chapter 2**, requiring counties to maintain emergency-management capability and plans and establishing the relationship between local governments, the Tennessee Emergency Management Agency (TEMA), and the Governor.

T.C.A. § 58-2-110 provides that safeguarding the life and property of citizens is an inherent responsibility of the governing body of each political subdivision. The statute requires counties, subject to specified statutory exceptions, to establish and maintain an emergency management agency and develop a county emergency management plan and program coordinated and consistent with the Tennessee Emergency Management Plan.

Tennessee law also establishes a comprehensive statewide emergency-management program. Under T.C.A. § 58-2-106, TEMA is responsible for maintaining the statewide program, coordinating with federal, state, county, municipal, school-board, and private-sector partners, maintaining the Tennessee Emergency Management Plan, establishing standards for county emergency-management plans, assisting political subdivisions with planning, periodically reviewing local plans, and supporting training and exercises.

This statutory structure mirrors the principles established at the federal level through the Robert T. Stafford Disaster Relief and Emergency Assistance Act, the National Incident Management System (NIMS), the National Response Framework (NRF), and FEMA continuity doctrine.

The resulting policy framework is clear:

Local emergency management is not an optional administrative function. It is a legally recognized component of Tennessee's public-safety, emergency-response, and governmental-continuity system.

I. Introduction

Emergency management is sometimes perceived primarily as a response function—an organization that activates when a tornado strikes, a flood occurs, a hazardous-materials incident develops, or another disaster overwhelms normal government operations.

That perception is incomplete.

Modern emergency management encompasses preparedness, mitigation, prevention, protection, response, recovery, continuity, resource management, public information, planning, training, exercises, and intergovernmental coordination.

The purpose of emergency management is not merely to respond to disasters.

It is to ensure that communities and governments possess the organizational capability to continue functioning when normal systems are disrupted.

This distinction is particularly important in Tennessee.

Tennessee's emergency-management statutes establish a coordinated system extending from the Governor and TEMA to county and municipal governments. The statutory framework recognizes that emergencies are initially managed at the local level and that State and Federal resources supplement local capabilities when incidents exceed local capacity.

Tennessee's statutory framework therefore reinforces a fundamental principle of emergency management:

The first and most enduring line of defense for Tennessee communities is local government.

II. Tennessee's Statutory Emergency-Management Framework

A. Tennessee General Assembly's Statement of Purpose

The foundation of Tennessee's emergency-management system is found in T.C.A. §§ 58-2-102 and 58-2-103.

The General Assembly has declared that Tennessee's emergency-management policy is intended to:

- Reduce vulnerability to people and property;
- Prepare for efficient evacuation or sheltering;
- Provide for rapid and orderly relief;
- Restore services and property;
- Coordinate emergency preparedness, response, recovery, and mitigation;

- Coordinate State activities with local, federal, interstate, nonprofit, and private-sector partners; and
- Promote preparedness, response, recovery, and mitigation through coordination, long-term planning, and adequate funding.

Importantly, the General Assembly expressly established a policy of supporting **local emergency response efforts**. It further recognized that major or catastrophic disasters may exceed local resources and therefore require the State to provide effective, coordinated, and timely support.

This establishes the intended hierarchy of emergency management in Tennessee:

Local capability first, State support when local capability is exceeded, and Federal assistance when the event exceeds State and local capabilities.

That model is consistent with the broader Federal emergency-management system.

III. TEMA and the Statewide Emergency-Management Program

A. T.C.A. § 58-2-106

T.C.A. § 58-2-106 establishes significant responsibilities for TEMA.

Among other duties, TEMA is responsible for maintaining a comprehensive statewide emergency-management program and coordinating with:

- The Federal Government;
- State departments and agencies;
- County governments;
- Municipal governments;
- School boards; and
- Private organizations with emergency-management responsibilities.

The statute also establishes TEMA's responsibility for the Tennessee Emergency Management Plan (TEMP). The TEMP must support preparedness for emergencies and minor, major, and catastrophic disasters and must address planning, response, recovery, and mitigation.

The statute further requires the State's emergency-management framework to address:

- Evacuation;
- Shelter;
- Post-disaster response and recovery;
- Communications and warning;
- Mutual aid;
- Assessment teams;

- Urban search and rescue;
- Medical care;
- Volunteers and donations;
- Deployment of State resources;
- Exercises;
- Emergency support functions; and
- Coordination of Federal, State, and local emergency-management activities.

