

1 AN ACT relating to disaster resiliency.

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

3 ➔ SECTION 1. A NEW SECTION OF KRS CHAPTER 39A IS CREATED TO
4 READ AS FOLLOWS:

5 (1) The position of chief resiliency officer is hereby established to lead efforts to
6 enhance the Commonwealth's ability to prepare for natural disasters and
7 emergencies. The chief resiliency officer shall be appointed by and serve at the
8 pleasure of the Governor and operate in consultation with the director of the
9 Division of Emergency Management.

10 (2) The chief resiliency officer shall:

11 (a) Serve as a central coordinator for preparedness, resilience, and mitigation
12 efforts across the Commonwealth;

13 (b) Develop and maintain, in conjunction with the Division of Emergency
14 Management, a statewide resiliency plan to reduce long-term disaster risks,
15 strengthen infrastructure, and promote cost-effective emergency
16 preparedness investments;

17 (c) Coordinate across executive branch agencies and with local governments,
18 regional entities, the private sector, and academic and nonprofit partners;

19 (d) Strengthen Kentucky's emergency threat preparedness and resilience,
20 including but not limited to tornadoes, floods, earthquakes, ice storms,
21 wildfires, biohazard and hazardous materials incidents, radioactive
22 contamination, public health emergencies and disease outbreaks, power-
23 grid failures, and cyberattacks;

24 (e) Support disaster preparedness and response grant funding efforts and
25 applications for local government and other disaster preparedness and
26 response organizations;

27 (f) Research, review, and adopt emerging best practices in disaster prevention,

mitigation, and resilience; and

(g) Employ staff as necessary to fulfill the responsibilities and duties set forth in this section.

➔ Section 2. KRS 39A.070 is amended to read as follows:

5 The director, with the approval of the adjutant general, shall [exercise the following
6 powers, responsibilities, and duties]:

7 (1) [To]Represent the Governor on all matters pertaining to the comprehensive
8 emergency management program and the disaster and emergency response of the
9 Commonwealth;

10 (2) [To—]Coordinate the development of a statewide comprehensive emergency
11 management program, and through it, an integrated emergency management system
12 for the disaster and emergency response of the Commonwealth;

13 (3) [To]Promulgate administrative regulations and issue orders, directives, standards,
14 rules, procedures, guidance, or recommended practices necessary to coordinate the
15 development, administration, organization, operation, implementation, and
16 maintenance of the statewide comprehensive emergency management program and
17 the integrated emergency management system of the Commonwealth;

18 (4) [To—]Coordinate the development of comprehensive emergency management
19 programs by the cities, counties, and urban-county or charter county governments
20 as functional components of the integrated emergency management system of the
21 Commonwealth;

22 (5) ~~To~~Supervise the development and maintenance of the Kentucky Emergency
23 Operations Plan, and~~to~~ review and give concurrence to local emergency
24 operations plans required pursuant to KRS Chapters 39A to 39F;

25 (6) [To—]Coordinate the comprehensive emergency management program of the
26 Commonwealth with the emergency management or other emergency response-
27 related programs of the federal government, and of other states, to the fullest

1 appropriate extent;

2 (7) ~~{To }~~Advise the Governor and the adjutant general immediately of the occurrence
3 or threatened or impending occurrence of any disaster or emergency, and~~{ to }~~
4 recommend to the Governor any emergency executive action that the Governor
5 should execute;

6 (8) ~~{To }~~Serve as the Governor's primary liaison with local officials in the event of the
7 occurrence, or threatened or impending occurrence, of any disaster or emergency in
8 the cities, counties, urban-counties, or charter counties of the Commonwealth;

9 (9) ~~{To }~~Take any other preparedness or response actions deemed necessary for
10 adequate response to a disaster or emergency situation, including~~{ to include}~~:
11 requesting increased readiness activities by state or local agencies in advance of an
12 actual disaster or emergency; requesting implementation of local emergency
13 operations plans or the activation of local emergency operations centers; requesting
14 reports from state or local agencies regarding emergency situations, damage
15 assessments, or the taking of emergency response actions; and requesting the
16 mobilization or deployment of any trained and equipped forces of state or local
17 government for the disaster and emergency response purposes set forth in KRS
18 Chapters 39A to 39F;

19 (10) ~~{To }~~Request and utilize the personnel, equipment, services, and facilities of
20 existing officers and agencies of the Commonwealth and of all political
21 subdivisions and special districts. All these officers and agencies shall fully
22 cooperate with and extend their resources to the director as requested, to the extent
23 that local public safety is not unreasonably compromised;

