

2023 Regular Session

HOUSE BILL NO. 526

BY REPRESENTATIVES ZERINGUE, BOURRIAQUE, AND JENKINS AND SENATOR
MILLIGAN

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

GOVERNMENT ORGANIZATION: Establishes a chief resilience officer and provides for
interagency coordination of resilience planning

1 AN ACT

2 To enact Part VIII of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 49:220.41 through 220.46, relative to resilience; to establish a
4 chief resilience officer; to provide for the purposes and duties of the chief resilience
5 officer; to provide for a statewide resilience report; to establish an Interagency
6 Resilience Coordination Team and provide for its members and meetings; to
7 establish a Louisiana Resilience Task Force; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Part VIII of Chapter 2 of Title 49 of the Louisiana Revised Statutes of
10 1950, comprised of R.S. 49:220.41 through 220.46, is hereby enacted as follows:

11 PART VIII. RESILIENCE

12 §220.41. Chief resilience officer; purpose

13 A. There shall be a chief resilience officer within the office of the governor
14 to perform the functions and duties provided in this Part.

15 B. The chief resilience officer shall be appointed by the governor, subject to
16 confirmation by the Senate. The chief resilience officer shall be paid a salary fixed
17 by the governor. The chief resilience officer shall serve at the pleasure of and shall
18 report directly to the governor.

1 C. The governor may assign other personnel to assist the chief resilience
2 officer in the performance of his duties as he deems necessary.

3 §220.42. Functions and duties

4 A. The chief resilience officer shall:

5 (1) Coordinate and provide strategic direction for governmental resilience
6 initiatives in order to build long-term resilience for a robust, vibrant economic
7 activity, sustainable natural environment, and health and opportunity for Louisiana
8 residents.

9 (2) Provide technical guidance to agencies, as well as local and regional
10 jurisdictions, to integrate statewide resilience goals into future projects, plans, and
11 programs.

12 (3) Review and reconcile state agency comments on federally sponsored
13 resilience and risk mitigation activities to establish and present an official state
14 position.

15 (4) Pursue all available federal and private funds consistent with the
16 purposes of this Part.

17 (5) Coordinate with the Governor's Office of Homeland Security and
18 Emergency Preparedness for emergency management and disaster response.

19 B. The chief resilience officer, subject to the approval of the governor, shall:

20 (1) Coordinate state agency powers, duties, functions, and responsibilities
21 relative to reducing risk and protecting communities, businesses, vital infrastructure,
22 and the environment, including flood risk mitigation and disaster housing.

23 (2) Coordinate all state departmental budget requests for programs and
24 projects pertaining to resilience and risk mitigation.

25 (3) Appraise the adequacy of statutory and administrative mechanisms for
26 coordinating the state's policies and programs at both the intrastate and interstate
27 levels with respect to resilience and risk mitigation.

28 (4) Appraise the adequacy of federal, regional, state, and local programs to
29 achieve the policies and meet the goals of the state with respect to resilience and risk
30 mitigation.

1 (5) Coordinate and focus federal involvement in Louisiana with respect to
2 resilience and risk mitigation.

3 (6) Provide official state recommendations to the legislature and congress
4 with respect to policies, programs, and coordinating mechanisms relative to
5 resilience and risk mitigation.

6 (7) Assist with the state's planning efforts including the Coastal Master Plan,
7 the State Hazard Mitigation Plan, and the Statewide Watershed Management Plan,
8 to ensure the incorporation and alignment of the state's resilience goals and
9 objectives into a unified, proactive, pre-disaster approach to adaptation and
10 long-term resilience.

11 (8) Represent the resilience and risk mitigation policy of the state at the
12 federal, regional, state, and local levels.

13 §220.43. Statewide resilience report

14 A. To coordinate and strengthen efforts to reduce losses from future disasters
15 across the state, the chief resilience officer shall contribute to all statewide planning
16 efforts related to resilience and risk mitigation and shall develop a strategic statewide
17 resilience report to protect the state from multiple threats, prioritizing the risks from
18 inland and coastal flooding. The report shall include, but is not limited to the
19 following:

20 (1) Articulation of the state's resilience goals and objectives.

21 (2) Utilization of best available science, including a range of future
22 projections, to identify and implement policies, projects, and programs that achieve
23 the state's resilience goals and objectives.