This statutory responsibility is important because it demonstrates that Tennessee views emergency management as a comprehensive governmental function rather than merely an emergency-response activity.

IV. County Emergency Management Is a Statutory Responsibility

A. T.C.A. § 58-2-110

For purposes of local government, one of the most significant provisions of Tennessee law is **T.C.A. § 58-2-110**.

The statute states:

“Safeguarding the life and property of its citizens is an innate responsibility of the governing body of each political subdivision of the state.”

More importantly, the statute provides that, subject to the statutory interjurisdictional exception, **each county must establish and maintain an emergency management agency and develop a county emergency management plan and program coordinated and consistent with the TEMP and program.**

This provision establishes several important principles.

First, emergency management is a governmental responsibility.

The statute places responsibility upon the governing body of the political subdivision.

Emergency management therefore cannot appropriately be viewed as merely the responsibility of the fire department, police department, sheriff’s office, or individual emergency manager.

It is a responsibility of the government itself.

Second, the county must maintain an emergency-management organization.

The statutory language requires each county, subject to the specified statutory exception, to establish and maintain an emergency management agency.

This establishes emergency management as an enduring governmental capability rather than an organization that exists only during a declared emergency.

Third, the county must maintain an emergency-management plan and program.

The statute requires the county emergency-management plan and program to be coordinated and consistent with the State's emergency-management framework.

This establishes vertical integration between:

County → TEMA → State Government → Federal Government.

V. County Emergency Management Directors

T.C.A. § 58-2-110 also addresses the leadership of county emergency-management agencies.

Each county emergency management agency is required to have a director appointed by the chief local executive officer (CLEO), with governing-body approval where required.

The director must meet minimum training and education qualifications established through a job description developed by the CLEO and meeting statutory requirements. The job description must be approved by the county's governing body.

The director has direct responsibility for the organization, administration, and operation of the county emergency-management agency, subject to the direction and control of the CLEO.

The director also serves as a liaison to TEMA and other local emergency-management agencies and organizations.

This provision is significant for continuity of government because it places emergency management directly within the governmental leadership structure.

The emergency manager is not merely a departmental employee responding to an incident.

The position is designed to connect the chief executive, governing body, emergency-management agency, TEMA, neighboring jurisdictions, and other response organizations.

VI. Municipal Emergency Management in Tennessee

Tennessee law also establishes a framework for municipalities.

Under T.C.A. § 58-2-110, municipalities are authorized and encouraged to establish municipal emergency-management programs.

Municipal emergency-management programs must coordinate their activities with the county emergency-management agency.

Municipalities that do not establish their own emergency-management programs are served by the respective county agency.

If a municipality establishes its own emergency-management program, it must comply with applicable laws, rules, and regulations governing county emergency-management agencies. Its emergency-management plan must also be consistent with and subject to the applicable county emergency-management plan.

This structure prevents emergency management from becoming fragmented among cities and counties.

Instead, Tennessee law establishes a coordinated system.

A municipality may maintain additional emergency-management capability, but it operates within the larger county and State emergency-management framework.

VII. Local Emergency Operations Centers and Continuity of Government

T.C.A. § 58-2-110 provides a particularly important connection between emergency management and continuity of government.

The statute authorizes political subdivisions to establish:

a primary and one or more secondary emergency operating centers

for the purpose of providing **continuity of government and direction and control of emergency operations**.

This provision directly supports the central argument of this white paper.

The emergency operations center is not simply a room for coordinating police, fire, EMS, and public works.

Tennessee law specifically recognizes its role in maintaining **continuity of government**.

That means local emergency-management infrastructure can serve as a mechanism through which government continues to operate when normal facilities, communications systems, infrastructure, or operational conditions are disrupted.

A properly designed EOC should therefore be capable of supporting:

- Executive decision-making;
- Emergency coordination;
- Situational awareness;
- Resource allocation;
- Public information;

- Intergovernmental communications;
 - Continuity operations;
 - Mutual-aid coordination;
 - Requests for State assistance; and
 - Requests for Federal assistance.
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VIII. Local Emergency Management Powers

T.C.A. § 58-2-110 provides political subdivisions with broad authorities necessary to carry out emergency-management responsibilities.

These include the authority to:

- Appropriate and expend funds;
- Enter into contracts;
- Obtain and distribute equipment and supplies;
- Provide for the health and safety of persons and property;
- Provide emergency assistance to disaster victims;
- Develop emergency-management plans and programs;
- Employ emergency-management personnel;
- Establish emergency operating centers;
- Assign governmental personnel and equipment to emergency operations; and
- Request State assistance or invoke emergency-related mutual aid.

