

DECLARATION OF EMERGENCY

Office of the Governor Office of Homeland Security and Emergency Preparedness

Disbursement of Public Resources (LAC 55:XXI.Chapter 7)

In accordance with the provisions of R.S. 29:726(E)(30) and the Administrative Procedure Act (APA), R.S. 49:953.1 et seq., the Office of Homeland Security and Emergency Preparedness enacts emergency rules to establish procedures and processes for political subdivisions to request and receive public resources during a state of emergency or disaster. It is mandated by R.S. 29:726(E)(30) that emergency rulemaking be used in order to expedite implementation of the provisions of Act 690 (Regular Session, 2022). This Emergency Rule effective April 18, 2023, will remain in effect for the maximum period allowed in the APA.

Title 55

PUBLIC SAFETY

Part XXI. Homeland Security and Emergency Preparedness

Chapter 7. Disbursement of Public Resources

§701. Definitions

A. As used in this Chapter:

EOC—the Emergency Operations Center.

GOHSEP—the Governor’s Office of Homeland Security and Emergency Preparedness, the state agency responsible for coordinating resources in preparation of and response to emergencies and disasters in the state of Louisiana.

Governing Authority—the body that exercises the legislative functions of the political subdivision. This includes a parish police jury, a parish council, or a municipal council.

Intergovernmental Agreement—a contractual agreement between a local jurisdiction and the federal government, a state government, or another local jurisdiction.

Local Jurisdiction—a political subdivision such as a parish, municipality, or special district.

Local Resources—the assets that a local jurisdiction possesses through ownership, lease, or intergovernmental agreement.

Parish OHSEP—a parish’s Office of Homeland Security and Emergency Preparedness, the parish agency responsible for coordinating resources in preparation of and response to emergencies and disasters in that parish.

Public Resources—assets belonging to the federal government, state government, or other local jurisdictions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 29:726(E)(30).

HISTORICAL NOTE: Promulgated by the Office of Homeland Security and Emergency Preparedness, LR 48:

§703. Eligibility and Process for Request of Public Resources

A. In the event of an emergency or disaster, a local jurisdiction must first utilize its own local resources in response to the event. Once a local jurisdiction exhausts all local resources for a particular need, the local jurisdiction may request public resources from GOHSEP.

B. Public resource requests must be submitted through a parish’s OHSEP, which is responsible for establishing its own procedures for receipt and disbursement of those resources throughout the parish. Any municipality or special district within a parish must coordinate with the parish OHSEP to request public resources.

C. A parish OHSEP must submit public resource requests through GOHSEP’s web-based emergency management software. A public resource request must include all of the following:

1. a copy of the local parish or municipal declaration of emergency;
2. a detailed description of the public resource that is being requested;
3. a point of contact with a valid telephone number and email address. This point of contact must be a person with knowledge of the individual resource request who can answer questions about the request. If GOHSEP is unable to communicate with the point of contact listed in the public resource request in order to obtain additional information, that request will be placed on hold until communication can be established;
4. a valid address to which the public resource may be delivered; and
5. if the parish OHSEP needs to change the address or point of contact information, that change must be made through a comment within the original public resource request. Once a change is made, the parish OHSEP must check the “significant comment” box to notify GOHSEP of the change.

D. If the public resource requested by the parish OHSEP is a consumable that does not need to be returned, the request will be closed once the consumable is delivered. If the public resource is an asset that must be returned, the public resource request will remain open until the parish OHSEP notifies GOHSEP that the asset is no longer needed and it is returned. The parish OHSEP is responsible for updating GOHSEP on the continued need of the public resource.

AUTHORITY NOTE: Promulgated in accordance with R.S. 29:726(E)(30).

HISTORICAL NOTE: Promulgated by the Office of Homeland Security and Emergency Preparedness, LR 48:

§705. Emergency Alternative Process for Request of Public Resources

A. If the emergency or disaster disrupts internet connectivity within the parish OHSEP, the following methods of submitting public resource requests will be allowed during that period of disruption:

1. via telephone call to the state EOC;
2. via fax to the state EOC;
3. via radio call to the state EOC through the Louisiana Wireless Information Network on the GOHSEP hailing channel; or
4. via the Regional Coordinator or Area Manager serving that parish.

B. After receiving public resource requests through one of these methods, GOHSEP will enter the request into the web-based emergency management software on the parish OHSEP’s behalf. Once internet connectivity at the parish OHSEP is restored, the parish OHSEP must notify GOHSEP. At that point, the parish OHSEP will be responsible for monitoring and updating its public resource requests.

AUTHORITY NOTE: Promulgated in accordance with R.S. 29:726(E)(30).

HISTORICAL NOTE: Promulgated by the Office of Homeland Security and Emergency Preparedness, LR 48:

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