AN ACT

To amend and reenact R.S. 29:725(A), 725.5, 726(B)(introductory paragraph) and (F), and 729(B)(introductory paragraph) and (12), to enact R.S. 29:725(K), 726(G), and 728(G), and to repeal R.S. 29:726(E)(25) and 731, relative to the Governor's Office of Homeland Security and Emergency Preparedness; to provide relative to interoperability; to create the Emergency Communications Interoperability Fund; to provide requirements for the statewide emergency management software system; to provide for mandatory training requirements; to provide relative to parish offices of homeland security and emergency preparedness; to provide relative to prepositioned contracts; to provide relative to procurement; to provide for reporting; to provide for temporary housing assistance; to provide for eligibility; to provide relative to waivers of local land use regulations; to provide for exemptions; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 29:725(A), 725.5, 726(B)(introductory paragraph), and 729(B)(introductory paragraph) and (12), are hereby amended and reenacted and R.S. 29:725(K), 726(G), and 728(G) are hereby enacted to read as follows:

§725. State emergency and disaster agency; powers of director; officers of the agency

A. The Governor's Office of Homeland Security and Emergency Preparedness, hereafter referred to in this Chapter as GOHSEP, is hereby established as a state agency within the office of the governor.

* * *

CODING: Words in struck through type are deletions from existing law; words underscored are additions.
K.(1) The office of interoperability shall be headed by an assistant deputy director of interoperability who shall be in the unclassified service. The assistant deputy director may delegate authority to such designees or to any governmental body as the assistant deputy director may deem appropriate within the limitations of state and federal laws, rules, and regulations. The assistant deputy director of interoperability may promulgate rules and regulations to carry out the provisions of R.S. 29:725.1 through 725.4.

(2) The assistant deputy director of interoperability shall work in conjunction with the state Unified Command Group and interoperability subcommittee to develop, implement, and maintain a secure interagency communication across jurisdictional and geographic boundaries to enable end users to access authorized information when and how they need it as identified in the statewide interoperability plan and statewide communications interoperability plan for first responders.

(3) The assistant deputy director of interoperability shall perform the following functions:

(a) Serve as chairman of the interoperability subcommittee.

(b) Serve as the state liaison for interoperability.

(c) Administer the statewide communications interoperability plan in coordination with the chief information officer or his designee.

(d) Partner with local, state, and federal officials to achieve emergency response interoperability in every parish throughout the state.

(e) Leverage existing local, state, and federal efforts, including assets and resources, to ensure better coordination and accountability for activities including but not limited to research and development, testing and evaluation, standards, technical assistance, training, and funding for interoperability.

(f) Support the creation of interoperability standards.

(g) Submit recommendations to the legislature relative to any changes in state law necessary to remove barriers to achieving communications interoperability.
(h) Provide an update to the Joint Legislative Committee on the Budget no
later than August first of each year on upgrades made to the Louisiana Wireless
Information Network system and resiliency and redundancy plans for the system.

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§725.5. Assistant deputy director of interoperability

A. The office of interoperability shall be headed by an assistant deputy
director of interoperability who shall be in the unclassified service. The assistant
department may delegate authority to such designees or to any governmental
body as the assistant deputy director deems appropriate within the limitations of
state and federal laws, rules, and regulations. The assistant deputy director of
interoperability may promulgate rules and regulations to carry out the provisions of
R.S. 29:725.1 through 725.5.

B. The assistant deputy director of interoperability shall work in conjunction
with the state Unified Command Group and interoperability subcommittee to
develop, implement, and maintain a secure interagency communication across
jurisdictional and geographic boundaries to enable end users to access authorized
information when and how they need it as identified in the statewide interoperability
plan and statewide communications interoperability plan for first responders.

C. The assistant deputy director of interoperability shall perform the
following functions:

(1) Serve as chairman of the interoperability subcommittee.

(2) Serve as the state liaison for interoperability.

(3) Administer the statewide communications interoperability plan in
coordination with the chief information officer or his designee.

(4) Partner with local, state, and federal officials to achieve emergency
response interoperability in every parish throughout the state.

(5) Leverage existing local, state, and federal efforts, including assets and
resources, to ensure better coordination and accountability for activities including but
not limited to research and development, testing and evaluation, standards, technical
assistance, training, and funding for interoperability.

(6) Support the creation of interoperability standards.

(7) Submit recommendations to the legislature relative to any changes in
state law necessary to remove barriers to achieving communications interoperability.

There is hereby created in the state treasury, as a special fund, the Emergency
Communications Interoperability Fund, hereinafter referred to in this Section as the
"fund".

B. All unexpended and unencumbered monies in the fund at the end of the
fiscal year shall remain in the fund. Monies in the fund shall be invested in the same
manner as monies in the state general fund. Interest earned on the investment of
monies in the fund shall be deposited in and credited to the fund.

C. Monies in the fund shall be used to provide funding for the Louisiana
Wireless Information Network.

§ 726. Governor's Office of Homeland Security and Emergency Preparedness;
authority and responsibilities

B. The office shall prepare and maintain a homeland security and state
emergency operations plan and keep it current, which, The plan may shall include
any of the following:

F. The Governor's Office of Homeland Security and Emergency
Preparedness shall ascertain what means exist for rapid communications in times of
disaster or emergencies, shall consider the desirability of supplementing these
communications resources or of integrating them into a comprehensive state or state-
federal telecommunication or other communications system or its several parts, shall
evaluate the possibility of multipurpose use thereof for general state and local
governmental purposes, and shall make recommendations to the governor as
appropriate. No later than August 1, 2022, GOHSEP shall:
(1) Ensure that the official state emergency management software system:

(a) Is accessible to all sixty-four parishes to monitor and manage activities before, during, and after an emergency or disaster.