The statute also provides a mechanism for a political subdivision to declare a local state of emergency when an emergency affects only that subdivision.

A local declaration is limited to seven days but may be extended in additional seven-day increments as necessary.

These authorities demonstrate why local emergency management must be integrated into the government's legal and administrative structure.

IX. Tennessee's Local-to-State Assistance Model

TEMA describes the county emergency-management agency as the **first line of defense** in responding to emergencies within its jurisdiction.

TEMA explains that local emergency managers address emergencies using their own assets and available intrastate mutual aid or assistance. When an emergency exceeds local capability, the county may request additional assistance from higher levels of government.

This approach closely mirrors Federal emergency-management doctrine.

The operational progression can therefore be represented as:

Local capability → Intrastate mutual aid → State assistance → Federal assistance

This is not a weakness in the system.

It is the design of the system.

The objective is to solve problems at the lowest practical level while ensuring that additional resources can be rapidly integrated when the event exceeds local capacity.

X. Coordination With Federal Emergency Management

Tennessee law specifically requires coordination with Federal emergency-management activities.

T.C.A. § 58-2-103 establishes the policy that Tennessee emergency-management functions be coordinated to the maximum extent with comparable Federal functions, other states and localities, and private organizations.

T.C.A. § 58-2-106 further requires TEMA to coordinate Federal, State, and local emergency-management activities and to implement training programs designed to improve the ability of State and local personnel to prepare and implement emergency-management plans and programs.

The result is an integrated emergency-management architecture:

Level	Primary Role
Local government	Initial response, local coordination, protection of life/property, continuity, local recovery
TEMA/State	State coordination, resource support, mutual aid, statewide planning, escalation
Federal government	Supplemental resources, technical assistance, disaster assistance, catastrophic support
Private/nonprofit partners	Critical infrastructure, healthcare, utilities, volunteers, donations, community services

The effectiveness of the system depends upon the ability of these levels to work together.

XI. Training and Exercises Are Statutory Components

Emergency-management capability cannot be established solely through written plans.

Personnel must be trained, plans must be exercised, and identified deficiencies must be corrected.

T.C.A. § 58-2-106 specifically directs TEMA to implement training programs designed to improve the ability of State and local emergency-management personnel to prepare and implement emergency-management plans and programs. The statute includes continuous training for personnel who will perform key roles in post-disaster response and recovery and training for local government personnel concerning State and Federal disaster-response and recovery strategies.

Tennessee's Emergency Management Agency Training Program likewise identifies T.C.A. § 58-2-106(b)(12) as the statutory authority for its training program and describes a continuous training and long-range improvement cycle.

This provides an important policy basis for requiring local emergency-management agencies to maintain professional development, exercises, and capability-improvement programs.

XII. Emergency Services Coordinators and Continuity

T.C.A. § 58-2-108 provides an additional illustration of Tennessee's emphasis on continuity.

The statute requires designated Emergency Services Coordinators (ESCs) within State executive departments and independent agencies to coordinate emergency preparedness, maintain preparedness and post-disaster response and recovery plans, maintain personnel rosters, and coordinate training.

Importantly, the current statute also requires ESCs to ensure that their departments or agencies prepare and maintain a **continuity of operations plan** reviewed by TEMA.

Although this provision directly governs State departments and agencies, it reinforces a broader principle applicable to local government:

Continuity must be treated as an operational capability, not simply a planning document.

XIII. Tennessee Emergency Management Plan

Tennessee's statutory framework establishes the TEMP as the central statewide emergency-management planning document.

T.C.A. § 58-2-106 directs TEMA to prepare and maintain the TEMP and requires the State to work closely with local governments and other organizations in preparing and maintaining it.

The statute requires the TEMP to address preparedness, response, recovery, mitigation, evacuation, sheltering, communications, mutual aid, recovery, exercises, and deployment of State resources.

The State's published TEMP describes itself as the centralized guide for Tennessee's emergency coordination framework, structure, and roles for a comprehensive emergency-management program. The plan establishes an integrated partnership among State agencies, private-sector partners, nongovernmental organizations, local governments, and Federal agencies.

The TEMP therefore provides the State-level framework within which county emergency-management programs operate.

XIV. Tennessee Law and Continuity of Government

The connection between Tennessee emergency-management law and continuity of government is especially significant.

