

As Introduced

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H. B. No. 490

Representative Mallory

**Cosponsors: Representatives Szollosi, Letson, Webster, Yuko, Luckie,
Williams, S., Boyd, Evans, Harwood, Miller, Goyal, Foley**

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A B I L L

To amend section 5502.03 and to enact section 5502.04 1
of the Revised Code to create the Infrastructure 2
Protection Center within the Division of Homeland 3
Security of the Department of Public Safety. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 5502.03 be amended and section 5
5502.04 of the Revised Code be enacted to read as follows: 6

Sec. 5502.03. (A) There is hereby created in the department 7
of public safety a division of homeland security. 8

(B) The division shall do all of the following: 9

(1) Coordinate all homeland security activities of all state 10
agencies and be the liaison between state agencies and local 11
entities for the purposes of communicating homeland security 12
funding and policy initiatives; 13

(2) Collect, analyze, maintain, and disseminate information 14
to support local, state, and federal law enforcement agencies, 15
other government agencies, and private organizations in detecting, 16
deterring, preventing, preparing for, responding to, and 17

recovering from threatened or actual terrorist events. This 18
information is not a public record pursuant to section 149.43 of 19
the Revised Code. 20

(3) ~~Coordinate~~ Through the infrastructure protection center 21
created in section 5502.04 of the Revised Code, coordinate efforts 22
of state and local governments and private organizations to 23
enhance the security and protection of critical infrastructure and 24
key assets in this state; 25

(4) Develop and coordinate policies, protocols, and 26
strategies that may be used to prevent, detect, prepare for, 27
respond to, and recover from terrorist acts or threats; 28

(5) Develop, update, and coordinate the implementation of an 29
Ohio homeland security strategic plan that will guide state and 30
local governments in the achievement of homeland security in this 31
state. 32

(C) The director of public safety shall appoint an executive 33
director, who shall be head of the division of homeland security 34
and who regularly shall advise the governor and the director on 35
matters pertaining to homeland security. The executive director 36
shall serve at the pleasure of the director of public safety. To 37
carry out the duties assigned under this section, the executive 38
director, subject to the direction and control of the director of 39
public safety, may appoint and maintain necessary staff and may 40
enter into any necessary agreements. 41

(D) Except as otherwise provided by law, nothing in this 42
section shall be construed to give the director of public safety 43
or the executive director of the division of homeland security 44
authority over the incident management structure or 45
responsibilities of local emergency response personnel. 46

Sec. 5502.04. (A) There is hereby created in the division of 47

homeland security the infrastructure protection center, to be 48
located in Cincinnati. 49

(B) The center shall do all of the following: 50

(1) Coordinate all infrastructure-related homeland security 51
and infrastructure protection activities of all state agencies and 52
be the liaison between state agencies, local entities, and the 53
public for the purposes of communicating infrastructure-related 54
homeland security services; 55

(2) Research and analyze infrastructure security and 56
intelligence information to detect, deter, prevent, prepare for, 57
respond to, and recover from potential or actual terrorist events 58
that threaten infrastructure. This information is not a public 59
record pursuant to section 149.43 of the Revised Code. 60

(3) Coordinate efforts of state and local governments and 61
private organizations to enhance the security and protection of 62
critical infrastructure and key assets in this state and to ensure 63
interoperability and compatibility of such efforts; 64

(4) Develop and coordinate policies, protocols, and 65
strategies that may be used to prevent, detect, prepare for, 66
respond to, and recover from terrorist acts or threats to 67
infrastructure, including emergency response and contingency 68
planning; 69

(5) Perform infrastructure risk assessments, including 70
individual site assessments and sector assessments, and recommend 71
strategies and methods to mitigate risk; 72

(6) Conduct prevention and deterrence exercises and provide 73
security analysis training. 74

(C) In performing its duties under division (B) of this 75
section, the center shall give priority to bridge security. The 76
center and the department of transportation cooperatively shall 77

identify those bridges considered most critical to the state, 78
establish inspection schedules and other methods to mitigate the 79
risk to bridges, and establish security procedures to protect 80
critical bridges. 81

(D) The director of public safety shall appoint a chief 82
administrator, who shall be head of the center and who shall 83
report to the executive director of the division of homeland 84
security on a regular basis concerning the duties and 85
responsibilities of the center and on any matters pertaining to 86
infrastructure protection. The chief administrator shall serve at 87
the pleasure of the director of public safety. To carry out the 88
duties assigned under this section, the chief administrator, 89
subject to the direction and control of the executive director of 90
the division of homeland security, may appoint and maintain 91
necessary staff and may enter into any necessary agreements. 92

(E) Except as otherwise provided by law, nothing in this 93
section shall be construed to give the director of public safety 94
or the chief administrator of the infrastructure protection center 95
authority over the incident management structure or 96
responsibilities of local emergency response personnel. 97

(F) This section shall not be construed to replace or 98
supersede infrastructure security standards the United States 99
department of homeland security and the transportation security 100
administration require, or safety standards the United States 101
department of transportation requires. 102

Section 2. That existing section 5502.03 of the Revised Code 103
is hereby repealed. 104