

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 and provides for the Louisiana Office of Resilience

1 AN ACT

2 To enact R.S. 36:4(B)(37) and Part VIII of Chapter 2 of Title 49 of the Louisiana Revised
3 Statutes of 1950, to be comprised of R.S. 49:220.41 through 220.46, relative to the
4 office of resilience; to add the office of resilience to the executive branch of
5 government; to create the office of resilience within the office of the governor; to
6 establish a chief resilience officer; to provide for the purposes and duties of the
7 office of resilience and the chief resilience officer; to provide for a statewide
8 resilience report; to establish an Interagency Resilience Coordination Team and
9 provide for its members and meetings; to establish a Louisiana Resilience Task
10 Force; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 36:4(B)(37) is hereby enacted to read as follows:

13 §4. Structure of executive branch of state government

14 * * *

15 B. The office of the governor shall be in the executive branch of state
16 government. The governor may allocate within his office the powers, duties, funds,
17 functions, appropriations, responsibilities, and personnel of the agencies within his
18 office and provide for the administration thereof and for the organization of his

1 office. The following agencies and their powers, duties, functions, and
2 responsibilities are hereby transferred to the office of the governor:

3 * * *

4 (37) Office of resilience (R.S. 49:220.41 et seq.) which shall perform and
5 exercise their powers, duties, functions, and responsibilities as provided by law.

6 * * *

7 Section 2. Part VIII of Chapter 2 of Title 49 of the Louisiana Revised Statutes of
8 1950, comprised of R.S. 49:220.41 through 220.46, is hereby enacted as follows:

9 PART VIII. OFFICE OF RESILIENCE

10 §220.41. Office of resilience; purpose

11 A. The office of resilience is established within the office of the governor
12 to coordinate and provide strategic direction for governmental resilience initiatives
13 in order to build long-term resilience for a robust, vibrant economic activity,
14 sustainable natural environment, and health and opportunity for Louisiana residents.

15 B. The office of resilience shall develop, implement, and maintain a
16 statewide resilience report and establish an interagency resilience coordination team.

17 C. Provide technical guidance to agencies, as well as local and regional
18 jurisdictions, to integrate statewide resilience goals into future projects, plans, and
19 programs.

20 §220.42. Chief resilience officer

21 A. The office of resilience shall be governed by a chief resilience officer
22 appointed by the governor and confirmed by the Senate. The chief resilience officer
23 shall serve at the pleasure of, and report directly to, the governor.

24 B.(1) The chief resilience officer shall employ necessary staff and may
25 request the assistance of personnel of any state department or agency to carry out the
26 duties and functions provided in this Part or as otherwise provided by law.

27 (2) The chief resilience officer shall manage the office budget, personnel,
28 and related functions as provided by law.

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

4 (4) Represent the policy and consensus viewpoint of the state at the federal,
5 regional, state, and local levels with respect to resilience and risk mitigation.

6 (5) Monitor and seek available federal and private funds consistent with the
7 purposes of this Part.

8 (6) Coordinate with the Governor's Office of Homeland Security and
9 Emergency Preparedness for emergency management and disaster response.

10 C. The governor, through the chief resilience officer, shall:

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

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

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

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

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

24 (6) Provide the official state recommendations to the legislature and
25 Congress with respect to policies, programs, and coordinating mechanisms relative
26 to resilience and risk mitigation.

27 (7) Assist with the state's planning efforts including the Coastal Master Plan,
28 the State Hazard Mitigation Plan, and the Statewide Watershed Management Plan,
29 to ensure the incorporation and alignment of the state's resilience goals and

1 objectives into a unified, proactive, pre-disaster approach to adaptation and
2 long-term resilience.

3 (8) Take such other actions not inconsistent with law as are necessary to
4 perform the duties, functions, and responsibilities of the chief resilience officer.

