

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3820

By: Sims

AS INTRODUCED

An Act relating to public safety; creating the Oklahoma Disaster Resilience Act; amending 63 O.S. 2021, Section 683.6, which relates to hazard mitigation; creating the Interagency Resilience Coordination Council; directing the Oklahoma Department of Emergency Management lead council; directing each agency director designate a resilience officer; directing each presiding officer of the Legislature designate a resilience officer; directing the Chief Justice of the Oklahoma Supreme Court designate a resilience officer; directing resilience officers coordinate with Oklahoma Department of Emergency Management and serve on Interagency Resilience Coordination Council; establishing council; providing details of meetings of council; directing council to make recommendations and render assistance; directing Department of Emergency Management to serve a lead resilience office; defining resilience; directing the Department of Emergency Management to carry out certain duties; directing the Department of Emergency Management to develop a strategic statewide resilience report; providing required information; directing for report to be updated; directing report be submitted by certain date annually; establishing the Oklahoma Resilience Task Force; directing that the task force be composed of certain members; directing for meetings; directing that the Department of Emergency Management submit initial statewide resilience report; providing for codification; providing an effective date; and declaring an emergency.

1 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

2 SECTION 1. NEW LAW A new section of law to be codified
3 in the Oklahoma Statutes as Section 696.1 of Title 63, unless there
4 is created a duplication in numbering, reads as follows:

5 This act shall be known and may be cited as the "Oklahoma
6 Natural Disaster Protection and Preparedness Act".

7 SECTION 2. AMENDATORY 63 O.S. 2021, Section 683.6, is
8 amended to read as follows:

9 Section 683.6 A. There is hereby created the ~~State Hazard~~
10 ~~Mitigation Team~~ Interagency Resilience Coordination Council,
11 composed of the administrative heads of the following agencies or
12 their designees and led by the Oklahoma Department of Emergency
13 Management:

- 14 1. ~~Oklahoma Department of Emergency Management, who shall serve~~
15 ~~as the Team Coordinator;~~
- 16 2. ~~Oklahoma Water Resources Board;~~
- 17 3. ~~Oklahoma Climatological Survey;~~
- 18 4. ~~Oklahoma Conservation Commission;~~
- 19 5. ~~Corporation Commission;~~
- 20 6. ~~Oklahoma Department of Commerce;~~
- 21 7. ~~Department of Environmental Quality;~~
- 22 8. ~~Department of Human Services;~~
- 23 9. ~~State Department of Health;~~
- 24 10. ~~Department of Transportation;~~
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1 ~~11. Oklahoma Department of Agriculture, Food, and Forestry or~~
2 ~~the Secretary of Agriculture;~~

3 ~~12. Department of Wildlife Conservation;~~

4 ~~13. Oklahoma Historical Society;~~

5 ~~14. Oklahoma Insurance Department;~~

6 ~~15. Association of County Commissioners of Oklahoma;~~

7 ~~16. Oklahoma Municipal League;~~

8 ~~17. State Fire Marshal;~~

9 ~~18. Department of Labor;~~

10 ~~19. A local Emergency Management Director as determined by the~~
11 ~~President of the Oklahoma Emergency Management Association;~~

12 ~~20. State Chancellor or his or her representative for The~~
13 ~~Oklahoma State System of Higher Education; and~~

14 ~~21. State Director or his or her representative for the~~
15 ~~Oklahoma Department of Career and Technology Education~~

16 1. Each agency director in the executive branch of state
17 government shall designate at least one person to serve as the
18 agency's resilience officer and shall transmit the name and contact
19 information of each designee to the Oklahoma Department of Emergency
20 Management and shall notify the Oklahoma Department of Emergency
21 Management of any change in the name or contact information of a
22 designee within ten (10) days;

23 2. Each presiding officer of the Legislature shall designate at
24 least one person to serve as the Legislature's resilience officer
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1 and shall transmit the name and contact information of each designee
2 to the Oklahoma Department of Emergency Management and shall notify
3 Oklahoma Department of Emergency Management of any change in the
4 name or contact information of a designee within ten (10) days;

5 3. The Chief Justice of the Oklahoma Supreme Court shall
6 designate at least one person to serve as the judiciary's resilience
7 officer and shall transmit the name and contact information of each
8 designee to the Oklahoma Department of Emergency Management and
9 shall notify the Oklahoma Department of Emergency Management of any
10 change in the name or contact information of a designee within ten
11 (10) days;

12 4. The agency resilience officers shall coordinate activities
13 with the Oklahoma Department of Emergency Management as necessary
14 and shall serve on the Interagency Resilience Coordination Council
15 as provided in this section of this act.