24 (3) Prioritization of agency-identified adaptation actions based on a
25 vulnerability assessment of risks to agency mission areas, assets, services, and
26 populations served from multiple environmental threats.

27 (4) Descriptions of agency strategic actions.

28 B. The statewide resilience report shall be updated every year with the latest
29 available science and updated conditions.

1 C. The office of resilience shall submit the annual statewide resilience report
2 to the legislature and to the David R. Poynter Legislative Research Library in
3 accordance with the provisions of R.S. 24:772 by February fifteenth every year.

4 §220.44. State agency resilience officers

5 A.(1) Each department head in the executive branch of state government
6 shall designate at least one person to serve as the department's resilience officer and
7 shall transmit the name and contact information of each designee to the chief
8 resilience officer and shall notify the chief resilience officer of any change in the
9 name or contact information of a designee within ten days.

10 (2) Each presiding officer of the legislature shall designate at least one
11 person to serve as the legislature's resilience officer and shall transmit the name and
12 contact information of each designee to the chief resilience officer and shall notify
13 the chief resilience officer of any change in the name or contact information of a
14 designee within ten days.

15 (3) The chief justice of the supreme court shall designate at least one person
16 to serve as the judiciary's resilience officer and shall transmit the name and contact
17 information of each designee to the chief resilience officer and shall notify the chief
18 resilience officer of any change in the name or contact information of a designee
19 within ten days.

20 B. The agency resilience officers shall coordinate activities with the chief
21 resilience officer as necessary and shall serve on the Interagency Resilience
22 Coordination Team as provided in R.S. 49:220.45.

23 §220.45. Interagency Resilience Coordination Team

24 A. The Interagency Resilience Coordination Team is established to maintain
25 awareness, communication, and alignment with regard to the state's resilience and
26 risk mitigation needs, progress, and priorities and to oversee development of the
27 statewide resilience report.

28 B. The team shall be comprised of the resilience officers from each state
29 agency and the chief resilience officer, who shall serve as chair.

1 C. The team shall meet upon the call of the chair, with a minimum of four
2 meetings annually.

3 D. The team shall make recommendations to and render assistance and
4 guidance to agencies in the development of strategic plans for resilience.

5 §220.46. Louisiana Resilience Task Force

6 A. There is hereby established a Louisiana Resilience Task Force to provide
7 strategic direction to resilience efforts across the state and to make recommendations
8 to the chief resilience officer.

9 B. The task force shall be composed of the following members:

10 (1) The chief resilience officer, who shall serve as chair and shall represent
11 the views of the Interagency Resilience Coordination Team.

12 (2) The director of the Governor's Office of Homeland Security and
13 Emergency Preparedness or his designee.

14 (3) The Governor's Executive Assistant for Coastal Activities or his
15 designee.

16 (4) The commissioner of the division of administration or his designee.

17 (5) The commissioner of insurance or his designee.

18 (6) The secretary of the Department of Transportation and Development or
19 his designee.

20 (7) The executive director of the Police Jury Association or his designee.

21 (8) The executive director of the Parish Presidents of Louisiana Association
22 or his designee.

23 (9) The speaker of the House of Representatives or his designee.

24 (10) The president of the Senate or his designee.

25 C. The task force shall meet quarterly and at the call of the chairman.

26 Section 2. The chief resilience officer shall submit the initial statewide resilience
27 report to the legislature and the David R. Poynter Legislative Research Library by February
28 15, 2024, and the chief resilience officer shall convene the first meeting of the Interagency
29 Resilience Coordination Team no later than October 1, 2023.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 526 Engrossed

2023 Regular Session

Zeringue

Abstract: Establishes and provides for a chief resilience officer in the office of the governor, an Interagency Resilience Coordination Team, and a La. Resilience Task Force to coordinate and align policies, plans, budgets, and resources regarding resilience.

Proposed law creates a chief resilience officer (CRO) within the office of the governor, who is appointed by and serves at the pleasure of the governor, subject to confirmation by the Senate. Provides that the governor may assign other personnel to assist the chief resilience officer as necessary.

Proposed law requires the CRO to perform functions and duties, including:

- (1) Coordinate and provide direction for governmental resilience initiatives.
- (2) Provide guidance to agencies at all levels to integrate resilience goals into future plans.
- (3) Review and reconcile state agency comments on federally sponsored resilience and risk mitigation activities to establish and present an official state position.
- (4) Pursue all available federal and private funds consistent with the purposes established in proposed law.
- (5) Coordinate with the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) for emergency management and disaster response.