T.C.A. § 58-2-110 expressly authorizes emergency operating centers for **continuity of government**.

This authority should be interpreted alongside FEMA's continuity doctrine and NIMS.

Together, these frameworks establish that local government should be capable of maintaining essential governmental functions when ordinary operations are disrupted.

A comprehensive local continuity program should therefore address:

- Essential governmental functions;
- Orders of succession;
- Delegations of authority;
- Alternate facilities;
- Emergency operating centers;
- Communications;
- Information technology;
- Vital records;
- Financial systems;
- Personnel;
- Public information;
- Emergency procurement;
- Critical infrastructure dependencies; and
- Coordination with TEMA and neighboring jurisdictions.

The objective is not merely to preserve a building or an office.

The objective is to preserve **governmental capability**.

XV. Tennessee Emergency Management and NIMS

Tennessee's statutory framework and Federal NIMS doctrine are complementary.

NIMS establishes the national common framework for incident management, including:

- Resource management;
- Command and coordination; and
- Communications and information management.

Tennessee law establishes the governmental authorities and organizational relationships through which those capabilities are implemented within the State.

This distinction is important.

NIMS provides the **operational framework**.

Tennessee law provides the **State and local governmental authority and structure**.

The two should therefore be implemented together rather than treated as separate systems.

A Tennessee county emergency-management program should be capable of translating statutory authority into NIMS-compatible operational practices.

XVI. Tennessee Case for Treating Emergency Management as Critical Infrastructure

The combination of Tennessee law and Federal doctrine leads to an important policy conclusion.

Local emergency management should be considered **critical government infrastructure** for at least five reasons.

1. It is statutorily recognized.

T.C.A. § 58-2-110 establishes county emergency-management agencies and county emergency-management plans as components of Tennessee's governmental emergency-management system.

2. It protects life and property.

The statute expressly identifies safeguarding life and property as an inherent responsibility of the governing body of each political subdivision.

3. It provides continuity capability.

Tennessee law expressly authorizes emergency operating centers for continuity of government and emergency operational control.

4. It integrates local government with TEMA.

County emergency-management directors serve as liaisons to TEMA and other emergency-management organizations.

5. It provides the mechanism for escalation.

When local capabilities are exceeded, the local emergency-management system provides the pathway through which mutual aid, State assistance, and eventually Federal assistance can be coordinated.

XVII. Policy Recommendations for Tennessee Local Governments

Based upon Tennessee statutory requirements, TEMA guidance, NIMS, the NRF, and FEMA continuity doctrine, Tennessee counties and municipalities should consider the following priorities.

1. Maintain a Fully Functional Emergency Management Agency

County governments should maintain the organizational capability required by T.C.A. § 58-2-110 rather than treating emergency management as an ancillary responsibility.

2. Maintain a Current County Emergency Management Plan

The county plan should remain coordinated with the TEMP and applicable TEMA requirements.

3. Establish and Maintain EOC Capability

The county should maintain a primary EOC and, where appropriate, an alternate EOC capable of supporting continuity of government.

4. Establish Continuity of Government and Continuity of Operations Programs

Continuity planning should identify essential functions, succession, delegations, alternate facilities, communications, vital records, information technology, and financial operations.

5. Maintain NIMS-Compatible Operations

Emergency operations should use common terminology, resource-management principles, incident-management structures, and information-sharing processes consistent with NIMS.

6. Exercise the System

Exercises should test not only first responders but also:

- County executives;
- Mayors;
- County commissions;
- City councils;
- Emergency managers;
- Public works;
- Finance;
- Information technology;
- Public information;
- Utilities;
- Healthcare;
- Schools; and
- Private-sector partners.

7. Establish Regional Mutual-Aid Relationships

Mutual-aid relationships should exist before an incident occurs.

8. Maintain Professional Emergency Management Staffing

The emergency-management director should possess the training, education, authority, and resources necessary to perform the statutory responsibilities of the position.

9. Protect Institutional Knowledge

Plans, contacts, procedures, resource inventories, continuity documents, and lessons learned should be maintained in a manner that allows the organization to continue functioning despite personnel turnover.

10. Treat Emergency Management as a Government-Wide Function

The emergency-management agency should coordinate with every major department rather than functioning as an isolated office.

XVIII. Conclusion

Tennessee's emergency-management framework provides unusually strong statutory support for the proposition that local emergency management is an essential governmental function.

The General Assembly has declared that protecting life and property is an inherent responsibility of local government.

