

La. R.S. § 39:100.31

Current through the 2024 First Extraordinary Session and Act 22 of the Second Extraordinary Session.
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§ 39:100.31. State Emergency Response Fund

A. The State Emergency Response Fund, hereinafter referred to as the “fund”, is hereby created in the state treasury. Any money donated to the fund or appropriated to the fund by the legislature shall be deposited in the fund. Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on investment of monies in the fund shall be deposited in and credited to the fund. Unexpended and unencumbered monies in the fund shall remain in the fund. Monies in the fund shall be appropriated, administered, and used solely as provided in Subsection B of this Section.

B. Monies in the fund shall be appropriated and used to provide a source of funds to pay expenses incurred as a result of activities associated with the preparation for, response to, and recovery from an emergency or declared disaster. The expenditure for such a purpose from another source may be eligible to be repaid from the fund if the using agency has certified the necessity of such action to the commissioner of administration. Monies in the fund may also be utilized to provide bridge funding in anticipation of reimbursements from the federal government or other source. Any reimbursement received for expenses paid from the fund shall be returned to and deposited into the fund. Transfers of monies from the fund may be made from one agency to another prior to obtaining approval by the Joint Legislative Committee on the Budget in the event of an emergency and if certified by the commissioner of administration to the governor that any delay in the expenditure of such monies would be detrimental to the welfare and safety of the state and its citizens. The Joint Legislative Committee on the Budget shall be notified in writing of such declaration and shall meet to consider such action, but if it is found by the committee that such funds were not needed for an emergency expenditure, such approval may be withdrawn and any balance remaining shall not be expended.

C.

(1) The Legislature of Louisiana recognizes the importance of a robust cybersecurity defense for the state and its political subdivisions. Notwithstanding the provisions of Subsection B of this Section, monies in the fund may also be used for the following purposes:

(a) Training opportunities for employees of the state and its political subdivisions in information assurance, security, and recovery; cybersecurity; and related fields.

(b) Funding additional pay for employees of the state and its political subdivisions who respond to cyber incidents on behalf of the state and its political subdivisions in addition to performing their primary employment duties.

(c) Funding the purchase of updated computer hardware and software and internet-connected devices for the state and its political subdivisions that are determined to be necessary by the office of technology services following vulnerability assessments, inspections, or cyber incident recovery efforts.

(d) Funding retention of private-sector information technology professionals.

(2) For the purposes of this Subsection, the term “cyber incident” shall mean any type of malicious, destructive, or harmful software or program that is targeted at, negatively affects, or impacts computers, computer servers, computer programs, computer services, computer software, internet-connected devices, or computer systems or networks owned or operated by the state of Louisiana or its political subdivisions, including but not limited to cyber threat indicators, denial of service attacks, malware, or ransom-ware attacks, whether imminent or not.

History

Acts 2006, No. 640, § 2, eff. Aug. 15, 2006; Acts 2007, No. 196, § 2, eff. June 30, 2007; Acts 2019, No. 404, § 7, § 7, effective July 1, 2020; Acts 2020, No. 144, § 1, § 1, effective July 1, 2020; Acts 2020, No. 144, § 1, effective July 1, 2020.

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