

Regular Session, 2013

HOUSE BILL NO. 212

BY REPRESENTATIVE BROSSETT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HOMELAND SECURITY: Provides relative to the creation of a statewide mapping and planning system for certain schools

1 AN ACT
2 To amend and reenact R.S. 29:726.3(A), (C)(2), and (D)(1) and to enact R.S. 29:726.3(C)(3)
3 and (G)(3), (4), and (5), relative to the Louisiana Homeland Security and Emergency
4 Assistance and Disaster Act; to provide for the development, operation, and
5 maintenance of a critical incident planning and mapping system for nonpublic
6 schools, proprietary schools, and nonpublic colleges and universities; to provide for
7 responsibilities of each local parish office of emergency preparedness and the
8 Governor's Office of Homeland Security and Emergency Preparedness; to require
9 that certain entities provide critical information to be included in the system; to
10 provide for definitions; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 29:726.3(A), (C)(2), and (D)(1) are hereby amended and reenacted
13 and R.S. 29:726.3(C)(3) and (G)(3), (4), and (5) are hereby enacted to read as follows:

14 §726.3. Critical Incident Planning and Mapping System

15 A. To the extent that sufficient funds are appropriated to implement the
16 provisions of this Section, the Governor's Office of Homeland Security and
17 Emergency Preparedness shall develop, operate, and maintain a statewide critical
18 incident planning and mapping system for all public buildings, nonpublic schools,

1 proprietary schools, and nonpublic colleges and universities in this state to assist first
2 responders when responding to a disaster or emergency.

3 * * *

4 C.

5 * * *

6 (2) To the extent that sufficient funds are available to implement the
7 provisions of this Section, each nonpublic school, proprietary school, and nonpublic
8 college or university shall provide available information for their buildings located
9 in this state to their local parish office of emergency preparedness, which shall be
10 uploaded to the Virtual Louisiana System for inclusion in the system by the
11 Governor's Office of Homeland Security and Emergency Preparedness. The
12 available information shall include the following critical information for public
13 buildings located in this state:

14 (a) Building floor plans.

15 (b) Evacuation plans and other fire protection information relative to each
16 state building.

17 (c) Any known hazards associated with the building. For purposes of this
18 Subsection, "known hazards" shall include any hazard that might compromise the
19 physical structure of the building or its occupants, creating an emergency situation
20 requiring a response from first responder organizations such as local fire, emergency
21 medical services, or law enforcement. These hazards shall be made known to first
22 responders in incidents, including but not limited to active shooter incidents, fires,
23 mass casualty events, hazardous material events, or weather events such as flash
24 flooding and tornados.

25 (3) The information required by the provisions of ~~Paragraph~~ Paragraphs (1)
26 and (2) of this Subsection shall be available to first responders to assist in the
27 determination of the best approach when responding to an emergency or disaster,
28 including but not limited to the determination of evacuation routes and strategies for

1 evacuation, alarms, and other signals or means of notification, plans for sheltering
2 in place, and training and strategies for the prevention of attacks involving violence.

3 D. The Governor's Office of Homeland Security and Emergency
4 Preparedness shall adopt rules in accordance with the Administrative Procedure Act
5 to implement the provisions of this Section. The rules shall provide for the
6 following:

7 (1) The manner by which the critical information required by the provisions
8 of Subsection C of this Section shall be transferred to the system from the office of
9 facility planning and control, division of administration, the governing authority of
10 local governmental subdivisions, ~~and school superintendents, nonpublic schools,~~
11 proprietary schools, and nonpublic colleges and universities.

12 * * *

13 G. For purposes of this Section:

14 * * *

15 (3) "Nonpublic college or university" means any private, postsecondary,
16 academic degree-granting institution offering instruction and domiciled in this state
17 and approved by the Board of Regents.

18 (4) "Nonpublic school" means any private elementary and secondary school
19 in this state that meets a sustained curriculum or specialized course of study or
20 quality comparable to that provided in public schools and operates a minimum
21 session of not less than one hundred eighty days and is approved by the State Board
22 of Elementary and Secondary Education. For purposes of this Section, "nonpublic
23 school" shall exclude any home study program.

24 (5) "Proprietary school" means any business enterprise operated for a profit
25 that is approved by the Board of Regents and maintains a physical building in this
26 state where a course or courses of instruction or study are offered in a classroom.

27 Section 2. This Act shall become effective upon signature by the governor or, if not
28 signed by the governor, upon expiration of the time for bills to become law without signature
29 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

- 1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 2 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)]

Brossett

HB No. 212

Abstract: Authorizes the creation of a statewide planning and mapping system for nonpublic schools, proprietary schools, and nonpublic colleges and universities to assist first responders in a disaster or emergency.

Present law requires the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) to create a statewide critical incident planning and mapping system for all public buildings in this state to assist first responders when responding to a disaster or emergency. Requires GOHSEP to acquire a computer system and software that has the capability of storing critical information required by present law and to grant access to that information to all first responders.

Proposed law retains present law and adds the inclusion of nonpublic schools, proprietary schools, and nonpublic colleges and universities to the statewide planning and mapping system.

Proposed law requires that each nonpublic school, proprietary school, and nonpublic college or university provide critical information for their buildings located in this state to their local parish office of emergency preparedness, to be uploaded to the Virtual La. System for inclusion in the system by GOHSEP, and further provides for the use of critical information by first responders.

Proposed law requires GOHSEP to adopt rules in accordance with the APA to implement proposed law and provides that proposed law is contingent upon the appropriation of funds.

Proposed law provides for definitions.

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

(Amends R.S. 29:726.3(A), (C)(2), and (D)(1); Adds R.S. 29:726.3(C)(3) and (G)(3), (4), and (5))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Judiciary to the original bill.

1. Provided for the definition of "known hazards" to include any hazard which might compromise the physical structure of the building or its occupants creating an emergency situation requiring a response from certain first responder organizations. Further provided that the hazards should be made known to first responders in certain incidents.