

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 388

2018 Regular Session

Hodges

HOMELAND SECURITY: Provides relative to emergency management

Synopsis of Senate Amendments

1. Removes all language referencing volunteer firefighters and their protection from being denied leave in the event they would like to absent themselves from their employment for the purpose of emergency response in a disaster situation.
2. Expands the definition of agents to include private entities contacted with the state or local government for purposes of the Emergency Management Assistance Compact.

Digest of Bill as Finally Passed by Senate

Present law provides a limitation of liability for the National Voluntary Organizations Active in Disaster or its member organizations who gratuitously render disaster relief or recovery services, except for acts involving gross negligence or willful and wanton misconduct.

Proposed law adds a similar limitation of liability applicable to other volunteers.

Present law provides for the Emergency Management Assistance Compact which, in part, provides that officers or employees of a state, political subdivisions, or local governments rendering aid to another state pursuant to the compact shall be considered agents of the requesting state for purpose of liability and immunity.

Proposed law extends the application of present law to registered and credentialed volunteer organizations and private entities contracted with the state or local governments.

Proposed law authorizes the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) to establish a registry of volunteers to be deployed either by GOHSEP or the parish office of homeland security and emergency preparedness. Defines "volunteer" and authorizes GOHSEP to provide credentials, including identification cards or badges for volunteers. Requires, at a minimum, a check of volunteers on the state sex offender and child predator registry. A federal and state background check may be required in some circumstances, depending upon the mission of the volunteer. Requires the costs of the background check to be paid by the volunteer or his affiliated agency.

Proposed law provides that registered and credentialed volunteers shall be treated as unpaid agents of the state or parish when acting in the course and scope of their deployment. Further requires them to make every effort when deployed to coordinate with local officials, and allows them to receive certain commodities at the discretion of the director of GOHSEP.

Proposed law further provides that GOHSEP may coordinate the sharing of equipment between public and private entities to meet the needs of an emergency or disaster.

(Amends R.S. 9:2793.8, R.S. 29:733(C)(Art. 6), and R.S. 33:4712.18(A)(3); Adds R.S. 29:735.4 and R.S. 42:1102(18)(b)(iii))