16 ~~B. Depending on the circumstances, the Team Coordinator may~~
17 ~~request participation of the heads of any other state agencies as~~
18 ~~deemed appropriate.~~

19 ~~C. The Team Coordinator shall also request that a~~
20 ~~representative of the United States Army Corps of Engineers be~~
21 ~~appointed by the administrative head of the Tulsa District to~~
22 ~~participate on the Team.~~

23 ~~D. The Team Coordinator shall also request a representative of~~
24 ~~the U.S. Department of Housing and Urban Development be appointed by~~
..

1 ~~the administrative head of the Oklahoma City office to participate~~
2 ~~on the team.~~

3 ~~E. The State Hazard Mitigation Team will meet as determined by~~
4 ~~the Team Coordinator to review and recommend updates to the State~~
5 ~~Comprehensive All-hazard Mitigation Plan, and shall have those~~
6 ~~additional responsibilities as provided by the Team Coordinator,~~
7 ~~including, but not limited to, the review and recommendation for~~
8 ~~loan and grant application under the Oklahoma Flood Hazard~~
9 ~~Mitigation Program.~~

10 B. The Interagency Resilience Coordination Council is
11 established to maintain awareness, communication, and alignment with
12 regard to the state's resilience and risk mitigation needs,
13 progress, and priorities, and to oversee development of the
14 statewide resilience report.

15 C. The council shall be comprised of the resilience officers
16 from each state agency. The Oklahoma Department of Emergency
17 Management shall serve as the chair.

18 D. The council shall meet upon the call of the chair, with a
19 minimum of four meetings annually.

20 E. The council shall make recommendations to and render
21 assistance and guidance to agencies in the development of strategic
22 plans for resilience.

23 F. The council will meet annually to:
24
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1 1. Review and recommend updates to state mitigation and
2 resilience planning efforts;

3 2. Provide support and assistance in the preparation and
4 maintenance of the State Hazard Mitigation Plan as required by the
5 federal Disaster Mitigation Act of 2000, U.S.C 5121, et seq., which
6 requires all states to adopt and maintain a FEMA-approved State
7 Hazard Mitigation Plan as a prerequisite for receiving federal
8 disaster assistance under the Stafford Act; provide, however, the
9 Oklahoma Department of Emergency Management shall be responsible for
10 day to day execution of the Plan.

11 SECTION 3. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 696.2 of Title 63, unless there
13 is created a duplication in numbering, reads as follows:

14 A. This act hereby instructs the Oklahoma Department of
15 Emergency Management to serve as the lead resilience office for the
16 state and to perform the functions and duties provided in this act.

17 B. For purposes of this act, the term "resilience" shall mean a
18 capability to anticipate, prepare for, respond to, and recover from
19 significant multi-hazard threats with minimal damage to social well-
20 being, the economy, infrastructure, and the environment.

21 SECTION 4. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 696.3 of Title 63, unless there
23 is created a duplication in numbering, reads as follows:

24 The Oklahoma Department of Emergency Management shall:
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1 1. Coordinate and provide strategic direction for government
2 resilience initiatives in order to build long-term resilience for a
3 robust, vibrant economic activity and a sustainable natural
4 environment for Oklahoma residents;

5 2. Designate a resilience officer within the agency;

6 3. Provide technical guidance to agencies, as well as local and
7 regional jurisdictions, to integrate statewide resilience goals into
8 future projects, plans, and programs;

9 4. Review and reconcile state agency comments on federally
10 sponsored resilience and risk mitigation activities to establish and
11 present an official state position;

12 5. Pursue all available federal and private funds consistent
13 with the purposes of this act; and

