

2025 Regular Session

HOUSE BILL NO. 274

BY REPRESENTATIVE OWEN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HOMELAND SECURITY: Provides relative to the Governor's Office of Homeland Security and Emergency Preparedness

1 AN ACT

2 To amend and reenact R.S. 29:1(B), 722(A)(1), 724(B)(3), 725(A), (B), (C)(1), (E), (G)(1)

3 and (K)(1) and (2) and 726(A) and R.S. 36:4(B)(7) and to repeal R.S. 36:4(B)(3),

4 relative to the Governor's Office of Homeland Security and Emergency

5 Preparedness; to provide for transition to the Military Department; to provide for the

6 employment, authority, and duties of the director; to provide relative to the staffing

7 of the office of interoperability; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 29:1(B), 722(A)(1), 724(B)(3), 725(A), (B), (C)(1), (E), (G)(1) and

10 (K)(1) and (2) and 726(A) are hereby amended and reenacted to read as follows:

11 §1. Military Department

12 \* \* \*

13 B. The Military Department shall be composed of the National Guard,

14 Louisiana State Guard, Louisiana Military Police, the Governor's Office of

15 Homeland Security and Emergency Preparedness, and such other offices that may

16 be created or established according to law.

17 \* \* \*

1 §722. Purpose

2 A. Because of the existing possibility of the occurrence of emergencies and  
3 disasters of unprecedented size and destructiveness resulting from terrorist events,  
4 enemy attack, sabotage, or other hostile action, or from fire, flood, earthquake, or  
5 other natural or manmade causes, and in order to ensure that preparations of this state  
6 will be adequate to deal with such emergencies or disasters, and in order to detect,  
7 prevent, prepare for, investigate, respond to, or recover from these events, and  
8 generally to preserve the lives and property of the people of the state of Louisiana,  
9 it is hereby found and declared to be necessary:

10 (1) To create and provide for designation of the Governor's Office of  
11 Homeland Security and Emergency Preparedness within the Military Department,  
12 State of Louisiana, as the state homeland security and emergency preparedness  
13 agency and to authorize the creation of local organizations for emergency  
14 preparedness in the political subdivisions of the state.

15 \* \* \*

16 §724. Powers of the governor

17 \* \* \*

18 B.

19 \* \* \*

20 (3) All executive orders or proclamations issued under this Subsection shall  
21 indicate the nature of the disaster or emergency, the designated emergency area  
22 which is or may be affected, and the conditions which have brought it about or which  
23 make possible the termination of the state of disaster or emergency. An executive  
24 order or proclamation shall be disseminated promptly by means calculated to bring  
25 its contents to the attention of the general public and, unless the circumstances  
26 attendant upon the disaster or emergency prevent or impede it, promptly filed with  
27 the Military Department, Governor's Office of Homeland Security and Emergency  
28 Preparedness and with the secretary of state.

29 \* \* \*

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

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

7 B. The governor shall designate the Governor's Office of Homeland Security  
8 and Emergency Preparedness within the Military Department as the state homeland  
9 security and emergency preparedness agency under the adjutant general. ~~The office~~  
10 ~~shall be an independent agency in the office of the governor and, through its director,~~  
11 ~~shall report directly to the governor. The office shall have authority for and shall be~~  
12 ~~responsible for its own accounting and budget control, procurement and contract~~  
13 ~~management, personnel management, and grants management and shall carry out~~  
14 ~~these functions either directly or through authorized assignment to another state~~  
15 ~~agency or department. The office shall have authority to enter into contracts and~~  
16 ~~agreements necessary in carrying out its functions and responsibilities.~~

17 C.(1) There shall be a director of the Governor's Office of Homeland  
18 Security and Emergency Preparedness who shall be ~~appointed by the governor,~~  
19 ~~subject to Senate confirmation~~ employed by and report directly to the adjutant  
20 general. He shall administer the state emergency preparedness agency as provided  
21 in this Chapter. The director shall serve at a salary fixed by the ~~governor, which~~  
22 ~~salary shall not exceed the amount approved for the position by the legislature~~ the  
23 adjutant general.

