

2018 Regular Session

SENATE BILL NO. 446

BY SENATOR WHITE

SUNSET LAW. Re-creates the Governor's Office of Homeland Security and Emergency Preparedness. (6/30/18)

1 AN ACT

2 To enact R.S. 49:191(10)(c) and to repeal R.S. 49:191(8)(n), relative to the Governor's  
3 Office of Homeland Security and Emergency Preparedness, including provisions to  
4 provide for the re-creation of the Governor's Office of Homeland Security and  
5 Emergency Preparedness and the statutory entities made a part of the department by  
6 law; to provide for the effective termination date for all statutory authority for the  
7 existence of such statutory entities; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Pursuant to R.S. 49:193, the Governor's Office of Homeland Security and  
10 Emergency Preparedness and the statutory entities made a part of the department by law  
11 shall be re-created effective June 30, 2018, and all statutory authority therefor is continued  
12 in accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana  
13 Revised Statutes of 1950.

14 Section 2. All statutory authority for the existence of the Governor's Office of  
15 Homeland Security and Emergency Preparedness and the statutory entities made a part of  
16 the department as re-created by Section 1 of this Act shall cease as of July 1, 2023, pursuant  
17 to R.S. 49:191. However, the Governor's Office of Homeland Security and Emergency

1 Preparedness may be re-created prior to such date in accordance with the provisions of Part  
2 XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

3 Section 3. The provisions of R.S. 49:193 are hereby superseded to the extent that  
4 those provisions are in conflict with the provisions of this Act.

5 Section 4. R.S. 49:191(10)(c) is hereby enacted to read as follows:

6 §191. Termination of legislative authority for existence of statutory entities;  
7 phase-out period for statutory entities; table of dates

8 Notwithstanding any termination dates set by any previous Act of the  
9 legislature, the statutory entities set forth in this Section shall begin to terminate their  
10 operations on July first of each of the following years, and all legislative authority  
11 for the existence of any statutory entity, as defined in R.S. 49:190, shall cease as of  
12 July first of the following year, which shall be the termination date:

13 \* \* \*

14 (10) July 1, 2022:

15 \* \* \*

16 **(c) The Governor's Office of Homeland Security and Emergency**

17 **Preparedness and all statutory entities made a part of the department by law.**

18 Section 5. R.S. 49:191(8)(n) is hereby repealed.

19 Section 6. This Act shall become effective on June 30, 2018; if vetoed by the  
20 governor and subsequently approved by the legislature, this Act shall become effective on  
21 June 30, 2018, or on the day following such approval by the legislature, whichever is later.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by J. W. Wiley.

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DIGEST

SB 446 Original                      2018 Regular Session                      White

Present law (Sunset law) provides that the GOHSEP and all the statutory entities made a part  
of that department by law must begin to terminate their operations on July 1, 2018, and that  
all legislative authority for such entities must cease as of July 1, 2019, unless the legislature  
enacts a bill authorizing the re-creation of the department and its statutory entities prior  
thereto.

Proposed law provides for the re-creation of the GOHSEP and its statutory entities, effective  
June 30, 2018, for a four-year period.

Effective June 30, 2018.

(Adds R.S. 49:191(10)(c); repeals R.S. 49:191(8)(n))