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HOUSE BILL NO. 1998

Offered January 11, 2017

Prefiled January 10, 2017

A BILL to amend and reenact § 2.2-222.3 of the Code of Virginia, relating to the Secure Commonwealth Panel; membership and duties.

Patron—Lingamfelter

Referred to Committee on Militia, Police and Public Safety

Be it enacted by the General Assembly of Virginia:**1. That § 2.2-222.3 of the Code of Virginia is amended and reenacted as follows:****§ 2.2-222.3. Secure Commonwealth Panel; membership; duties; compensation; staff.**

A. The Secure Commonwealth Panel (the Panel) is established as an advisory board, within the meaning of § 2.2-2100, in the executive branch of state government. The Panel shall consist of 34 members as follows: three members of the House of Delegates, *one of whom shall be the chairman of the House Committee on Militia, Police and Public Safety*, and two nonlegislative citizens to be appointed by the Speaker of the House of Delegates; three members of the Senate of Virginia, *one of whom shall be the chairman of the Senate Committee on General Laws and Technology*, and two nonlegislative citizens to be appointed by the Senate Committee on Rules; the Lieutenant Governor; the Attorney General; the Executive Secretary of the Supreme Court of Virginia; the Secretaries of Commerce and Trade, Health and Human Resources, Technology, Transportation, Public Safety and Homeland Security, and Veterans and Defense Affairs; *the State Coordinator of Emergency Management of the Virginia Department of Emergency Management and the Adjutant General of the Virginia National Guard*, or their designees; two local first responders; ~~three~~ *two* local government representatives; two physicians with knowledge of public health; ~~four~~ *five* members from the business or industry sector; and ~~four~~ *two* citizens from the Commonwealth at large. Except for appointments made by the Speaker of the House of Delegates and the Senate Committee on Rules, all appointments shall be made by the Governor. Additional ex officio members may be appointed to the Panel by the Governor. Legislative members shall serve terms coincident with their terms of office or until their successors shall qualify. Nonlegislative citizen members shall serve for terms of four years. The Secretary of Public Safety and Homeland Security shall be the chairman of the Panel.

B. The Panel shall *have as its primary focus emergency management and homeland security within the Commonwealth to ensure that prevention, preparedness, response, and recovery contingency plans and procedures, both at the state and local levels, are fully integrated, suitable, and effective in addressing both man-made and natural disasters. The Panel shall also monitor and assess the implementation of statewide prevention, preparedness, response, and recovery initiatives and where necessary review, evaluate, and make recommendations relating to the emergency preparedness of government at all levels in the Commonwealth concerning implementation of such initiatives. The Panel shall also make such recommendations as it deems necessary to enhance or improve the resiliency of public and private critical infrastructure to survive man-made and natural disasters. The*

C. *On or before October 1 of each year, the Panel shall make annual reports report to the Governor, the Senate Committee on Finance, the Senate Committee on General Laws and Technology, the House Committee on Appropriations, and the House Committee on Militia, Police and Public Safety concerning the state's state of the Commonwealth's emergency preparedness, response, recovery, and prevention efforts and the resources necessary to implement them. Such report may, with the concurrence of the Governor, include a classified annex containing sensitive or classified information, which information is excluded from disclosure in accordance with subdivisions 2, 3, 4, and 6 of § 2.2-3705.2 and which, if revealed publicly, would jeopardize or compromise security plans and procedures in the Commonwealth designed to protect (i) the public or (ii) public or private critical infrastructure. Any information in the classified annex presented to any committee of the General Assembly shall be discussed in a closed meeting as provided in subdivision 19 of § 2.2-3711.*

D. The Panel shall designate an Emergency Management Awareness Council (the Council) consisting of the Secretary of Public Safety and Homeland Security, the Lieutenant Governor, the Attorney General, and the Chairmen of the House Committee on Militia, Police and Public Safety and the Senate Committee on General Laws and Technology to facilitate communication between the executive and legislative branches of state government. The Council shall meet at the call of the Secretary of Public Safety and Homeland Security during an emergency management situation to review critical information concerning such situation. The Secretary of Public Safety and Homeland Security shall (i) advise the

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59 *Panel whenever the Council meets and (ii) facilitate communication between the Council and the Panel.*
60 *The Secretary of Public Safety and Homeland Security shall assist, to the extent provided by law, in*
61 *obtaining access to classified information for the Council when such information is necessary to enable*
62 *the Council to perform its duties.*

63 ~~C.~~ E. Members of the Panel shall serve without compensation but shall be reimbursed for all
64 reasonable and necessary expenses incurred in the discharge of their duties as provided in § 2.2-2825.

65 ~~D.~~ F. Staff support for the Panel and funding for the costs of expenses of the members shall be
66 provided by the Secretary of Public Safety and Homeland Security.

67 ~~E.~~ G. The Secretary shall facilitate cabinet-level coordination among the various agencies of state
68 government related to emergency preparedness and shall facilitate private sector preparedness and
69 communication.