

2025 Regular Session

HOUSE BILL NO. 274

BY REPRESENTATIVE OWEN

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

HOMELAND SECURITY: Provides relative to the Governor's Office of Homeland Security and Emergency Preparedness

1 AN ACT

2 To amend and reenact R.S. 29:1(B), 722(A)(1), 724(B)(3), 725(A), (B), (C)(1), (E), and (H),
3 and 726(A) and R.S. 36:4(B)(7) and to repeal R.S. 36:4(B)(3), relative to the
4 Governor's Office of Homeland Security and Emergency Preparedness; to provide
5 for transition to the Military Department; to provide for the employment, authority,
6 and duties of the director; to provide for the powers, duties, and authority of the
7 Department of Public Safety and Corrections, office of state police; and to provide
8 for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 29:1(B), 722(A)(1), 724(B)(3), 725(A), (B), (C)(1), (E), and (H), and
11 726(A) are hereby amended and reenacted to read as follows:

12 §1. Military Department

13 * * *

14 B. The Military Department shall be composed of the National Guard,
15 Louisiana State Guard, Louisiana Military Police, the Governor's Office of
16 Homeland Security and Emergency Preparedness, and such other offices that may
17 be created or established according to law.

18 * * *

§722. Purpose

A. Because of the existing possibility of the occurrence of emergencies and disasters of unprecedented size and destructiveness resulting from terrorist events, enemy attack, sabotage, or other hostile action, or from fire, flood, earthquake, or other natural or manmade causes, and in order to ensure that preparations of this state will be adequate to deal with such emergencies or disasters, and in order to detect, prevent, prepare for, investigate, respond to, or recover from these events, and generally to preserve the lives and property of the people of the state of Louisiana, it is hereby found and declared to be necessary:

(1) To create and provide for designation of the Governor's Office of Homeland Security and Emergency Preparedness within the Military Department, State of Louisiana, as the state homeland security and emergency preparedness agency and to authorize the creation of local organizations for emergency preparedness in the political subdivisions of the state.

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§724. Powers of the governor

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B.

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(3) All executive orders or proclamations issued under this Subsection shall indicate the nature of the disaster or emergency, the designated emergency area which is or may be affected, and the conditions which have brought it about or which make possible the termination of the state of disaster or emergency. An executive order or proclamation shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and, unless the circumstances attendant upon the disaster or emergency prevent or impede it, promptly filed with the Military Department, Governor's Office of Homeland Security and Emergency Preparedness and with the secretary of state.

* * *

1 employ a deputy director and may employ additional deputies and assistants as may
2 be necessary to carry out the functions of the office, including but not limited to
3 homeland security, emergency preparedness, and recovery. Each deputy or assistant
4 ~~deputy director~~ shall have and may exercise such powers and duties of the director
5 ~~or the deputy director~~ as the director ~~or deputy director~~ shall delegate to him.

* * *

H. The director, subject to the direction and control of the governor, acting through the adjutant general, shall be the executive head of the state homeland security and emergency preparedness agency and as such shall be responsible ~~to the governor~~ for carrying out the programs for homeland security and emergency preparedness for the state of Louisiana. For actions related to a gubernatorially declared disaster or emergency, the agency and director shall report to the governor or a person designated by the governor for that purpose. He shall coordinate the activities of all agencies and organizations for homeland security and emergency preparedness within the state and shall maintain liaison with and cooperate with homeland security and emergency preparedness agencies and organizations of other states and of the federal government. He shall coordinate public-private sector relationships in order to meet the needs of an emergency or disaster pursuant to R.S. 29:726. All state agencies and departments shall comply with directives from the Governor's Office of Homeland Security and Emergency Preparedness relating to emergency planning and operations. He shall coordinate the implementation of the Emergency Management Assistance Compact pursuant to R.S. 29:733. The provisions of this Subsection shall not supersede the powers, duties, or authority of the Department of Public Safety and Corrections, office of state police.

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§726. Governor's Office of Homeland Security and Emergency Preparedness;
authority and responsibilities

28 A. The Governor's Office of Homeland Security and Emergency
29 Preparedness, under the ~~governor~~ Military Department, shall be responsible for

homeland security and emergency preparedness in the state. In order to perform the duties and functions required under this Chapter, the office may establish and maintain office of homeland security and emergency preparedness operations centers. The office may obtain immovable property for such operations centers by sale, transfer, grant, donation, lease, exchange, or any other means, including interagency transfers of property and cooperative endeavors.

* * *

Section 2. R.S. 36:4(B)(7) is hereby amended and reenacted to read as follows:

§4. Structure of executive branch of state government

* * *

B. The office of the governor shall be in the executive branch of state government. The governor may allocate within his office the powers, duties, funds, functions, appropriations, responsibilities, and personnel of the agencies within his office and provide for the administration thereof and for the organization of his office. The following agencies and their powers, duties, functions, and responsibilities are hereby transferred to the office of the governor:

* * *

(7) Military Department, state of Louisiana (R.S. 29:1 et seq., ~~excluding provisions for~~ including the Governor's Office of Homeland Security and Emergency Preparedness, R.S. 29:721 et seq.).

* * *

Section 3. R.S. 36:4(B)(3) is hereby repealed in its entirety.

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 274 Engrossed

2025 Regular Session

Owen

Abstract: Provides for the transfer of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) to the Military Department.

Present law (R.S. 29:725) establishes and provides for the purpose and functions of GOHSEP.

Proposed law retains present law.

Present law (R.S. 36:4(B)(3)) places GOHSEP within the office of the governor.

Present law (R.S. 36:4(B)(7)) also places the Military Dept. within the office of the governor, but excludes GOHSEP from the Military Dept.

Proposed law repeals present law (R.S. 36:4(B)(3)) and amends present law (R.S. 36:4(B)(7)) to place GOHSEP within the Military Dept.

Present law provides that the director of GOHSEP shall be appointed by the governor, subject to Senate confirmation.

Proposed law provides that the director of GOHSEP shall be employed by and report directly to the adjutant general who shall fix the salary of the director.

Present law provides that the director of GOHSEP may appoint assistant deputy directors as may be necessary to carry out the functions of the office.

Proposed law provides that the director of GOHSEP shall employ, instead of appoint, a deputy director, and may employ additional deputies and assistants.

Present law provides that the director of GOHSEP is subject to the direction and control of the governor and is responsible for carrying out the programs for homeland security and emergency preparedness for the state.

Proposed law provides that the director is subject to the direction and control of the governor, acting through the adjutant general and further provides that for actions related to a gubernatorially declared disaster or emergency, the agency and director shall report to the governor or a person designated by the governor for that purpose.

Proposed law further provides that present law and proposed law shall not supersede the powers, duties, or authority of the Dept. of Public Safety and Corrections, office of state police.

(Amends R.S. 29:1(B), 722(A)(1), 724(B)(3), 725(A), (B), (C)(1), (E), and (H), and 726(A) and R.S. 36:4(B)(7); Repeals R.S. 36:4(B)(3))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill:

1. Provide for the authority of GOHSEP related to general functions of the office.
2. Provide for the employment of a deputy director and additional deputies and assistants.
3. Provide for the authority of GOHSEP and the office of state police during a gubernatorially declared state of emergency.
4. Remove changes to the office of interoperability.