



House of Representatives

General Assembly

File No. 234

February Session, 2018

Substitute House Bill No. 5225

House of Representatives, April 5, 2018

The Committee on Public Safety and Security reported through REP. VERRENGIA of the 20th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING THE DIVISION OF EMERGENCY
MANAGEMENT AND HOMELAND SECURITY.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-1b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2018*):

3 (a) There shall be within the Department of Emergency Services and
4 Public Protection a Division of State Police. The Commissioner of
5 Emergency Services and Public Protection shall serve as administrative
6 head and commanding officer of the State Police Division. As
7 administrative head, said commanding officer of the Division of State
8 Police shall delegate said commanding officer's jurisdiction of the
9 affairs of the Division of State Police to a deputy commissioner who
10 shall have the powers and privileges conferred by statute upon a state
11 [~~policeman~~] police officer.

12 (b) There shall be within said department a Division of Emergency

13 Management and Homeland Security. There shall be within said
 14 division an Office of Emergency Management and an Office of
 15 Counterterrorism. The commissioner shall serve as administrative
 16 head of said division. As administrative head, said commissioner shall
 17 delegate said commissioner's jurisdiction of the Division of Emergency
 18 Management and Homeland Security to a deputy commissioner. The
 19 deputy commissioner shall possess professional training and
 20 knowledge consisting of not less than five years of managerial or
 21 strategic planning experience in matters relating to public safety,
 22 security, emergency services and emergency response. No person
 23 possessing a record of any criminal, unlawful or unethical conduct
 24 shall be eligible for or hold such position. Any person with any present
 25 or past political activities or financial interests that may substantially
 26 conflict with the duties of the deputy commissioner or expose such
 27 person to potential undue influence or compromise such person's
 28 ability to be entrusted with necessary state or federal security
 29 clearances or information shall be deemed unqualified for such
 30 position and shall not be eligible to hold such position. The deputy
 31 commissioner shall not be a sworn member of a law enforcement unit,
 32 as defined in section 7-294a.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2018	29-1b

Statement of Legislative Commissioners:

In Section 1(b), the second sentence was rewritten for accuracy.

PS *Joint Favorable Subst. -LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

There is expected to be no fiscal impact resulting from the bill, which organizes the Office of Emergency Management and the Office of Counter Terrorism within the Division of Emergency Management and Homeland Security (DEMHS). This reflects the existing organizational structure.

The bill also prohibits the Commissioner of the Department of Emergency Services and Public Protection from appointing a sworn police officer as deputy commissioner of DEMHS. There is expected to be no fiscal impact from this limitation.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis

sHB 5225

AN ACT CONCERNING THE DIVISION OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY.

SUMMARY

This bill requires that the Office of Emergency Management and the Office of Counterterrorism be within the Division of Emergency Management and Homeland Security (DEMHS), thereby reflecting the current organizational structure. Both offices have already been established administratively within the division. DEMHS is one of the two divisions within the Department of Emergency Services and Public Protection (DESPP), the other being the Division of State Police.

The bill also prohibits the DESPP commissioner from appointing a sworn state, local, or tribal law enforcement member to serve as the deputy commissioner of DEMHS. By law, the DESPP commissioner is the administrative head of DEMHS and must delegate his or her jurisdiction of the division to a deputy commissioner.

Additionally, the bill makes a technical change.

EFFECTIVE DATE: July 1, 2018

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable

Yea 18 Nay 7 (03/16/2018)