

CHAPTER 179**(HB 393)**

AN ACT relating to the Kentucky Office of Homeland Security.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 39G.010 is amended to read as follows:

- (1) The Kentucky Office of Homeland Security shall be attached to the Office of the Governor and shall be headed by an executive director appointed by the Governor.
- (2) The executive director shall:
 - (a) Publicize the findings of the General Assembly stressing the dependence on Almighty God as being vital to the security of the Commonwealth by including the provisions of KRS 39A.285(3) in its agency training and educational materials. The executive director shall also be responsible for prominently displaying a permanent plaque at the entrance to the state's Emergency Operations Center stating the text of KRS 39A.285(3);
 - (b) Establish and chair an interagency working group composed of the chair of the Senate Veterans, Military Affairs, and Public Protection Committee, the chair of the House of Representatives Seniors, Military Affairs, and Public Safety Committee, state agency representation, and private agency representation. The working group shall have the purpose of identifying risks and needs and making a complete assessment of the preparedness of the Commonwealth to respond to acts of war or terrorism, including nuclear, biological, chemical, electromagnetic pulse, agro-, eco-, or cyber-terrorism;
 - (c) Serve as the State Appointed Administrator for the United States Department of Homeland Security;
 - (d) Implement all homeland security presidential and gubernatorial directives, including directives pertaining to state and local compliance with the National Incident Management System;
 - (e) Coordinate the efforts of the Kentucky Office of Homeland Security with the efforts of the federal Department of Homeland Security;
 - (f) Accept and allocate any homeland security funds in compliance with applicable federal and state laws and administrative regulations; and
 - (g) Inform the members of the General Assembly of the process by which a public agency applies for a federal homeland security grant and shall provide the following information to the members at least ninety (90) days before an application deadline:
 1. The application deadline;
 2. How a public agency can obtain an application form;
 3. How a public agency can obtain assistance in filling out an application form; and
 4. Any other information that would be helpful to a public agency interested in applying for a federal homeland security grant.
- (3) The executive director may delegate responsibilities created under this section to another executive branch agency.
- (4) The Kentucky Office of Homeland Security shall:
 - (a) Develop and publish a comprehensive statewide homeland security strategy that coordinates state and local efforts to detect, deter, mitigate, and respond to a terrorist incident;
 - (b) Develop a comprehensive strategy addressing how state and federal funds and other assistance will be allocated within the state to purchase specialized equipment required to prevent and respond effectively and safely to terrorist incidents;
 - (c) Urge the state and local governments to exceed minimum federal requirements for receiving assistance in preparing to respond to acts of war or terrorism in the hope that the Commonwealth will become a national leader in this preparation;

- (d) Provide information explaining how individuals and private organizations, including volunteer and religious organizations, can best prepare for and respond to incidents contemplated by this section and to other threatened, impending, or declared emergencies and whom to contact should they desire to volunteer help or services during such an emergency. The program shall identify and encourage these private organizations to specifically commit to provide food, shelter, personnel, equipment, materials, consultation, and advice, or other services needed to respond to these incidents;
- (e) Administer the Kentucky Intelligence Fusion Center and coordinate its operations with other federal, state, and local agencies;
- (f)
 1. *Form the Commonwealth Activity Taxonomy System (CATS) Committee to develop and oversee a system of evaluating special events to determine, plan, mitigate, and respond to risks and threats to the Commonwealth.*
 2. *The committee shall consist of members from no fewer than five (5) state agencies, including:*
 - a. *Kentucky Office of Homeland Security;*
 - b. *Kentucky Division of Emergency Management;*
 - c. *Kentucky National Guard; and*
 - d. *Kentucky State Police.*
 3. *The committee shall establish a quantitative system to identify and rank state public events, to maintain public safety, and to protect public property.*
 4. *Membership shall be determined by the state agencies identified in subparagraph 2. of this paragraph, and the executive director of the Kentucky Office of Homeland Security shall appoint other members as necessary.*
 5. *The committee shall elect a chair and a vice chair from its members who shall serve in those capacities for a term of two (2) years. A majority of the committee shall constitute a quorum for the purposes of conducting business.*
 6. *The committee shall meet when called by the chair, or at the request of the executive director of the Kentucky Office of Homeland Security; and*
- ~~(g)~~ Promulgate any administrative regulations necessary to carry out the provisions of this chapter.
- (5) The adjutant general, or his or her designee, shall concurrently notify the Governor and the executive director of the Office of Homeland Security of a disaster or emergency involving homeland security. The adjutant general, or his or her designee, shall be the Governor's primary point of contact for managing and responding to a disaster or emergency involving homeland security.

Became law without Governor's signature March 27, 201