24 (11) ~~{To }~~Employ measures and give directions to the state or local boards of health as
25 necessary for the purpose of securing compliance with the provisions of KRS
26 Chapters 39A to 39F, or with the findings or recommendations of the boards of
27 health, because of conditions arising from disasters, emergency situations, national

1 security emergencies, or the threat thereof;

2 (12) ~~{To }~~Request and utilize the services of state and local law enforcement officers for
3 the purpose of securing compliance with the provisions of KRS Chapters 39A to
4 39F~~,~~ or any order of the Governor pertaining to disaster and emergency response;

5 (13) On behalf of this Commonwealth, with the approval of the Governor or act of the
6 General Assembly, ~~{to }~~enter into reciprocal aid agreements or compacts with other
7 states and the federal government, either on a statewide, local, county, or city basis,
8 or with other states or a province of a foreign country. The mutual aid agreements
9 shall be limited to the furnishing or exchange of food, clothing, medicine, and other
10 supplies; engineering services; emergency housing; police services; National Guard
11 personnel and resources while under the control of the state; health, medical, and
12 related services; firefighting; rescue; search and rescue or recovery; urban search
13 and rescue; hazardous materials response services, transportation and construction
14 services and equipment; personnel necessary to provide or conduct these services
15 and other supplies, equipment, facilities, personnel, and services as needed; the
16 reimbursement of costs and expenses for equipment, supplies, personnel, and
17 similar items for mobile support units, firefighting, search and rescue, and police
18 units, and health units; and on the terms and conditions deemed necessary;

19 (14) ~~{To }~~Sponsor and develop mutual aid plans and agreements among the urban-
20 county or charter county governments, counties, cities, and other political
21 subdivisions and special districts of the Commonwealth, similar to the mutual aid
22 arrangements with other states referred to in subsection (13) of this section;

23 (15) ~~{To }~~Procure motor vehicles, radio and telecommunications equipment, protective
24 clothing, safety equipment, and other necessary supplies and materials to meet the
25 emergency response, operational, and administrative needs of the division;

26 (16) ~~{To }~~Identify deficiencies existing in the emergency management program
27 organization, facilities, and capabilities of the Commonwealth, including but not

1 limited to[.] personnel and administrative resources; state, sub-state, area, or local
2 emergency operations centers; mobile command posts; emergency
3 telecommunications and computer systems; alerting and warning systems;
4 stockpiles of critical resources; or any other necessary elements, and[to]
5 recommend to the adjutant general, for consideration by the Governor or the
6 General Assembly or other appropriate funding authority, the administrative or
7 operational funding requirements[.] and long-range capital construction or
8 improvement projects needed to meet the emergency management infrastructure
9 needs of the Commonwealth;

10 (17) [To-]Serve as the state coordinating officer and notify the Governor of the
11 appropriations necessary to fund the expected emergency operational or response
12 costs of the division, and the Commonwealth's share of the grants provided by
13 Pub.L.No.[Pub.L.No.] 93-288, Title V, Federal Disaster Assistance Programs as
14 amended by Pub.L.No.[Pub.L.No.] 100-707, the Robert T. Stafford Disaster Relief
15 and Emergency Assistance Act, or successor acts or titles, and further, take action
16 necessary to ensure entitlement to all other federal relief or assistance programs;

17 (18) [To-]Cooperate with the President of the United States, the Federal Emergency
18 Management Agency, and other appropriate federal offices and agencies, and the
19 offices and agencies of other states in matters pertaining to the comprehensive
20 emergency management program of the Commonwealth and nation; and in
21 connection with these, [to-]take any measures considered necessary to implement
22 any request of the President and the appropriate federal offices and agencies, for
23 any action requiring effective disaster and emergency response, including the
24 direction or control and mobilization of disaster and emergency response forces;
25 tests and exercises, warnings, and signals for drills or other emergency response
26 activities and the mechanical devices to be used in connection with these; the
27 shutting off of water mains, gas mains, electric power connections, and the

1 suspension of all other utility services; the conduct of civilians and the movement
2 and cessation of movement of pedestrians and vehicular traffic during, prior, and
3 subsequent to a drill, emergency, declared emergency, or disaster; public meetings
4 or gatherings; and the evacuation and sheltering of the civilian population; ~~and~~

5 (19) **Work in cooperation with the chief resiliency officer and assist with the discharge**
6 **of the powers, duties, and responsibilities set forth in Section 1 of this Act; and**

7 (20) ~~{To }~~Delegate any authority vested in the director under KRS Chapters 39A to 39F
8 and ~~{to }~~provide for the subdelegation of any such authority.