2017 Regular Session

HOUSE BILL NO. 138

BY REPRESENTATIVE JONES

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

EMERGENCY PREPAREDNESS:　Provides for reentry procedures following a disaster or
　　　　　emergency

1　　　　　　　　　　　　　　　　　　AN ACT

2　To amend and reenact R.S. 29:726(E)(26) and to enact R.S. 29:726(E)(27), relative to

3　　　　emergency preparedness; to provide for the promulgation of rules by the Governor's

4　　　　Office of Homeland Security and Emergency Preparedness; to provide for reentry

5　　　　protocols and access management prior to, during, and after a disaster or emergency

6　　　　event; to provide for a cloud-based system to verify reentry credentials; to provide

7　　　　for additional requirements; and to provide for related matters.

8　Be it enacted by the Legislature of Louisiana:

9　　　　Section 1.　R.S. 29:726(E)(26) is hereby amended and reenacted and R.S.

10　29:726(E)(27) is hereby enacted to read as follows:

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

12　　　　　　authority and responsibilities

13　　　　　　　　　　　　*　　　*　　　*

14　　　　　　E.　The office shall either directly or through authorized assignment to

15　　　　another state agency or department:

16　　　　　　　　　　　　*　　　*　　　*

17　　　　　　(26)　By August 1, 2017, promulgate rules in accordance with the

18　　　　Administrative Procedure Act to provide procedures for local governments to utilize

19　　　　for reentry into, and access management of, areas affected by a disaster or

20　　　　emergency event. The rules shall meet the requirements as defined by best practices

1   developed by Louisiana State Police Joint Operating Procedures for Statewide

2   Credentialing and Access Program and shall also provide for the following

3   requirements:

4   (a) At a minimum, provide for the classification of individuals and entities

5   into a tiered reentry system to allow first access into areas affected by a disaster or

6   emergency event to those individuals and entities with the highest priority.

7   (b) Provides for the use of cloud-based computing technology for electronic

8   proof of credentials for verification purposes at no cost to the state or any local

9   political subdivision.

10   (c) Ensures ongoing interoperability with the Crisis Event Response and

11   Recovery Access federal standard.

12   (d) Enables authorized access of critical resources to and from Louisiana and

13   to other jurisdictions.

14   (27)   Do other things necessary, incidental, or appropriate for the

15   implementation of this Chapter.

16   *   *   *

17   Section 2. Because of the frequency and severity of natural and man-made disasters

18 that have affected this state, it is the intent of this legislature to provide for consistency in

19 the manner in which individuals and entities are allowed access into areas of disaster or

20 emergency. The Department of Public Safety and Corrections formulated a policy to

21 provide for reentry procedures in cooperation with local political subdivisions, the armed

22 services, and other agencies of the state. However, it is critical to the economic vitality and

23 protection of local communities that information be collected using updated technology to

24 coordinate the level and scope of response on the state, parish, and federal level. It is not the

25 intent of this legislature to control ingress and egress, powers which belong to the parish

26 pursuant to R.S. 29:727, but to provide for more modern and efficient control of access prior

27 to, during, and after disaster or emergency events that respects local customs, Louisiana's

28 unique infrastructure, and current laws related to emergency preparedness and disaster relief

29 and response.

1   Section 3. This Act shall become effective upon signature by the governor or, if not

2 signed by the governor, upon expiration of the time for bills to become law without signature

3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

4 vetoed by the governor and subsequently approved by the legislature, this Act shall become

5 effective on the day following such approval.

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 138 Original   2017 Regular Session   Jones

Abstract: Requires the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) to promulgate rules for reentry protocols and access management prior to, during, and after a disaster or emergency event.

Present law provides for powers and duties of the parish president and GOHSEP in preparation of, and in response to, a disaster or emergency event.

Proposed law requires GOHSEP to promulgate rules by Aug. 1, 2017, to provide for reentry procedures into areas affected by a disaster or an emergency. Provides that the rules shall contain certain provisions including the classification of individuals and entities into a tiered reentry system and shall provide for electronic credentialing for verification purposes.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 29:726(E)(26); Adds R.S. 29:726(E)(27))