
HOUSE COMMITTEE AMENDMENTS

2022 Regular Session

Substitute for Original House Bill No. 759 by Representative Schexnayder as proposed by the House Committee on Judiciary

This document reflects the content of a substitute bill but is not in a bill form; page numbers in this document DO NOT correspond to page numbers in the substitute bill itself.

To amend and reenact R.S. 29:725(A) and 726(F), to enact R.S. 29:725(K), 726(G), and 728(G), and to repeal R.S. 29:725.5, 726(E)(25), and 731, relative to the Governor's Office of Homeland Security and Emergency Preparedness; to provide requirements for the statewide emergency management software system; to provide for mandatory training requirements; to provide relative to employees in parish offices of homeland security and emergency preparedness; to provide relative to prepositioned contracts; to provide relative to procurement; to provide for reporting; to provide for temporary housing assistance; to provide for eligibility; to provide relative to waivers of local land use regulations; to provide for exemptions; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 29:725(A) and 726(F) are hereby amended and reenacted and R.S. 29:725(K), 726(G), and 728(G) are hereby enacted to read as follows:

§725. State emergency and disaster agency; powers of director

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

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K.(1) The office of interoperability shall be headed by an assistant deputy director of interoperability who shall be in the unclassified service. The assistant deputy director may delegate authority to such designees or to any governmental body as the assistant deputy director may deem appropriate within the limitations of state and federal laws, rules, and regulations. The assistant deputy director of

interoperability may promulgate rules and regulations to carry out the provisions of R.S. 29:725.1 through 725.4.

(2) The assistant deputy director of interoperability shall work in conjunction with the state Unified Command Group and interoperability subcommittee to develop, implement, and maintain a secure interagency communication across jurisdictional and geographic boundaries to enable end users to access authorized information when and how they need it as identified in the statewide interoperability plan and statewide communications interoperability plan for first responders.

(3) The assistant deputy director of interoperability shall perform the following functions:

(a) Serve as chairman of the interoperability subcommittee.

(b) Serve as the state liaison for interoperability.

(c) Administer the statewide communications interoperability plan in coordination with the chief information officer or his designee.

(d) Partner with local, state, and federal officials to achieve emergency response interoperability in every parish throughout the state.

(e) Leverage existing local, state, and federal efforts, including assets and resources, to ensure better coordination and accountability for activities including but not limited to research and development, testing and evaluation, standards, technical assistance, training, and funding for interoperability.

(f) Support the creation of interoperability standards.

(g) Submit recommendations to the legislature relative to any changes in state law necessary to remove barriers to achieving communications interoperability.

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

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~~F. The Governor's Office of Homeland Security and Emergency Preparedness shall ascertain what means exist for rapid communications in times of disaster or emergencies, shall consider the desirability of supplementing these~~

~~communications resources or of integrating them into a comprehensive state or state-federal telecommunication or other communications system or its several parts, shall evaluate the possibility of multipurpose use thereof for general state and local governmental purposes, and shall make recommendations to the governor as appropriate. No later than August 1, 2022, GOHSEP shall:~~

(1) Ensure that the official state emergency management software system:

(a) Is accessible to all sixty-four parishes, state and federal agencies, and approved non-governmental emergency management partners to monitor and manage activities before, during, and after an emergency or disaster.

(b) Has the capability to allow GOHSEP to update the status of all requests for resources and services continuously and make the information simultaneously available to all users.

(2) Develop an online emergency management training program to be completed on an annual basis by each parish president and any parish or municipal employee or elected official identified by the director of each parish office of homeland security and emergency preparedness pursuant to R.S. 29:728(G). GOHSEP shall provide the training program in-person only if requested by the parish office.

(3)(a) Coordinate with the office of state procurement, the Department of Agriculture and Forestry, the Department of Transportation and Development, and the Department of Military Affairs to prepare a report indicating the following:

(i) The amount of procured goods and services utilized for emergency preparedness and disaster response.

(ii) The number of emergency contracts for the preceding calendar year that were let without competition pursuant to an executive order issued under the authority granted in R.S. 29:724.

(b) GOHSEP shall submit the report to the Joint Legislative Committee on the Budget and the House and Senate select committees on homeland security.

(4) Develop a program to provide additional funding and resources for temporary housing and shelter assistance to parish governing authorities during the

first fourteen days following a presidential declaration of a major disaster or emergency. The program shall include the following:

(a) GOHSEP shall enter into prepositioned contracts for temporary housing and shelter and professional services for disaster recovery, grant management, and administration for the program. GOHSEP shall prioritize post-disaster delivery time when letting the contracts.

