

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), (G)(1)

3 and (K)(1) and (2) and 726(A) and R.S. 36:4(B)(7) and to repeal R.S. 36:4(B)(3),

4 relative to the Governor's Office of Homeland Security and Emergency

5 Preparedness; to provide for transition to the Military Department; to provide for the

6 employment, authority, and duties of the director; to provide relative to the staffing

7 of the office of interoperability; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 29:1(B), 722(A)(1), 724(B)(3), 725(A), (B), (C)(1), (E), (G)(1) and

10 (K)(1) and (2) and 726(A) are hereby amended and reenacted to read as follows:

11 §1. Military Department

12 * * *

13 B. The Military Department shall be composed of the National Guard,

14 Louisiana State Guard, Louisiana Military Police, the Governor's Office of

15 Homeland Security and Emergency Preparedness, and such other offices that may

16 be created or established according to law.

17 * * *

§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.

* * *

§724. Powers of the governor

* * *

B.

* * *

(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 §725. State emergency and disaster agency; powers of director; officers of the
2 agency

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

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

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

24 * * *

25 E. ~~The director shall appoint a deputy director, subject to senate~~
26 ~~confirmation, to administer the provisions of this Chapter. The deputy director shall~~
27 ~~have and may exercise such powers and duties of the director as the director shall~~
28 ~~delegate to him. The director may appoint~~ employ ~~such assistant deputy directors~~
29 deputies and assistants as may be necessary to carry out the functions of the office,

1 including but not limited to homeland security, emergency preparedness, and
2 recovery. Each deputy or assistant ~~deputy director~~ shall have and may exercise such
3 powers and duties of the director or the ~~deputy director~~ as the director or ~~deputy~~
4 ~~director~~ shall delegate to him.

5 * * *

6 G.(1) The director may employ such professional, technical, clerical,
7 stenographic, and other personnel, and he shall fix their compensation and may make
8 expenditures from available funds appropriated for the Governor's Office of
9 Homeland Security and Emergency Preparedness or other funds made available to
10 him for purposes of homeland security and emergency preparedness as may be
11 necessary to carry out the purposes of this Chapter. During a gubernatorially
12 declared disaster or emergency, the director shall have the authority to expend funds
13 for emergency protective measures even if there is no budget authority of funds
14 available. The director, ~~the deputy director, and the assistant deputy directors, if~~
15 ~~appointed~~, shall be provided with the necessary and appropriate office space,
16 furniture, equipment, supplies, stationery, and printing. The necessary mileage,
17 office expenses, salaries of personnel, postage, telephone, and expressage shall be
18 chargeable to any funds available for homeland security and emergency
19 preparedness.

20 * * *

21 K.(1) The office of interoperability shall be ~~headed by an assistant deputy~~
22 ~~director of interoperability who shall be in the unclassified service~~ staffed as
23 determined by the director. The assistant deputy director may ~~delegate authority to~~
24 ~~such designees or to any governmental body as the assistant deputy director may~~
25 ~~deem appropriate within the limitations of state and federal laws, rules, and~~
26 ~~regulations~~. The assistant deputy director of interoperability may promulgate rules
27 and regulations to carry out the provisions of R.S. 29:725.1 through 725.4.

28 (2) The ~~assistant deputy director~~ office of interoperability shall work in
29 conjunction with the state Unified Command Group and interoperability

1 subcommittee to develop, implement, and maintain a secure interagency
2 communication across jurisdictional and geographic boundaries to enable end users
3 to access authorized information when and how they need it as identified in the
4 statewide interoperability plan and statewide communications interoperability plan
5 for first responders.

6 * * *

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

9 A. The Governor's Office of Homeland Security and Emergency
10 Preparedness, under the ~~governor~~ Military Department, shall be responsible for
11 homeland security and emergency preparedness in the state. In order to perform the
12 duties and functions required under this Chapter, the office may establish and
13 maintain office of homeland security and emergency preparedness operations
14 centers. The office may obtain immovable property for such operations centers by
15 sale, transfer, grant, donation, lease, exchange, or any other means, including
16 interagency transfers of property and cooperative endeavors.

17 * * *

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

19 §4. Structure of executive branch of state government

20 * * *

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

27 * * *

(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.).

4 * *

5 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 Original

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 may employ, instead of appoint, deputies and assistants.

Present law provides that the office of interoperability shall be headed by an assistant deputy director of interoperability.

Proposed law provides that the office of interoperability shall be staffed as determined by the director.

(Amends R.S. 29:1(B), 722(A)(1), 724(B)(3), 725(A), (B), (C)(1), (E), (G)(1) and (K)(1) and (2) and 726(A) and R.S. 36:4(B)(7); Repeals R.S. 36:4(B)(3))