It has required counties, subject to statutory exceptions, to establish and maintain emergency-management agencies and county emergency-management plans.

It has established TEMA as the statewide coordinating organization.

It has required coordination among State, local, Federal, private, and nonprofit organizations.

It has provided political subdivisions with emergency-management powers and authority.

And, critically, it has expressly authorized emergency operating centers to support **continuity of government and direction and control of emergency operations.**

These provisions align closely with the Federal emergency-management framework established through the Stafford Act, NIMS, the National Response Framework, and FEMA continuity doctrine.

The resulting lesson is clear.

Tennessee does not view emergency management as merely a response department. It is a component of governmental structure and public safety.

The local emergency-management agency is the mechanism through which a county or municipality prepares before disaster, coordinates during disaster, requests assistance when local resources are exceeded, supports recovery afterward, and maintains the government's ability to continue operating throughout the process.

The strength of the Tennessee emergency-management system therefore depends upon the strength of its local foundation.

A county that adequately funds, staffs, trains, equips, and exercises its emergency-management program is not simply complying with a statutory requirement.

It is investing in:

- The protection of human life;
- The preservation of property;
- Continuity of government;
- Public confidence;
- Critical infrastructure;
- Economic stability;
- Disaster recovery; and
- The long-term resilience of the community.

Local emergency management is therefore both a statutory responsibility and a strategic public-safety investment.

Tennessee Statutory Reference Guide

Tennessee Code	Subject	Relevance to Local Emergency Management
T.C.A. § 58-2-102	Legislative intent	Establishes State objectives including vulnerability reduction, evacuation/sheltering, restoration of services, coordination, planning, and support of local response.
T.C.A. § 58-2-103	Policy and purpose	Establishes TEMA, authorizes local emergency-management organizations, mutual aid, and coordination with Federal, State, local, and private entities.
T.C.A. § 58-2-106	TEMA responsibilities	Establishes the statewide program, TEMP, local-plan standards, plan reviews, training, exercises, coordination, mitigation, and resource planning.
T.C.A. § 58-2-107	Governor's emergency powers	Establishes State emergency authority and allows activation of State, local, and interjurisdictional emergency-management plans.
T.C.A. § 58-2-108	Emergency Services Coordinators	Establishes preparedness, planning, training, personnel-roster, and continuity

Tennessee Code	Subject	Relevance to Local Emergency Management responsibilities within State agencies.
T.C.A. § 58-2-109	Financing	Provides statutory framework concerning financing and acceptance of gifts for emergency management.
T.C.A. § 58-2-110	Political subdivision emergency management	Establishes county emergency-management agencies and plans, municipal coordination, local powers, EOCs, continuity of government, and local emergency declarations.
T.C.A. § 58-2-116	Mitigation	Addresses continuing consideration of measures to mitigate harmful consequences of emergencies.
T.C.A. § 58-2-118	Orders and rules	Provides authority for emergency-management orders and rules when properly authorized and requires consideration of Federal emergency-management authorities.
T.C.A. § 58-2-128	Emergency broadcasting	Provides for cooperation between broadcasters and State/local emergency-management agencies concerning emergency communications.

Principal Authorities

Federal

- Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121–5207.

- FEMA, *National Incident Management System*, Third Edition.
- FEMA, *National Response Framework*, Fourth Edition.
- FEMA, *Continuity Guidance Circular*, 2024.
- FEMA, *Comprehensive Preparedness Guide 101: Developing and Maintaining Emergency Operations Plans*.

Tennessee

- Tenn. Code Ann. Title 58, Chapter 2, *Disasters, Emergencies and Civil Defense*.
- Tenn. Code Ann. § 58-2-102, Legislative Intent.
- Tenn. Code Ann. § 58-2-103, Policy and Purpose.
- Tenn. Code Ann. § 58-2-106, Emergency Management Responsibilities and Powers.
- Tenn. Code Ann. § 58-2-107, Emergency Management Powers of the Governor.
- Tenn. Code Ann. § 58-2-108, Designation of Emergency Services Coordinators.
- Tenn. Code Ann. § 58-2-110, Emergency Management Powers of Political Subdivisions.
- Tenn. Code Ann. § 58-2-116, Emergency Management.
- Tenn. Code Ann. § 58-2-118, Orders and Rules.
- Tennessee Emergency Management Agency, *Tennessee Emergency Management Plan*.
- Tennessee Emergency Management Agency, *Emergency Managers* guidance.