(b) A parish governing authority shall be eligible for participation in the program if all of the following conditions are met:

(i) The parish is included in a presidential declaration of a major disaster or an emergency.

(ii) The parish governing authority submits a request to GOHSEP within seven days after the presidential disaster declaration.

(iii)(aa) The parish governing authority has submitted a certification to GOHSEP that the local governing authority will waive any land use regulations relative to permitting for mobile homes, recreational vehicles, and other temporary housing to allow for expedited temporary housing assistance in the parish.

(bb) If the parish governing authority submits the certification to waive parish land use regulations but the municipal governing authority fails to submit the certification, the temporary housing assistance shall only apply for parish residents residing outside of the municipality.

(cc) For calendar year 2022, each parish and municipality shall submit the certification or opt out of participating in the program no later than September first.

(5) Develop a process for parishes and municipalities to submit the waiver certification or opt out of the program through the state emergency management software system, Parishes and municipalities shall be given the opportunity to change the selection regarding the waiver each year.

G. No later than August first of each year, the office shall submit an annual report to the Joint Legislative Committee on the Budget and the House and Senate select committees on homeland security. The report shall include all of the following:

(1) A list of all prepositioned contracts entered into for the current fiscal year.

(2) The procurement report provided for in Paragraph (F)(3) of this Section.

(3) A list of all parishes and municipalities in the state and whether or not the governing authority has submitted the certification provided in Item (F)(4)(b)(iii) of this Section.

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§728. Parish homeland security and emergency preparedness agency

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G. The director shall designate any parish or municipal employees the director deems necessary to be dedicated, on a full-time basis, to emergency preparedness and disaster response in the parish. The director shall ensure the employees designated pursuant to this Section and any elected officials deemed necessary by the director have received the annual emergency management training program provided for in R.S. 29:726(F)(2).

Section 2. R.S. 29:725.5, 726(E)(25), and 731 are hereby repealed in their entirety.

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.

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 Draft 2022 Regular Session

Abstract: Provides relative to the operational procedures of the Governor's Office of Homeland Security and Emergency Preparedness.

Present law provides for the authorities and responsibilities of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP).

Proposed law retains present law and adds that GOHSEP shall do the following by Aug. 1, 2022:

- (1) Ensure the official state emergency management software system is accessible to certain entities to monitor and manage activities before, during, and after an emergency or disaster and has the capability to allow the office to update the status of all requests for resources and services continuously and provide information simultaneously to all users.
- (2) Develop an online emergency management training program to be completed annually by each parish president and any parish or municipal employee or elected official identified by the director of each parish office of homeland security and emergency preparedness.
- (3) Coordinate with the office of state procurement, Dept. of Agriculture and Forestry, Dept. of Transportation and Development, and Dept. of Military Affairs to prepare a procurement assessment report and submit the report to the Joint Legislative Committee on the Budget (JLCB) and the House and Senate select committees on homeland security.
- (4) Develop a program to provide temporary housing and shelter assistance to parish governing authorities during the first 14 days following a disaster.

Proposed law provides requirements for GOHSEP to implement the program and for local governments to participate in the program. Eligibility for participation includes waiting certain land use regulations.

Proposed law requires GOHSEP to submit an annual report to JLCB and the House and Senate select committees on homeland security regarding contracts and the temporary housing and shelter assistance program.

Present law requires GOHSEP to study the feasibility of pre-bidding certain contracts for disaster response services.

Proposed law repeals present law.

Present law provides that office of interoperability shall be headed by an assistant deputy director of interoperability.

Proposed law moves present law.

Present law requires each parish office of homeland security and emergency preparedness to have a director appointed by the parish president and provides for responsibilities of the director.

Proposed law requires the director to designate any parish or municipal employees the director deems necessary to be dedicated on a full-time basis to emergency preparedness and disaster response in the parish.

Proposed law further requires the director to ensure that the employees so designated and any elected officials deemed necessary by the director have received the annual emergency management training program provided by GOHSEP.

Present law provides for a disaster and emergency funding board.

Proposed law repeals present law.

(Amends R.S. 29:725(A) and 726(F); Enacts R.S. 29:725(K), 726(G), and 728(G); Repeals R.S. 29:725.5, 726(E)(25), and 731)