

2022 Regular Session

SENATE BILL NO. 185

BY SENATOR HENRY

EMERGENCY PREPAREDNESS. Provides relative to the definition of "first responder".
(gov sig)

1 AN ACT

2 To amend and reenact R.S. 23:1017.1(6) and R.S. 29:739(C) and to enact R.S. 29:723(20),
3 relative to first responders; to expand the definition of first responders to include
4 electrical linemen; to provide for a definition of electrical linemen; and to provide
5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 23:1017.1(6) is hereby amended and reenacted to read as follows:

8 §1017.1. Definitions

9 Unless the context clearly indicates otherwise, the following words and
10 terms, when used in this Part, shall have the following meanings:

11 * * *

12 (6) "First responder" means a volunteer engaged in activities involving the
13 Governor's Office of Homeland Security and Emergency Preparedness pursuant to
14 R.S. 29:721 et seq., and first responders as defined in R.S. 29:723 including but not
15 limited to medical personnel, emergency and medical technicians, volunteer firemen,
16 auxiliary law enforcement officers, state agency essential workers, emergency
17 service dispatchers, and emergency response operators, electrical linemen as

1 **defined by R.S. 29:723,** and members of the Civil Air Patrol.

2 * * *

3 Section 2. R.S. 29:739(C) is hereby amended and reenacted and R.S. 29:723(20) is
4 hereby enacted to read as follows:

5 §723. Definitions

6 As used in this Chapter:

7 * * *

8 **(20)(a) "Electrical lineman" means a person employed to install,**
9 **maintain, or repair electrical transmission and power distribution systems, and**
10 **who, based solely on employment as an electrical lineman, shall not be entitled**
11 **to compensation, pension, or other benefits paid by the state or a political**
12 **subdivision of the state. Electrical linemen shall be considered first responders**
13 **only in instances involving weather emergencies as declared by the governor**
14 **pursuant to R.S. 29:721 et seq.**

15 **(b) Nothing in this Subsection shall relieve an employer of its**
16 **responsibilities pursuant to Civil Code Article 2320.**

17 * * *

18 §739. Intrastate Mutual Aid Compact

19 * * *

20 C. Definitions

21 As used in this Section, "first responder" refers to those individuals who in
22 the early stages of an incident are responsible for the protection and preservation of
23 life, property, evidence, and the environment, including emergency response
24 providers as defined in Section 2 of the Homeland Security Act of 2002 (6 U.S.C.
25 101), as well as emergency management, public health, clinical care, public works,
26 and other skilled support personnel, such as equipment operators **and electrical**
27 **linemen as defined in R.S. 29:723** that provide immediate support services during
28 prevention, response, and recovery operations consistent with Homeland Security
29 Presidential Directive 8.

* * *

Section 2. The Louisiana State Law Institute is hereby authorized and directed to renumber the definitions in R.S. 29:723 to ensure that the definitions are in alphabetical order.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Leonore Heavey.

DIGEST

SB 185 Original

2022 Regular Session

Henry

Present law with regard to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, defines "first responder" as a volunteer engaged in activities involving the Governor's Office of Homeland Security and Emergency Preparedness pursuant to R.S. 29:721 et seq. and "first responders" as defined in R.S. 29:723, including medical personnel, emergency and medical technicians, volunteer firemen, auxiliary law enforcement officers, state agency essential workers, emergency service dispatchers, and emergency response operators, and members of the Civil Air Patrol.

Present law also provides that "first responder" means the first arriving organized responders with the capability and mission to contain, mitigate, and resolve the emergency at hand.

Present law also provides that "first responder" refers to those individuals who in the early stages of an incident are responsible for the protection and preservation of life, property, evidence, and the environment, as well as emergency management, public health, clinical care, public works, and other skilled support personnel, such as equipment operators that provide immediate support services during prevention, response, and recovery operations.

Proposed law provides that "electrical lineman" be included in the definition of "first responder".

Proposed law defines "electrical lineman" as a person employed to install, maintain, or repair electrical transmission and power distribution systems for the purpose of being allowed first access to the scene of an emergency and not for purposes of monetary or health benefits.

Proposed law provides that electrical linemen shall be considered first responders only during weather emergencies as declared by the governor pursuant to R.S. 29:721 et seq.

Proposed law further provides that nothing in proposed law shall relieve an employer of its responsibilities pursuant to C.C. Art. 2320.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 23:1017.1(6) and R.S. 29:739(C); adds R.S. 29:723(20))