(b) Is accessible to the president of the Senate, the speaker of the House of Representatives, the chairman of the Senate Select Committee on Homeland Security, and the chairman of the House Select Committee on Homeland Security for the purpose of viewing the status of requests for resources and services.

(c) Has the capability to allow GOHSEP to update the status of all requests for resources and services continuously and make the information simultaneously available to all users.

(d) Sends automatic notifications to the requesting parish when the status of a request changes.

(2)(a) Develop an emergency management training program for local officials and employees. The training program shall contain the following components:

(i) Instruction on submitting requests for resources and services.

(ii) Standards and regulations for the disbursement of assets and diversion of resources during a federally or gubernatorially declared emergency.

(iii) Information on the roles of the Governor's Office of Homeland Security and Emergency Preparedness, the parish offices of homeland security and emergency preparedness, and state agencies that provide resources and assistance for disaster preparedness, response, and recovery.

(iv) Information on contracting for goods and services before, during, and after a disaster, procurement procedures, reimbursement requirements from the Federal Emergency Management Agency, and the utilization of prepositioned contracts.

(v) Availability and utilization of nonprofit organizations.

(b) GOHSEP shall provide the training to local officials and employees identified by the parish president pursuant to the provisions of R.S. 29:728(G) on no
less than an annual basis and shall provide additional training as requested by any
director of a parish office of homeland security and emergency preparedness.

(c) GOHSEP shall provide the training to all members of the legislature at
the beginning of each legislative term and shall provide additional training as
requested by the president of the Senate, the speaker of the House of
Representatives, the chairman of the Senate Select Committee on Homeland
Security, or the chairman of the House Select Committee on Homeland Security.

(d) The training may be provided in-person or virtually, however, any virtual
training shall require active participation from attendees.

(3) Develop a program to provide additional funding and resources for
temporary housing and shelter assistance to parish governing authorities within the
first fourteen days following a presidential declaration of a major disaster or
emergency. GOHSEP shall prioritize implementation of the program based on the
projected level of impact. The program shall include the following:

(a) GOHSEP shall enter into prepositioned contracts for temporary housing
and shelter and professional services for disaster recovery, grant management, and
administration for the program. GOHSEP shall prioritize post-disaster delivery time
when letting the contracts.

(b) A parish governing authority shall be eligible for participation in the
program if all of the following conditions are met:

(i) The parish is included in a presidential declaration of a major disaster or
an emergency.

(ii) The parish governing authority submits a request to GOHSEP within
seven days after the presidential disaster declaration.

(iii)(aa) The parish governing authority has submitted a certification to
GOHSEP that the local governing authority will waive any land use regulations
relative to permitting for mobile homes, recreational vehicles, and other temporary
housing directly adjacent to the survivor's damaged dwelling to allow for expedited
temporary housing assistance in the parish.
(bb) If the parish governing authority submits the certification to waive parish land use regulations but the municipal governing authority fails to submit the certification, the temporary housing assistance shall only apply for parish residents residing outside of the municipality.

(cc) For calendar year 2022, each parish and municipality shall submit the certification or opt out of participating in the program no later than September first.

(4) Develop a process for parishes and municipalities to submit the waiver certification or opt out of the program through the state emergency management software system. Parishes and municipalities shall be given the opportunity to change the selection regarding the waiver each year. GOHSEP shall make the list of parishes and municipalities that have submitted the certification or opted out of participating in the program accessible to the public on its website.

(5) Work with state agencies and parish offices of homeland security and emergency preparedness to complete an inventory of portable generators owned by the state and local governments which are capable of operating during a major disaster. The inventory shall identify, at a minimum, the location of each generator, the number of generators stored at each specific location, the agency to which each generator belongs, the primary use of the generator by the owner agency, and the names, addresses, and telephone numbers of persons having the authority to loan the stored generators as authorized by the division during a declared emergency.

G.(1) GOHSEP shall coordinate with the office of state procurement and all state agencies that provide emergency support functions to ensure that the state is prepared to efficiently respond to disasters and emergencies. This effort shall include the state having prepositioned contracts in place for the ensuing fiscal year no later than June thirtieth of each year. However, for Fiscal Year 2022-2023, the prepositioned contracts shall be in place no later than September 1, 2022.

(2) The prepositioned contracts shall include but not be limited to the following:

(a) Transportation services for evacuation purposes.

(b) Temporary housing and sheltering.
(c) Generators.

(d) Emergency food supplies, water, and ice.

(e) Debris removal.

(f) Professional services for disaster recovery, grant management, and administration.

(3) All prepositioned contracts shall be procured in compliance with applicable state and federal procurement regulations.

(4) No later than July fifteenth of each year, GOHSEP shall submit a list of all prepositioned contracts entered into pursuant to this Subsection to the Joint Legislative Committee on the Budget and the House and Senate select committees on homeland security.

§728. Parish homeland security and emergency preparedness agency

G. The parish president shall designate any parish, municipal, or special district employees the parish president deems necessary to be dedicated, on a full-time basis, to emergency preparedness and disaster or emergency response in the parish. The director shall ensure the employees designated pursuant to this Section and any local officials deemed necessary by the parish president have received the annual emergency management training provided for in R.S. 29:726(F)(2).

§729. Parish homeland security and emergency preparedness agency authorities and responsibilities

B. The parish office of homeland security and emergency preparedness shall prepare and maintain an all hazards emergency operations plan and keep it current, which The plan may shall include any of the following:

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(12) Other necessary matters as determined by GOHSEP.

* * *
Section 2. R.S. 29:726(E)(25) and 731 are hereby repealed in their entirety.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: ____________________

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