

ACT No. 263

2021 Regular Session
HOUSE BILL NO. 242

BY REPRESENTATIVES DUSTIN MILLER, BISHOP, AND EDMONDS

1 AN ACT

2 To enact R.S. 29:726.5 and 726.5.1, relative to homeland security; to establish the Louisiana
3 Commission on Nonprofit Safety and Security; to provide relative to the purpose,
4 membership, authority, and duties of the commission; to provide for the
5 establishment of a security grant program; to establish the Louisiana Nonprofit
6 Safety and Security Grant Program Fund; to provide for the duties and authority of
7 the Governor's Office of Homeland Security and Emergency Preparedness with
8 regard to the program and fund; to provide for the purpose of the program and fund;
9 to provide for the eligibility requirements for grant applicants; and to provide for
10 related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 29:726.5 and 726.5.1 are hereby enacted to read as follows:

13 §726.5. Louisiana Commission on Nonprofit Safety and Security

14 A. The Louisiana Commission on Nonprofit Safety and Security, hereinafter
15 referred to as the "commission", is hereby established within the Governor's Office
16 of Homeland Security and Emergency Preparedness to study and make
17 recommendations on the security needs of nonprofit organizations that are at high
18 risk of terrorist attacks in Louisiana, including recommendations on the
19 establishment, administration, and funding of a grant program for eligible entities to
20 apply for security grants covering security personnel, security training, facility
21 hardening, and other necessary security measures.

1 B. The commission shall be comprised of the following members:

2 (1) The director of the Governor's Office of Homeland Security and
3 Emergency Preparedness, or his designee, who shall serve as chair of the
4 commission.

5 (2) A representative of the governor's office appointed by the governor.

6 (3) The chair of the House Select Committee on Homeland Security or his
7 designee.

8 (4) The chair of the Senate Select Committee on Homeland Security or his
9 designee.

10 (5) The superintendent of state police or his designee.

11 (6) The executive director of the Louisiana Sheriffs' Association or his
12 designee.

13 (7) The executive director of the Louisiana Association of Chiefs of Police
14 or his designee.

15 (8) The executive director of the Louisiana Interchurch Conference or his
16 designee.

17 (9) The executive director of the Louisiana Association of Nonprofit
18 Organizations.

19 C.(1) Members of the commission shall serve without compensation. Travel
20 expenses, per diem, and other expenses may be paid by the member's employer or
21 appointing authority.

22 (2) The commission shall fix a time and place for its meetings and shall meet
23 at least quarterly. Additional meetings may be held upon the call of the chairman.
24 All meetings of the commission shall be held in compliance with the Open Meetings
25 Law.

26 (3) A majority of the total commission members shall constitute a quorum
27 and any official action taken by the commission shall require an affirmative vote of
28 a majority of the members present and voting.

1 D. The commission shall issue a report to the Governor's Office of
 2 Homeland Security and Emergency Preparedness of its findings and
 3 recommendations with respect to the security status and needs of nonprofit
 4 organizations that are at high risk of terrorist attacks in Louisiana. The report shall
 5 be issued annually and at such other times as deemed necessary by the commission
 6 or the Governor's Office of Homeland Security and Emergency Preparedness.

7 §726.5.1. Fund and grant program

8 A. The Governor's Office of Homeland Security and Emergency
 9 Preparedness is authorized and directed to establish a grant program through which
 10 eligible nonprofit organizations described in Subsection B of this Section can apply
 11 for and receive grants to defray the cost of security enhancements or measures
 12 including:

- 13 (1) Safety and security planning.
- 14 (2) Safety and security equipment.
- 15 (3) Security-related technology.
- 16 (4) Safety and security training.
- 17 (5) Safety and security exercises.
- 18 (6) Threat awareness and response training.
- 19 (7) Upgrades to existing structures that enhance safety and security.
- 20 (8) Vulnerability and threat assessments.
- 21 (9) Security personnel.

22 B. Eligible nonprofit organizations include organizations that meet all of the
 23 following requirements:

- 24 (1) The organization is described in Section 501(c)(3) of the Internal
 25 Revenue Code and exempt from tax under Section 501(a) of the Internal Revenue
 26 Code.
- 27 (2) The organization is determined by the program administrator to be at risk
 28 of a terrorist attack. Factors the program administrator may consider in making its
 29 determination include but are not limited to the following:

1 (a) Prior incidents that have occurred at any facility owned or used by the
2 organization.

3 (b) Prior threats made against the organization.

4 (c) Current events or incidents impacting other organizations that have a
5 similar mission, belief, or ideology.

6 (d) Feedback or information on the current local threat environment from
7 local law enforcement agencies, parish offices of homeland security and emergency
8 preparedness, the Louisiana State Analytical and Fusion Exchange, field offices of
9 the Federal Bureau of Investigation, and other organizations, entities, or agencies.

10 C.(1) There is hereby established in the state treasury a special fund to be
11 known as the Louisiana Nonprofit Safety and Security Grant Program Fund,
12 hereinafter referred to in this Subsection as the "fund". Interest earned on the
13 investment of monies in the fund shall be deposited in and credited to the fund.
14 Unexpended and unencumbered monies in the fund at the close of each fiscal year
15 shall remain in the fund. Monies in the fund shall be appropriated, administered, and
16 used solely for the purposes of the security grant program as provided by this
17 Section.

18 (2) The fund shall be comprised of all monies appropriated, donated, or
19 otherwise made available to provide funding for the purposes of the security grant
20 program as provided by this Section. All of such monies required to be deposited in
21 the state treasury in accordance with Article VII, Section 9(A) of the Constitution of
22 Louisiana shall be deposited in the fund after first meeting the requirements of
23 Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond
24 Security and Redemption Fund.

25 (3) The fund shall be administered by the Governor's Office of Homeland
26 Security and Emergency Preparedness.

27 D. The Governor's Office of Homeland Security and Emergency
28 Preparedness shall adopt any regulations or rules, pursuant to the Administrative
29 Procedure Act, necessary to implement the security grant program established by this

1 Section and to administer the Louisiana Nonprofit Safety and Security Grant
2 Program Fund.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____