Proposed law provides the CRO, subject to the approval of the governor, shall:

- (1) Coordinate state agency powers, duties, functions, and responsibilities relative to reducing risk and protecting communities, businesses, vital infrastructure, and the environment, including flood risk mitigation and disaster housing.
- (2) Coordinate all state departmental budget requests for programs and projects pertaining to resilience and risk mitigation.
- (3) Appraise the adequacy of statutory and administrative mechanisms for coordinating the state's policies and programs at both the intrastate and interstate levels with respect to resilience and risk mitigation.
- (4) Appraise the adequacy of federal, regional, state, and local programs to achieve the policies and meet the goals of the state with respect to resilience and risk mitigation.
- (5) Coordinate and focus federal involvement in Louisiana with respect to resilience and risk mitigation.
- (6) Provide the official state recommendations to the legislature and congress with respect to policies, programs, and coordinating mechanisms relative to resilience and risk mitigation.

- (7) Assist with the state's planning efforts including the Coastal Master Plan, the State Hazard Mitigation Plan, and the Statewide Watershed Management Plan, to ensure the incorporation and alignment of the state's resilience goals and objectives into a unified, proactive, pre-disaster approach to adaptation and long-term resilience.
- (8) Represent resilience and risk mitigation policy of the state at the federal, regional, state, and local levels.

Proposed law requires the CRO to develop a statewide resilience report, to be updated and provided to the legislature annually by Feb. 15th. Specifies that the report must include:

- (1) Articulation of the state's resilience goals and objectives.
- (2) Utilization of best available science, including a range of future projections, to identify and implement policies, projects, and programs that achieve the state's resilience goals and objectives.
- (3) Prioritization of agency-identified adaptation actions based on a vulnerability assessment of risks to agency mission areas, assets, services, and populations served from multiple environmental threats.
- (4) Descriptions of agency strategic actions.

Proposed law requires that each executive branch department head to designate at least one person to serve as the department's resilience officer. Requires the presiding officers of the legislature to designate at least one person to serve as the legislature's resilience officer. Requires the chief justice of the supreme court to designate at least one person to serve as the judiciary's resilience officer. Requires the names and contact information of the designees to be submitted to the CRO and requires notification of any change in the name or contact information to be submitted to the CRO within 10 days. Provides that these agency resilience officers shall coordinate activities with the CRO and shall serve on the Interagency Resilience Coordination Team established in proposed law.

Proposed law establishes an Interagency Resilience Coordination Team to maintain awareness, communication, and alignment with regard to the state's resilience and risk mitigation needs, progress, and priorities and to oversee development of the statewide resilience report.

Proposed law requires that the Interagency Resilience Coordination Team be comprised of the CRO as chair and the agency resilience officers. The CRO is required to convene the coordination team by Oct. 1, 2023, and they are to meet at least four times a year.

Proposed law establishes a La. Resilience Task Force to provide strategic direction to resilience efforts across the state and to make recommendations to the chief resilience officer. The task force shall be composed of the following members:

- (1) The chief resilience officer, who shall serve as chair and shall represent the views of the Interagency Resilience Coordination Team.
- (2) The director of GOHSEP or his designee.
- (3) The governor's executive assistant for coastal activities or his designee.
- (4) The commissioner of the division of administration or his designee.
- (5) The commissioner of insurance or his designee.
- (6) The secretary of the Dept. of Transportation and Development or his designee.

- (7) The executive director of the Police Jury Association or his designee.
- (8) The executive director of the Parish Presidents Association or his designee.
- (9) The speaker of the House of Representatives or his designee.
- (10) The president of the Senate or his designee.

Proposed law requires the task force to meet quarterly and at the call of the chairman.

(Adds R.S. 49:220.41-220.46)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill:

- 1. Remove provisions establishing an office of resilience.
- 2. Provide that agency resilience officers are designated rather than appointed and clarify which agencies are required to designate an officer.
- 3. Change provisions requiring the governor, through the chief resiliency officer to perform specified functions, to requiring the chief resilience officer to perform those functions subject to the approval of the governor.
- 4. Change the required submission date of the annual statewide resilience report to the legislature from by March 1st to by Feb. 15th.
- 5. Allow the secretary of DOTD to have a designee on the task force.
- 6. Make technical changes.