SENATE BILL NO. 311

BY SENATOR MILLIGAN

1	AN ACT	
2	To amend and reenact R.S. 29:726.5(A), (B), and (D) and 726.6(A), (B), (C)(1), and (D) and	
3	to enact R.S. 29:726(E)(30) and 726.5(C)(4), relative to the Governor's Office of	
4	Homeland Security and Emergency Preparedness; to provide for authority and	
5	responsibilities; to provide for promulgation of rules; to provide for an annual	
6	emergency preparedness class; to provide for disbursement of assets and diversion	
7	of resources during an emergency; to provide for the Louisiana Commission on	
8	School and Nonprofit Security; to provide for a fund; and to provide for related	
9	matters.	
10	Be it enacted by the Legislature of Louisiana:	
11	Section 1. R.S. 29:726.5(A), (B), and (D) and 726.6(A), (B), (C)(1), and (D) are	
12	hereby amended and reenacted and R.S. 29:726(E)(30) and 726.5(C)(4) are hereby enacted	
13	to read as follows:	
14	§726. Governor's Office of Homeland Security and Emergency Preparedness;	
15	authority and responsibilities	
16	* * *	
17	E. The office shall either directly or through authorized assignment to another	
18	state agency or department:	
19	* * *	
20	(30) Prior to August 1, 2022, promulgate standards and regulations in	
21	accordance with the Administrative Procedure Act regarding disbursement of	

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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.

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1	(9) The executive director of the Louisiana Association of Nonprofit
2	Organizations.
3	(7) The superintendent of the Department of Education or his designee.
4	C.
5	* * *
6	(4) The commission shall elect a chair by a majority vote of the members.
7	D. The commission shall issue a report to the Governor's Office of Homeland
8	Security and Emergency Preparedness, the Senate Select Committee on Homeland
9	Security, and the House Select Committee on Homeland Security of its findings
10	and recommendations with respect to the security status and needs of schools and
11	nonprofit organizations that are at high risk of terrorist attacks in Louisiana. The
12	report shall be issued annually and at such other times as deemed necessary by the
13	commission or the Governor's Office of Homeland Security and Emergency
14	Preparedness.
15	§726.6. Fund and grant program
16	A. The Governor's Office of Homeland Security and Emergency
17	Preparedness is authorized and directed to establish a grant program through which
18	eligible schools and nonprofit organizations described in Subsection B of this
19	Section can apply for and receive grants to defray the cost of security enhancements
20	or measures including:
21	(1) Safety and security planning.
22	(2) Safety and security equipment.
23	(3) Security-related technology.
24	(4) Safety and security training.
25	(5) Safety and security exercises.
26	(6) Threat awareness and response training.
27	(7) Upgrades to existing structures that enhance safety and security.
28	(8) Vulnerability and threat assessments.
29	(9) Security personnel.
30	B. (1) Eligible nonprofit organizations include organizations that meet all of

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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	(e)(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 ado	pt any regulations or rules, pursuant to the Administrative
2	Procedure Act, necessar	ry to implement the security grant program established by this
3	Section and to administ	ter 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:	
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