

ACT No. 262

2025 Regular Session

HOUSE BILL NO. 274

BY REPRESENTATIVE OWEN

AN ACT

To amend and reenact 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) and to repeal R.S. 36:4(B)(3), relative to the Governor's Office of Homeland Security and Emergency Preparedness; to provide for transition to the Military Department; to provide for the employment, authority, and duties of the director; to provide for the powers, duties, and authority of the Department of Public Safety and Corrections, office of state police; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

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

§1. Military Department

* * *

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

* * *

§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

1 will be adequate to deal with such emergencies or disasters, and in order to detect,
2 prevent, prepare for, investigate, respond to, or recover from these events, and
3 generally to preserve the lives and property of the people of the state of Louisiana,
4 it is hereby found and declared to be necessary:

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

10 * * *

11 §724. Powers of the governor

12 * * *

13 B.

14 * * *

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

24 * * *

25 §725. State emergency and disaster agency; powers of director; officers of the
26 agency

27 A. The Governor's Office of Homeland Security and Emergency
28 Preparedness, hereafter referred to in this Chapter as GOHSEP, is hereby established
29 ~~as a state agency within the office of the governor~~ Military Department, state of
30 Louisiana.

1 B. The governor shall designate the Governor's Office of Homeland Security
2 and Emergency Preparedness within the Military Department as the state homeland
3 security and emergency preparedness agency. ~~The office shall be an independent~~
4 ~~agency in the office of the governor and, through its director, shall report directly to~~
5 ~~the governor.~~ The office shall have authority for and shall be responsible for its own
6 accounting and budget control, procurement and contract management, personnel
7 management, and grants management and shall carry out these functions ~~either~~
8 ~~directly or through authorized assignment to another state agency or department.~~ The
9 ~~office~~ through the Military Department, which shall have authority to enter into
10 contracts and agreements necessary in carrying out ~~its~~ the office's functions and
11 responsibilities.

12 C.(1) There shall be a director of the Governor's Office of Homeland
13 Security and Emergency Preparedness who shall be ~~appointed by the governor,~~
14 ~~subject to Senate confirmation~~ employed by and report directly to the adjutant
15 general. He shall administer the state emergency preparedness agency as provided
16 in this Chapter. The director shall serve at a salary fixed by the ~~governor, which~~
17 ~~salary shall not exceed the amount approved for the position by the legislature~~
18 adjutant general.

19 * * *

20 E. ~~The director shall appoint a deputy director, subject to senate~~
21 ~~confirmation, to administer the provisions of this Chapter. The deputy director shall~~
22 ~~have and may exercise such powers and duties of the director as the director shall~~
23 ~~delegate to him.~~ The director ~~may appoint such assistant deputy directors~~ shall
24 employ a deputy director and may employ additional deputies and assistants as may
25 be necessary to carry out the functions of the office, including but not limited to
26 homeland security, emergency preparedness, and recovery. Each deputy or assistant
27 ~~deputy director~~ shall have and may exercise such powers and duties of the director
28 ~~or the deputy director~~ as the director ~~or deputy director~~ shall delegate to him.

29 * * *

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

A. The Governor's Office of Homeland Security and Emergency 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.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____