

7-32-235. Search and rescue units authorized — under control of county sheriff — optional funding. (1) A county may establish or recognize one or more search and rescue units within the county.

(2) (a) Except in time of martial rule as provided in 10-1-106, search and rescue units and their officers are under the operational control and supervision of the county sheriff, or the sheriff's designee, having jurisdiction and whose span of control would be considered within reasonable limits.

(b) A county sheriff or the sheriff's designee may authorize the participation of members of the civil air patrol, including cadets under 18 years of age, in search and rescue operations.

(3) Subject to 15-10-420, a county may, after approval by a majority of the people voting on the question at an election held throughout the county, levy an annual tax on the taxable value of all taxable property within the county to support one or more search and rescue units established or recognized under subsection (1). The election must be held as provided in 15-10-425.

(4) A search and rescue unit established or recognized by a county may possess human remains as defined in 37-19-101 for the purpose of training canines used for search and rescue work.

(a) The county sheriff or the sheriff's designee shall keep an inventory of all human remains that are kept for the purpose of training search and rescue canines. The inventory must be updated when the search and rescue unit receives human remains or disposes of human remains that are no longer useful to the search and rescue unit.

(b) Each search and rescue unit that possesses human remains for the purpose of training search and rescue canines shall establish policies and standard operating procedures for access to, the inventory of, and the possession and disposal of human remains kept for the purpose of training search and rescue canines.

History: En. Sec. 2, Ch. 42, L. 1981; amd. Sec. 1, Ch. 280, L. 1985; amd. Sec. 1, Ch. 353, L. 1991; amd. Sec. 61, Ch. 387, L. 1995; amd. Sec. 23, Ch. 495, L. 2001; amd. Sec. 77, Ch. 574, L. 2001; amd. Sec. 1, Ch. 186, L. 2007; amd. Sec. 1, Ch. 415, L. 2021.

Compiler's Comments

2021 Amendment: Chapter 415 inserted (4) related to the possession of human remains by a search and rescue unit. Amendment effective October 1, 2021.

2007 Amendment: Chapter 186 inserted (2)(b) allowing participation of civil air patrol members in search and rescue operations; and made minor changes in style. Amendment effective April 10, 2007.

2001 Amendments — Composite Section: Chapter 495 in (3) in middle of first sentence after "1 mill on" substituted "the" for "each dollar of" and at end of second sentence substituted "as provided in 15-10-425" for "in conjunction with a regular or primary election". Amendment effective October 1, 2001.

Chapter 574 in (3) at beginning of first sentence inserted "Subject to 15-10-420" and near middle substituted "tax on the taxable value" for "tax of not more than 1 mill on each dollar of taxable value" and at end of second sentence substituted "held as provided in 15-10-425" for "held in conjunction with a regular or primary election"; and made minor changes in style. Amendment effective July 1, 2001.

1995 Amendment: Chapter 387 in (3), at end, inserted "The election must be held in conjunction with a regular or primary election"; and made minor changes in style.

1991 Amendment: In (2), after "sheriff", inserted "or his designee" and at end inserted "and whose span of control would be considered within reasonable limits".

1985 Amendment: Inserted (1) authorizing search and rescue units; and inserted (3) authorizing a voted property tax levy.

Attorney General's Opinions

Control of County Search and Rescue Units by Unit Officers — Control of Finances: While search and rescue units recognized and operated by a county function under the County Sheriff's operational control whenever called into service, all other aspects of the units remain private, volunteer organizations under the control of unit officers. Therefore, a unit that receives tax money for its support may maintain private bank accounts to distribute funds accumulated from nontax sources. A County Sheriff does not control the finances of the unit. 44 A.G. Op. 10 (1991).

Search and Rescue Members Auxiliary Officers — Workers' Compensation Required: Members of a recognized search and rescue unit are auxiliary officers and must be provided full workers' compensation coverage when engaged in a search, training, or testing operation called and supervised by the Sheriff. 42 A.G. Op. 97 (1988).