

SENATE BILL NO. 311

BY SENATOR MILLIGAN

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AN ACT

To amend and reenact R.S. 29:726.5(A), (B), and (D) and 726.6(A), (B), (C)(1), and (D) and to enact R.S. 29:726(E)(30) and 726.5(C)(4), relative to the Governor's Office of Homeland Security and Emergency Preparedness; to provide for authority and responsibilities; to provide for promulgation of rules; to provide for an annual emergency preparedness class; to provide for disbursement of assets and diversion of resources during an emergency; to provide for the Louisiana Commission on School and Nonprofit Security; to provide for a fund; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 29:726.5(A), (B), and (D) and 726.6(A), (B), (C)(1), and (D) are hereby amended and reenacted and R.S. 29:726(E)(30) and 726.5(C)(4) are hereby enacted to read as follows:

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

* * *

E. The office shall either directly or through authorized assignment to another state agency or department:

* * *

(30) Prior to August 1, 2022, promulgate standards and regulations in accordance with the Administrative Procedure Act regarding disbursement of

1 assets and diversion of resources during a federally or gubernatorially declared
 2 emergency. For purposes of expeditious implementation of the provisions of this
 3 Paragraph, the office shall utilize emergency rulemaking for the promulgation
 4 of the initial administrative rules.

5 * * *

6 §726.5. Louisiana Commission on **School and** Nonprofit ~~Safety and Security~~

7 A. The Louisiana Commission on **School and** Nonprofit ~~Safety and Security~~,
 8 hereinafter referred to as the "commission", is hereby established within the
 9 Governor's Office of Homeland Security and Emergency Preparedness to study and
 10 make recommendations on the security needs of **schools and** nonprofit organizations
 11 that are at high risk of terrorist attacks in Louisiana, including recommendations on
 12 the establishment, administration, and funding of a grant program for eligible entities
 13 to apply for security grants covering security personnel, security training, facility
 14 hardening, and other necessary security measures.

15 B. The commission shall be comprised of the following members:

16 (1) The director of the Governor's Office of Homeland Security and
 17 Emergency Preparedness, or his designee, ~~who shall serve as chair of the~~
 18 ~~commission.~~

19 ~~(2) A representative of the governor's office appointed by the governor.~~

20 ~~(3)~~ The chair of the House Select Committee on Homeland Security or his
 21 designee.

22 ~~(4)~~**(3)** The chair of the Senate Select Committee on Homeland Security or his
 23 designee.

24 ~~(5)~~**(4)** The superintendent of state police or his designee.

25 ~~(6)~~**(5)** The executive director of the Louisiana Sheriffs' Association or his
 26 designee **with expertise in terrorist attacks.**

27 ~~(7) The executive director of the Louisiana Association of Chiefs of Police~~
 28 ~~or his designee.~~

29 ~~(8)~~**(6)** The executive director of the Louisiana Interchurch Conference or his
 30 designee.

1 the following requirements:

2 ~~(1)~~**(a)** The organization is described in Section 501(c)(3) of the Internal
 3 Revenue Code and exempt from tax under Section 501(a) of the Internal Revenue
 4 Code.

5 ~~(2)~~**(b)** The organization is determined by the program administrator to be at
 6 risk of a terrorist attack. Factors the program administrator may consider in making
 7 its determination include but are not limited to the following:

8 ~~(a)~~**(i)** Prior incidents that have occurred at any facility owned or used by the
 9 organization.

10 ~~(b)~~**(ii)** Prior threats made against the organization.

11 ~~(c)~~**(iii)** Current events or incidents impacting other organizations that have
 12 a similar mission, belief, or ideology.

13 ~~(d)~~**(iv)** Feedback or information on the current local threat environment from
 14 local law enforcement agencies, parish offices of homeland security and emergency
 15 preparedness, the Louisiana State Analytical and Fusion Exchange, field offices of
 16 the Federal Bureau of Investigation, and other organizations, entities, or agencies.

17 **(2) Eligible schools include public elementary or secondary schools in a**
 18 **city, parish, or other local public school district or other political subdivision**
 19 **and nonpublic schools approved by the State Board of Elementary and**
 20 **Secondary Education pursuant to R.S. 17:11.**

21 C.(1) There is hereby established in the state treasury a special fund to be
 22 known as the Louisiana **School and** Nonprofit ~~Safety and~~ Security Grant Program
 23 Fund, hereinafter referred to in this Subsection as the "fund". Interest earned on the
 24 investment of monies in the fund shall be deposited in and credited to the fund.
 25 Unexpended and unencumbered monies in the fund at the close of each fiscal year
 26 shall remain in the fund. Monies in the fund shall be appropriated, administered, and
 27 used solely for the purposes of the security grant program as provided by this
 28 Section.

29 * * *

30 D. The Governor's Office of Homeland Security and Emergency

1 Preparedness shall adopt any regulations or rules, pursuant to the Administrative
2 Procedure Act, necessary to implement the security grant program established by this
3 Section and to administer the Louisiana **School and** Nonprofit ~~Safety and Security~~
4 Grant Program Fund.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____