

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 HOUSE BILL 3820

 By: Sims of the House

5 and

6 **Rader** of the Senate

7
8
9 AS INTRODUCED

10 An Act relating to public safety; creating the
11 Oklahoma Disaster Resilience Act; amending 63 O.S.
12 2021, Section 683.6, which relates to hazard
13 mitigation; creating the Interagency Resilience
14 Coordination Council; directing the Oklahoma
15 Department of Emergency Management lead council;
16 directing each agency director designate a resilience
17 officer; directing each presiding officer of the
18 Legislature designate a resilience officer; directing
19 the Chief Justice of the Oklahoma Supreme Court
20 designate a resilience officer; directing resilience
21 officers coordinate with Oklahoma Department of
22 Emergency Management and serve on Interagency
23 Resilience Coordination Council; establishing
24 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

1 report; providing for codification; providing an
2 effective date; and declaring an emergency.

3
4 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

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

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

- 17 1. ~~Oklahoma Department of Emergency Management, who shall serve~~
18 ~~as the Team Coordinator;~~
- 19 2. ~~Oklahoma Water Resources Board;~~
- 20 3. ~~Oklahoma Climatological Survey;~~
- 21 4. ~~Oklahoma Conservation Commission;~~
- 22 5. ~~Corporation Commission;~~
- 23 6. ~~Oklahoma Department of Commerce;~~
- 24 7. ~~Department of Environmental Quality;~~

- 1 ~~8. Department of Human Services;~~
- 2 ~~9. State Department of Health;~~
- 3 ~~10. Department of Transportation;~~
- 4 ~~11. Oklahoma Department of Agriculture, Food, and Forestry or~~
5 ~~the Secretary of Agriculture;~~
- 6 ~~12. Department of Wildlife Conservation;~~
- 7 ~~13. Oklahoma Historical Society;~~
- 8 ~~14. Oklahoma Insurance Department;~~
- 9 ~~15. Association of County Commissioners of Oklahoma;~~
- 10 ~~16. Oklahoma Municipal League;~~
- 11 ~~17. State Fire Marshal;~~
- 12 ~~18. Department of Labor;~~
- 13 ~~19. A local Emergency Management Director as determined by the~~
14 ~~President of the Oklahoma Emergency Management Association;~~
- 15 ~~20. State Chancellor or his or her representative for The~~
16 ~~Oklahoma State System of Higher Education; and~~
- 17 ~~21. State Director or his or her representative for the~~
18 ~~Oklahoma Department of Career and Technology Education~~

19 1. Each agency director in the executive branch of state
20 government shall designate at least one person to serve as the
21 agency's resilience officer and shall transmit the name and contact
22 information of each designee to the Oklahoma Department of Emergency
23 Management and shall notify the Oklahoma Department of Emergency
24

1 Management of any change in the name or contact information of a
2 designee within ten (10) days;

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

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

16 4. The agency resilience officers shall coordinate activities
17 with the Oklahoma Department of Emergency Management as necessary
18 and shall serve on the Interagency Resilience Coordination Council
19 as provided in this section of this act.

20 ~~B. Depending on the circumstances, the Team Coordinator may~~
21 ~~request participation of the heads of any other state agencies as~~
22 ~~deemed appropriate.~~

23 ~~C. The Team Coordinator shall also request that a~~
24 ~~representative of the United States Army Corps of Engineers be~~

1 ~~appointed by the administrative head of the Tulsa District to~~
2 ~~participate on the Team.~~

3 ~~D. The Team Coordinator shall also request a representative of~~
4 ~~the U.S. Department of Housing and Urban Development be appointed by~~
5 ~~the administrative head of the Oklahoma City office to participate~~
6 ~~on the team.~~

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

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

19 C. The council shall be comprised of the resilience officers
20 from each state agency. The Oklahoma Department of Emergency
21 Management shall serve as the chair.

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

24

1 E. The council shall make recommendations to and render
2 assistance and guidance to agencies in the development of strategic
3 plans for resilience.

4 F. The council will meet annually to:

5 1. Review and recommend updates to state mitigation and
6 resilience planning efforts;

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

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

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

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

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

4 The Oklahoma Department of Emergency Management shall:

5 1. Coordinate and provide strategic direction for government
6 resilience initiatives in order to build long-term resilience for a
7 robust, vibrant economic activity and a sustainable natural
8 environment for Oklahoma residents;

9 2. Designate a resilience officer within the agency;

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

13 4. Review and reconcile state agency comments on federally
14 sponsored resilience and risk mitigation activities to establish and
15 present an official state position;

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

18 6. Appraise the adequacy of statutory and administrative
19 mechanisms for coordinating the state's policies and programs at
20 both the intrastate and interstate levels with respect to resilience
21 and risk mitigation;

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

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

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

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

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

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

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

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

24 1. Articulation of the state's resilience goals and objectives;

1 2. Utilization of best available science, including a range of
2 future projections, to identify and implement policies, projects,
3 and programs that achieve the state's resilience goals and
4 objectives;

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

9 4. Descriptions of agency strategic actions;

10 5. Progress on activities identified in the State Hazard
11 Mitigation Plan.

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

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

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

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

23 B. The task force shall be composed of the following members:
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- 1 1. The Director of the Oklahoma Department of Emergency
2 Management, who shall serve as chair and shall represent the views
3 of the Interagency Resilience Coordination Council;
- 4 2. The Insurance Commissioner or their designee;
- 5 3. The Secretary of the Department of Transportation or their
6 designee;
- 7 4. The Chair of the Oklahoma Corporation Commission or their
8 designee;
- 9 5. The President of the Association of County Commissioners of
10 Oklahoma or their designee;
- 11 6. The Executive Director of the Oklahoma Municipal League or
12 their designee;
- 13 7. The Speaker of the Oklahoma House of Representatives or
14 their designee;
- 15 8. The President pro-tempore of the Oklahoma State Senate or
16 their designee;
- 17 9. The Chancellor of the Oklahoma State Regents for Higher
18 Education or their designee; and
- 19 10. The Chair may appoint additional membership from state,
20 local, tribal governments, the private sector, non-governmental
21 organizations, and advisors from Federal agencies to serve on the
22 task force and shall incorporate State, local, and tribal government
23 and private sector input in the development and revision of the
24 State Hazard Mitigation Plan and other related plans and strategies.

1 C. The Task Force shall meet quarterly and at the call of the
2 chair.

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

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

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

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

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17 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/20/2024 -
18 DO PASS, As Coauthored.

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