AN ACT

To amend and reenact R.S. 29:726.5(A), (B), and (D) and 726.6(A), (B), (C)(1), and (D) and to enact R.S. 29:726(E)(30) and 726.5(C)(4), relative to the Governor's Office of Homeland Security and Emergency Preparedness; to provide for authority and responsibilities; to provide for promulgation of rules; to provide for an annual emergency preparedness class; to provide for disbursement of assets and diversion of resources during an emergency; to provide for the Louisiana Commission on School and Nonprofit Security; to provide for a fund; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 29:726.5(A), (B), and (D) and 726.6(A), (B), (C)(1), and (D) are hereby amended and reenacted and R.S. 29:726(E)(30) and 726.5(C)(4) are hereby enacted to read as follows:

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

authority and responsibilities

* * *

E. The office shall either directly or through authorized assignment to another state agency or department:

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(30) Prior to August 1, 2022, promulgate standards and regulations in accordance with the Administrative Procedure Act regarding disbursement of
assets and diversion of resources during a federally or gubernatorially declared
emergency. For purposes of expeditious implementation of the provisions of this
Paragraph, the office shall utilize emergency rulemaking for the promulgation
of the initial administrative rules.

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§726.5. Louisiana Commission on School and Nonprofit Safety and Security

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

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

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

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

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

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

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

(6) The executive director of the Louisiana Sheriffs' Association or his
designee with expertise in terrorist attacks.

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

(8) The executive director of the Louisiana Interchurch Conference or his
designee.
(9) The executive director of the Louisiana Association of Nonprofit Organizations.

(7) The superintendent of the Department of Education or his designee.

C. * * *

(4) The commission shall elect a chair by a majority vote of the members.

D. The commission shall issue a report to the Governor's Office of Homeland Security and Emergency Preparedness, the Senate Select Committee on Homeland Security, and the House Select Committee on Homeland Security of its findings and recommendations with respect to the security status and needs of schools and nonprofit organizations that are at high risk of terrorist attacks in Louisiana. The report shall be issued annually and at such other times as deemed necessary by the commission or the Governor's Office of Homeland Security and Emergency Preparedness.

§726.6. Fund and grant program

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

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

B. (1) Eligible nonprofit organizations include organizations that meet all of
the following requirements:

(1) (a) The organization is described in Section 501(c)(3) of the Internal Revenue Code and exempt from tax under Section 501(a) of the Internal Revenue Code.

(2) (b) The organization is determined by the program administrator to be at risk of a terrorist attack. Factors the program administrator may consider in making its determination include but are not limited to the following:

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

(ii) Prior threats made against the organization.

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

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

(2) Eligible schools include public elementary or secondary schools in a city, parish, or other local public school district or other political subdivision and nonpublic schools approved by the State Board of Elementary and Secondary Education pursuant to R.S. 17:11.

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

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D. The Governor's Office of Homeland Security and Emergency
Preparedness shall adopt any regulations or rules, pursuant to the Administrative Procedure Act, necessary to implement the security grant program established by this Section and to administer the Louisiana School and Nonprofit Safety and Security Grant Program Fund.