24 \* \* \*

25 E. ~~The director shall appoint a deputy director, subject to senate~~  
26 ~~confirmation, to administer the provisions of this Chapter. The deputy director shall~~  
27 ~~have and may exercise such powers and duties of the director as the director shall~~  
28 ~~delegate to him. The director may appoint~~ employ such ~~assistant deputy directors~~  
29 deputies and assistants as may be necessary to carry out the functions of the office,

1 including but not limited to homeland security, emergency preparedness, and  
2 recovery. Each deputy or assistant ~~deputy~~ director shall have and may exercise such  
3 powers and duties of the director or ~~the deputy~~ director as the director or ~~deputy~~  
4 ~~director~~ shall delegate to him.

5 \* \* \*

6 G.(1) The director may employ such professional, technical, clerical,  
7 stenographic, and other personnel, and he shall fix their compensation and may make  
8 expenditures from available funds appropriated for the Governor's Office of  
9 Homeland Security and Emergency Preparedness or other funds made available to  
10 him for purposes of homeland security and emergency preparedness as may be  
11 necessary to carry out the purposes of this Chapter. During a gubernatorially  
12 declared disaster or emergency, the director shall have the authority to expend funds  
13 for emergency protective measures even if there is no budget authority of funds  
14 available. The director, ~~the deputy~~ director, and ~~the assistant deputy~~ directors, if  
15 ~~appointed~~, shall be provided with the necessary and appropriate office space,  
16 furniture, equipment, supplies, stationery, and printing. The necessary mileage,  
17 office expenses, salaries of personnel, postage, telephone, and expressage shall be  
18 chargeable to any funds available for homeland security and emergency  
19 preparedness.

20 \* \* \*

21 K.(1) The office of interoperability shall be ~~headed by an assistant deputy~~  
22 ~~director of interoperability who shall be in the unclassified service~~ staffed as  
23 determined by the director. The assistant deputy director may delegate authority to  
24 ~~such designees or to any governmental body as the assistant deputy director may~~  
25 ~~deem appropriate within the limitations of state and federal laws, rules, and~~  
26 ~~regulations~~. The assistant deputy director of interoperability may promulgate rules  
27 and regulations to carry out the provisions of R.S. 29:725.1 through 725.4.

28 (2) The ~~assistant deputy~~ director office of interoperability shall work in  
29 conjunction with the state Unified Command Group and interoperability

1 subcommittee to develop, implement, and maintain a secure interagency  
2 communication across jurisdictional and geographic boundaries to enable end users  
3 to access authorized information when and how they need it as identified in the  
4 statewide interoperability plan and statewide communications interoperability plan  
5 for first responders.

6 \* \* \*

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

9 A. The Governor's Office of Homeland Security and Emergency  
10 Preparedness, under the ~~governor~~ Military Department, shall be responsible for  
11 homeland security and emergency preparedness in the state. In order to perform the  
12 duties and functions required under this Chapter, the office may establish and  
13 maintain office of homeland security and emergency preparedness operations  
14 centers. The office may obtain immovable property for such operations centers by  
15 sale, transfer, grant, donation, lease, exchange, or any other means, including  
16 interagency transfers of property and cooperative endeavors.

17 \* \* \*

18 Section 2. R.S. 36:4(B)(7) is hereby amended and reenacted to read as follows:

19 §4. Structure of executive branch of state government

20 \* \* \*

21 B. The office of the governor shall be in the executive branch of state  
22 government. The governor may allocate within his office the powers, duties, funds,  
23 functions, appropriations, responsibilities, and personnel of the agencies within his  
24 office and provide for the administration thereof and for the organization of his  
25 office. The following agencies and their powers, duties, functions, and  
26 responsibilities are hereby transferred to the office of the governor:

27 \* \* \*