14 6. Appraise the adequacy of statutory and administrative
15 mechanisms for coordinating the state's policies and programs at
16 both the intrastate and interstate levels with respect to resilience
17 and risk mitigation;

18 7. Appraise the adequacy of federal, regional, state, and local
19 programs to achieve the policies and meet the goals of the state
20 with respect to resilience and risk mitigation;

21 8. Coordinate and focus federal involvement in Oklahoma with
22 respect to resilience and risk mitigation;

1 9. Provide official state recommendations to the Legislature
2 and United States Congress with respect to policies, programs, and
3 coordinating mechanisms relative to resilience and risk mitigation;

4 10. Assist with the state's planning efforts to ensure the
5 incorporation and alignment of the state's resilience goals and
6 objectives into a unified, proactive, pre-disaster approach to
7 adaptation and long-term resilience; and

8 11. Represent the resilience and risk mitigation policy of the
9 state at the federal, regional, state, and local levels.

10 12. Integrate resilience into pre-disaster planning and post-
11 disaster recovery.

12 SECTION 5. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 696.4 of Title 63, unless there
14 is created a duplication in numbering, reads as follows:

15 A. To coordinate and strengthen efforts to reduce losses from
16 future disasters across the state, the Oklahoma Department of
17 Emergency Management shall contribute to all statewide planning
18 efforts related to resilience and risk mitigation and shall develop
19 a strategic statewide resilience report to protect the state from
20 multiple threats. The report shall include, but is not limited to,
21 the following:

- 22 1. Articulation of the state's resilience goals and objectives;
23 2. Utilization of best available science, including a range of
24 future projections, to identify and implement policies, projects,

1 and programs that achieve the state's resilience goals and
2 objectives;

3 3. Prioritization of agency-identified adaptation actions based
4 on a vulnerability assessment of risks to agency mission areas,
5 assets, services, and populations served from multiple environmental
6 threats; and

7 4. Descriptions of agency strategic actions;

8 5. Progress on activities identified in the State Hazard
9 Mitigation Plan.

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

12 C. The Oklahoma Department of Emergency Management shall submit
13 the annual statewide resilience report to the Legislature by
14 November 15 every year.

15 SECTION 6. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 696.5 of Title 63, unless there
17 is created a duplication in numbering, reads as follows:

18 A. There is hereby established the Oklahoma Resilience Task
19 Force to provide strategic direction to resilience efforts across
20 the state.

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

22 1. The Director of the Oklahoma Department of Emergency
23 Management, who shall serve as chair and shall represent the views
24 of the Interagency Resilience Coordination Council;

1 2. The Insurance Commissioner or their designee;

2 3. The Secretary of the Department of Transportation or their
3 designee;

4 4. The Chair of the Oklahoma Corporation Commission or their
5 designee;

6 5. The President of the Association of County Commissioners of
7 Oklahoma or their designee;

8 6. The Executive Director of the Oklahoma Municipal League or
9 their designee;

10 7. The Speaker of the Oklahoma House of Representatives or
11 their designee;

12 8. The President pro-tempore of the Oklahoma State Senate or
13 their designee;

14 9. The Chancellor of the Oklahoma State Regents for Higher
15 Education or their designee; and

16 10. The Chair may appoint additional membership from state,
17 local, tribal governments, the private sector, non-governmental
18 organizations, and advisors from Federal agencies to serve on the
19 task force and shall incorporate State, local, and tribal government
20 and private sector input in the development and revision of the
21 State Hazard Mitigation Plan and other related plans and strategies.

22 C. The Task Force shall meet quarterly and at the call of the
23 chair.

1 SECTION 7. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 696.6 of Title 63, unless there
3 is created a duplication in numbering, reads as follows:

4 The Oklahoma Department of Emergency Management shall submit the
5 initial statewide resilience report to the Legislature by October 1,
6 2025, and the chief resilience officer shall convene the first
7 meeting of the Interagency Resilience Coordination Council no later
8 than October 1, 2024.

9 SECTION 8. This act shall become effective July 1, 2024.

10 SECTION 9. It being immediately necessary for the preservation
11 of the public peace, health or safety, an emergency is hereby
12 declared to exist, by reason whereof this act shall take effect and
13 be in full force from and after its passage and approval.

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