5 §220.43. Statewide resilience report

6 A. To coordinate and strengthen efforts to reduce losses from future disasters
7 across the state, the office of resilience shall contribute to all statewide planning
8 efforts related to resilience and risk mitigation and shall develop a strategic statewide
9 resilience report to protect the state from multiple threats, prioritizing the risks from
10 inland and coastal flooding. The report shall include, but is not limited to the
11 following:

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

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

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

19 (4) Description of agency strategic actions.

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

22 C. Agency vulnerability assessments determining an agency's prioritized
23 adaptation actions shall be updated every five years.

24 D. The office of resilience shall submit the annual statewide resilience report
25 to the legislature and to the David R. Poynter Legislative Research Library in
26 accordance with the provisions of R.S. 24:772 by March 1st every year.

27 §220.44. State agency resilience officers

28 Each state agency shall appoint a resilience officer to work with the chief
29 resilience officer. The resilience officers shall serve on the Interagency Resilience

1 Coordination Team, participate in the development of the statewide resilience report,
2 and otherwise coordinate with the chief resilience officer as may be necessary.

3 §220.45. Interagency Resilience Coordination Team

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

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

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

12 D. The team shall develop agency strategic plans.

13 §220.46. Louisiana Resilience Task Force

14 A. There is hereby established a Louisiana Resilience Task Force to provide
15 strategic direction to resilience efforts across the state and to make recommendations
16 to the office of resilience.

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

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

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

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

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

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

26 (6) The secretary of the Department of Transportation and Development.

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

28 (8) The executive director of the Parish Presidents Association or his
29 designee.

- 1 (9) The speaker of the House of Representatives or his designee.
- 2 (10) The president of the Senate or his designee.
- 3 C. The task force shall meet quarterly and at the call of the chairman.
- 4 Section 3. The office of resilience shall submit the initial statewide resilience report
- 5 to the legislature and the David R. Poynter Legislative Research Library by March 1, 2024,
- 6 and the chief resilience officer shall convene the first meeting of the Interagency Resilience
- 7 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 Original

2023 Regular Session

Zeringue

Abstract: Establishes and provides for the office of resilience, a chief resilience officer, an Interagency Resilience Coordination Team, and a Louisiana Resilience Task Force to coordinate and align state policies, plans, budgets, and resources regarding resilience from, and risk mitigation for, natural disasters and environmental threats.

Present law provides for the structure of the executive branch of state government.

Proposed law adds the office of resilience to the list of agencies within the office of the governor.

Proposed law establishes the office of resilience to coordinate and provide strategic direction for state resilience initiatives, maintain a statewide resilience report, establish an interagency resilience coordination team, and provide technical assistance to integrate statewide resilience goals.

Proposed law creates a chief resilience officer (CRO) to head the office of resilience. The CRO is appointed by the governor and confirmed by the Senate. The CRO serves at the pleasure of, and reports directly to, the governor. The CRO must hire staff and manage the office and may request assistance from other agency personnel.

Proposed law requires the CRO also do the following:

- (1) Review and reconcile state agency comments on federally sponsored resilience and risk mitigation activities to establish and present an official state position.
- (2) Represent the policy and consensus viewpoint of the state at the federal, regional, state, and local levels with respect to resilience and risk mitigation.
- (3) Monitor and seek available federal and private funds consistent with the purposes of this Part.
- (4) Coordinate with the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) for emergency management and disaster response.

Proposed law provides that the governor, acting through the CRO, 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) Take such other actions not inconsistent with law as are necessary to perform the duties, functions, and responsibilities of the chief resilience officer.

Proposed law requires the office of resilience to draft a statewide resilience report, to be updated and provided to the legislature annually by March 1st. 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) Description of agency strategic actions.

Proposed law requires that each state agency appoint a resilience officer to work with the CRO, serve on the Interagency Resilience Coordination Team, and contribute to the annual report.

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 state 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 La. Office of Resilience. 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 the 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.
- (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. 36:4(B)(37) and R.S. 49:220.41-220.46)