- 1 HB223
- 2 149799-3
- 3 By Representative Henry
- 4 RFD: Public Safety and Homeland Security
- 5 First Read: 07-FEB-13

1	ENGROSSED
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4	A BILL
5	TO BE ENTITLED
6	AN ACT
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8	Relating to prefabricated storm shelters; to amend
9	Sections 1 and 2 of Act 2012-224 of the 2012 Regular Session,
10	now appearing as Section 31-9-100 and Section 31-9-101 of the
11	Code of Alabama 1975, which act exempted certain prefabricated
12	storm shelters from Title 24, Code of Alabama 1975, related to
13	housing; to delete the provision that a shelter not be
14	equipped with certain features in order to be exempt; and to
15	delete certain provisions for random inspections by the
16	Emergency Management Agency.
17	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
18	Section 1. Sections 1 and 2 of Act 2012-224 of the
19	2012 Regular Session, now appearing as Section 31-9-100 and
20	Section 31-9-101 of the Code of Alabama 1975, are amended to
21	read as follows:
22	"§31-9-100.
23	"(a) Title 24 shall not apply to prefabricated storm
24	shelters <del>not equipped with electrical, plumbing, heating, or</del>
25	utility service lines other than electrical lines, and which
26	meet all of the following:

"(1) Is a temporary safe place during storms as
 stated in Federal Emergency Management Agency Publication 320
 or 361 or their successors.

"(2) Includes plans for the construction of the
shelter that are stamped sealed, dated, and signed by a
licensed engineer or a registered architect who is licensed or
registered in this state and is practicing within the scope of
<u>his or her profession except if the plans are for a community</u>
<u>storm shelter, the plans shall be sealed, dated, and signed by</u>
a licensed engineer and a registered architect.

"(3) States in a conspicuous place on the first blueprint page: "This shelter design complies with applicable standards as provided in the current Federal Emergency Management Agency (FEMA) publication and International Code Council (ICC-500) Codes."

16 "(4) Includes shelter occupancy information on the 17 notes page of the shelter blueprints stating: "According to 18 the current FEMA and ICC-500 standards, this shelter will 19 accommodate (X) standing adults (5 SF/Person), (Y) people in 20 wheelchairs (10 SF/Person), and (Z) bedridden people (205 21 SF/Person)."

"(b) All resident and nonresident manufacturers of
prefabricated storm shelters selling prefabricated storm
shelters in this state shall annually deliver to the Alabama
Emergency Management Agency a good and sufficient surety bond,
executed by the applicant as principal and by a corporate
surety company qualified to do business in the state as

surety, in the sum of twenty thousand dollars (\$20,000). The bond shall be in a form to be approved by the agency, and shall be conditioned upon the manufacturer's compliance with the requirements for prefabricated storm shelters provided in subsection (a).

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"§31-9-101.

7 "The Alabama Emergency Management Agency shall have oversight authority on all storm shelters, both community and 8 9 residential. The Alabama Emergency Management Agency may adopt administrative rules to carry out the intent of this article 10 and to ensure that all prefabricated storm shelters funded in 11 12 whole or in part by state or federal funds or eligible for 13 reimbursement from the state or federal funds meet appropriate 14 standards and guidelines prior to any payment or reimbursement 15 from state or federal funds. In regards to residential storm 16 shelters with capacity of not more than 16 people, the Alabama 17 Emergency Management Agency shall perform random inspections of the manufacturers of those residential storm shelters and 18 the installation of those residential storm shelters. There 19 shall be no additional cost to the manufacturer or consumer 20 21 for these random inspections."

22 Section 2. This act shall become effective 23 immediately following its passage and approval by the 24 Governor, or its otherwise becoming law.

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3	House of Representatives
4 5 6 7	Read for the first time and re- ferred to the House of Representa- tives committee on Public Safety and Homeland Security
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9 10 11	Read for the second time and placed on the calendar with 1 substitute and 20-MAR-13
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13 14	Read for the third time and passed as amended 25-APR-13
15	Yeas 97, Nays 0, Abstains 0

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Jeff Woodard Clerk