

1 HB112  
2 210646-3  
3 By Representatives Pettus, Hanes and Bedsole  
4 RFD: Public Safety and Homeland Security  
5 First Read: 02-FEB-21  
6 PFD: 01/26/2021

1  
2 ENROLLED, An Act,

3 Relating to emergency responders; to amend Section  
4 36-21-14, Code of Alabama 1975, to authorize the Alabama Fire  
5 College to provide certification to certain peer support  
6 members.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Section 36-21-14, Code of Alabama 1975,  
9 is amended to read as follows:

10 "§36-21-14.

11 "(a) As used in this section, the following terms  
12 shall have the following meanings:

13 "(1) CERTIFIED PEER SUPPORT MEMBER. ~~A law~~  
14 ~~enforcement officer, firefighter, paramedic, emergency~~  
15 ~~dispatcher, emergency medical technician of an emergency~~  
16 ~~service agency or entity, An emergency responder or a person~~  
17 who is assigned to be a chaplain by an emergency service  
18 agency, ~~who has received training in critical incident stress~~  
19 ~~management and who is certified as a peer support member by~~  
20 the Alabama State Law Enforcement Agency or the Alabama Fire  
21 College to provide emotional and moral support to an emergency  
22 responder who needs emotional or moral support as a result of  
23 job-related stress or an incident in which the emergency  
24 responder was involved while acting in his or her official  
25 capacity.

1           "(2) EMERGENCY RESPONDER. A law enforcement officer,  
2 firefighter, wildland firefighter, paramedic, emergency  
3 dispatcher, or emergency medical technician of an emergency  
4 service agency or entity.

5           "(3) PEER SUPPORT EVENT. Any debriefing, defusing,  
6 or coaching session conducted by a certified peer support  
7 member that involves the emotional or moral support of an  
8 emergency responder who needs emotional or moral support as a  
9 result of job-related stress or an incident in which the  
10 emergency responder was involved while acting in his or her  
11 official capacity.

12           "(b) In order to become a certified peer support  
13 member, all of the following must apply:

14           "(1) The person must be an emergency responder or a  
15 chaplain of an emergency service agency.

16           "(2) The person must complete training in critical  
17 stress management or peer support by a recognized training  
18 agency. Recognized training agencies include, ~~but are not~~  
19 ~~limited to,~~ the International Critical Incident Stress  
20 Foundation, the National Organization for Victim Assistance,  
21 the American Red Cross, and the Regional Counterdrug Training  
22 Academy.

23           "(3) The person must be designated in writing by a  
24 sheriff, police chief, fire chief, or other head of a law  
25 enforcement agency, fire department, rescue agency, or a

1 public safety agency to provide peer support services to an  
2 emergency responder or the spouse of an emergency responder.  
3 Only one certified peer support person may be assigned per any  
4 specific peer support event.

5 "(4) Law enforcement officers, emergency  
6 dispatchers, or persons assigned to be a chaplain by an  
7 emergency service agency, must be certified by the Alabama  
8 State Law Enforcement Agency. Firefighters, wildland  
9 firefighters, paramedics, and emergency medical technicians of  
10 an emergency service agency or entity, or persons assigned to  
11 be a chaplain by an emergency service agency, must be  
12 certified by the Alabama Fire College.

13 "(c) Any communication made by an emergency  
14 responder to a certified peer support member during a peer  
15 support event is privileged. The emergency responder may waive  
16 the privilege. The certified peer support member may not be  
17 compelled to testify or otherwise disclose the contents of any  
18 privileged communication under this section.

19 "(d) A communication made by an emergency responder  
20 to a certified peer support member is not privileged if any of  
21 the following apply:

22 "(1) The certified peer support member was an  
23 initial emergency service responder, a witness, or a party to  
24 the incident that prompted the communication to the certified  
25 peer support member.

1           "(2) The communication reveals the intended  
2           commission of a crime or otherwise harmful act, and the  
3           disclosure of the communication is determined to be necessary  
4           by the certified peer support member to protect any person  
5           from a clear and imminent risk of mental or physical harm or  
6           to forestall a serious threat to public safety.

7           "(3) The communication reveals that a crime was  
8           committed.

9           "(4) A court determines the communications are not  
10          privileged under the exceptions provided in Rule 503(d),  
11          Alabama Rules of Evidence."

12          Section 2. This act shall become effective on the  
13          first day of the third month following its passage and  
14          approval by the Governor, or its otherwise becoming law.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17

---

Speaker of the House of Representatives

---

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 11-MAR-21, as amended.

Jeff Woodard  
Clerk

---

Senate

---

29-APR-21

---

Passed